

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
July 30, 2024**

The Selectmen's Meeting convened at 4:01 pm at Conway Town Hall with the following present: Mary Carey Seavey, Carl Thibodeau, John Colbath, Steve Porter, Ryan Shepard, Town Manager John Eastman and Executive Assistant Krista Day.

PLEDGE OF ALLEGIANCE

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

Mr. Thibodeau presented Glenn Saunders with a certificate of appreciation for his years of service to the Town of Conway.

APPROVAL OF AGENDA

Ms. Seavey noted that they would be adding one item to the agenda as follows:

15a. Terra Equine Therapy Center BBQ Fundraiser (8/10/2024)

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

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

- a. \$2,696 from K9 T-Shirt Sales (\$1,394.98 to go to Equipment Line and \$1,301.02 to the K9 Account

Ms. Seavey turned the meeting over to Mr. Thibodeau to Chair.

Chief Mattei explained that 4 years ago they had received a K9 grant.

Because the canine had developed some digestion issues, they needed to purchase special food which depleted the grant funds quicker.

Because of this, they chose to fundraise by selling t-shirts.

It was explained that the canine is dual certified as a patrol/search dog and a narcotics dog.

They plan to continue to fundraise.

Mr. Porter moved, seconded by Mr. Colbath, to accept \$2,696 from K9 T-Shirt Sales (\$1,394.98 to go to Equipment Line and \$1,301.02 to the K9 Account). The motion carried unanimously.

DISCUSSION OF DOGS AT DAVIS PARK

Resident Marge Morrison thanked the Board for the changes they had made at Davis Park over the last few years which has allowed her family to enjoy the beach more.

However, she expressed concerns over loose dogs at Davis Park due to the small beach area and the unpredictability of their behavior.

She also expressed concerns regarding urine and feces.

She would like the Board to consider limiting the hours in which dogs can be at Davis Park during the peak summer season.

Recreation Director Mike Lane has done some research and agrees that most places either do not allow dogs on their beaches during the summer, or limit the hours.

In terms of enforcement, Mr. Lane explained that he had spoken with Chief Mattei and that enforcement would be like any other complaint, either the animal control officer would respond or a patrol officer if available.

Mr. Colbath moved, seconded by Mr. Porter, to move forward with the public hearing process to develop an ordinance to limit the hours of dog access to Davis Park from before 9:00 am and after 5:00 pm. The motion carried unanimously.

It was determined that the public hearings would be held on August 20, 2024 and August 27, 2024.

Ms. Seavey asked Mr. Lane if they should consider something similar at any of the other Town beaches.

Mr. Lane stated that he had not had any other complaints.

There was discussion of potentially putting up signage earlier than the public hearing but the consensus was that this could be more confusing and muddy the waters.

BENCH DONATION RELOCATION REQUEST

Mr. Lane reviewed that at a previous meeting the Board had voted to allow a memorial bench for the Yamartino family at the Swift River Bridge.

After some more discussion with the family, they would rather see it at Shedd Woods.

Mr. Colbath moved, seconded by Mr. Shepard, to allow the placement of a memorial bench for Jimmy Yamartino at Shedd Woods. The motion carried unanimously.

In regards to the parking program, Mr. Lane reported that as of July 12, 2024, they had \$18,464.50 in revenue which was much better than last year.

Mr. Lane wanted to recognize the hard work of all of the parking enforcement officers/attendants.

DISCUSSION OF ARPA FUNDS

Public Works Director Andrew Smith explained that he, along with Mike Lane (Recreation Director) and Chief Mattei (Police Chief), were requesting the potential purchase of two solar powered message Boards for \$40,000 using ARPA funds.

There was discussion regarding the need for them during things such as road closures, construction, accidents, Fourth of July, etc.

The cost to rent two for a week from Coleman's has been \$900.

If purchased, Mr. Smith stated that they could be kept at the garage and could be deployed by using any of the Town trucks with a trailer hitch.

There was discussion regarding the justification of price.

It was stated that the Town could definitely use them a lot more often if they owned them.

It was also stated that if something happens in the middle of the night, there is no way to rent one from Colemans.

Fire Chief Remington also expressed that he believed there were lots of situations that they could be used.

Mr. Colbath stated that he had a hard time justifying the cost and referred to them as a luxury item.

Mr. Shepard disagreed and stated that if they could use ARPA funds, this would be one more tool to be efficient.

Mr. Colbath moved, seconded by Mr. Porter, to expend up to \$40,000 of ARPA funds for the purchase of two roadside message boards. The motion carried unanimously.

ACCEPTANCE OF INVESTNH GRANT FUNDING

- a. 109 Pine Street
- b. 133 Ridgeline Development

Mr. O'Connor explained that they had received two more grants from the InvestNH Grant program.

The first is for a demolition grant for 109 Pine Street.

The second was applied for through the Ridgeline Development where there are 15 affordable units.

At a previous meeting, the Board had approved an agreement with the developers where the building permit costs of \$8,955.60 would be reimbursed to Ridgeline if this grant was awarded, and the remaining funds would be utilized for zoning updates.

Mr. Colbath moved, seconded by Mr. Porter, to accept a grant for the 109 Pine Street: DEMO 22-151, and enter into a grant contract with the New Hampshire Department of Business and Economic Affairs (the "BEA"), subject to Governor and Executive Council approval; and further authorized the Select Board Chair to execute any documents and perform any other acts necessary or convenient to cause the Town to enter into the Contracts with the BEA. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Porter, to accept a per-unit grant for Ridgeline Development grant award: MPU22-133, and enter into a grant contract with the New Hampshire Department of Business and Economic Affairs subject to Governor and Executive Council approval. The Selectmen further authorized the Select Board Chair to execute any documents and perform any

other acts necessary or convenient to cause the Town to enter into the Contract with the BEA. The motion carried unanimously.

DISCUSSION OF CLEAN WATER STATE REVOLVING FUND

Mr. O'Connor explained that he had been working on the application to help the Town be able to reassess and remap the flood plain.

If completed, it would go before the voters on the 2025 warrant.

Mr. O'Connor noted that the grant of \$100,000 would cover the cost of remapping the flood plain.

Mr. O'Connor noted that he would continue working on the application and report back to the Board.

Mr. Colbath moved, seconded by Mr. Porter, to direct the Town Planner to move forward with project as presented and report back to the Board on regular intervals. The motion carried unanimously.

DISCUSSION OF VOTING MACHINE TRADE-IN

Town Clerk/Tax Collector Louise Inkell appeared before the Board to discuss the potential for trading in the Town's old ballot tabulator to LHS for \$100 in credit towards their purchase of the poll pads.

She explained that the machines were obsolete.

Mr. Colbath moved, seconded by Mr. Shepard, to trade in their Accuvote machine to LHS for \$100 in credit. The motion carried unanimously.

There was discussion on whether the School should purchase a third voting tabulator.

It was explained that if they ever had to do their own election, they would need a machine.

Ms. Inkell explained that their two new voting tabulators were going to be delivered on August 14, 2024 and went over the training dates for those machines.

Ms. Inkell noted that the Selectmen had already approved the expenditure of ARPA funds for the purchase of the two voting tabulators, but was made aware of a grant opportunity through the Secretary of State's office for \$3,500.

The only caveat would be that the State would then be part owner of the machines and would then require more documentation as it was part of their inventory.

She wondered if the Board would like her to apply for these funds.

The consensus of the Board was that they were not in favor of applying for the grant through the State to help fund the purchase of the voting tabulators.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Petition and Pole License 45-0855 on Old Goshen Road
- b. Permit to Sell Raffle Tickets for North Conway Fire Fighters Association (8/10/24)
- c. Permit to Sell Raffle Tickets for Brooke Barron Gymnastics Scholarship (9/28/24)
- d. Notice of Intent to Cut Wood/Timber on Map/Lot 201-7

Mr. Colbath moved, seconded by Mr. Shepard, to sign the documents listed above in a. through d. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 8/1/2024

Mr. Colbath moved, seconded by Mr. Shepard, to sign the AP manifest dated 8/12/2024. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Abatement Recommendation on Map/Lot 268-140
- b. AP Manifest dated 7/25/24
- c. Payroll dated 7/25/24

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

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Terra Equine Therapy Center BBQ Fundraiser (8/10/24)

Mr. Colbath moved, seconded by Mr. Shepard, to sign the special event application as listed above in a. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular Minutes from 7/16/2024

Mr. Colbath moved, seconded by Mr. Shepard, to adopt the regular minutes from 7/16/24. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Colbath expressed that Michael Mitchroney was interested in serving on the Community Power Committee.

Mr. Colbath moved, seconded by Ms. Seavey, to appoint Michael Mitchroney as a member of the Community Power Committee.

Mr. Eastman explained that he had been contacted by a resident of Prospect Road to look into the need for speed limit signs as there have been some dangerous situations due to fast driving.

His recommendation was that there was a need for these signs.

Ms. Seavey agreed.

Mr. Colbath moved, seconded by Mr. Porter, to authorize the Town Manager to work together with the Police Chief to get speed limit signs of 20 MPH posted on Prospect Road. The motion carried unanimously.

BOARD REPORTS AND COMMENTS

Mr. Shepard noted that the Budget Committee would be on August 7, 2024.

Mr. Shepard also thanked all the staff and volunteers who put on Seek the Peak.

Mr. Thibodeau stated that the bids were opened regarding the runway extension project at the airport and Colemans had been the low bidder for the 5,001 foot runway extension and rebuild of the taxi-way.

The plan would be to break ground in October or November with a completion date of July 2025.

Mr. Colbath noted that the ZBA had met two weeks prior and had one hearing postponed to August.

Mr. Colbath noted that the Economic Council had an informal meeting as they did not have a quorum.

They discussed the need for more members.

He stated while cash flow is down, there are business economic funds due to come in.

There are currently three lots available for sale.

The community loan fund is going well and they had met with Town Planner Ryan O'Connor.

There is currently \$157,000 in the loan fund and \$30,000 in the IRP fund available for short term business loans.

The Marketing Committee is up and running and is looking to be more involved in the community.

The connecting road will go out to bid in December.

Mr. Porter noted that the Planning Board had met the previous week.

Mr. Colbath noted that there are some concerned with turn on yellow flashing lights in North Conway.

He understands that this was a State decision but wanted to relay the concerns.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Shawn Bergeron explained that his business occupies the Old Mountaineer Building.

He expressed that what he has witnessed on the Saco is terrifying and that the overuse is causing long lasting problems that need to be addressed.

Mr. Bergeron explained that he had written a letter to Ms. Seavey and the Board expressing concerns about the advertised Engineer position.

Mr. Bergeron noted that the advertisement does not specify what type of engineer.

While noting the taxpayers may scream bloody murder, Mr. Bergeron suggested advertising for at least \$120,000 a year.

Mr. Thibodeau noted that this needed to be a more in depth discussion in a non-public session.

The Board thanked Mr. Bergeron for coming to the meeting.

Daymond Steer from the Conway Daily Sun asked how overuse hurts the river.

Mr. Shepard explained that there are a lot of people who don't respect the land, the Town, and have a sense of entitlement that is reflected in their behavior, particularly on the river.

Mr. Shepard noted that despite what has been discussed, there are plenty of people who do love and respect the area.

Resident Bill McFarlane expressed concern that the Board would potentially limit dogs at Davis Park since he has been going there with his dog for a long time.

He was told that they would be holding public hearings regarding this issue on August 20, 2024 and August 27, 2024.

At 6:03 pm, Mr. Colbath moved, seconded by Mr. Shepard, 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 © TAX MATTER

At 6:23, the Board returned to public session.

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

At 6:23 pm, Mr. Colbath moved, seconded by Mr. Shepard, 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 (A) PERSONNEL

At 6:57, the Board returned to public session.

Mr. Colbath moved, seconded by Mr. Shepard, 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 6:57 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary