

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF CONWAY
ANNUAL TOWN MEETING WARRANT
Saturday, June 20, 2020**

FRANKLIN, SS To either of the Constables of the Town of Conway in said County, **GREETINGS.**

In the name of the Commonwealth of Massachusetts you are hereby directed to warn the Inhabitants of said Town qualified to vote in elections and in Town affairs to meet at the Grammar School playground in said Town of Conway, Saturday, the 20th day of June, 2020 at 1:00 p.m. in the afternoon, to act on the following:

ARTICLE 1: To hear the reports of the Selectmen, Town Treasurer, Town Clerk, School Committee, Tax Collector, Board of Health and any committee and act thereon.

ARTICLE 2: To hear the report of the Finance Committee and raise and appropriate only, by taxation, such sums of money as may be deemed necessary to defray the Town charges for the year ensuing, or take any other action relative thereto; said amounts may be contingent upon a general override of Proposition 2½ to fund a deficit in the operating budget.

A.	DEPT #	DEPARTMENT NAME	FY 2019	FY 2020	FY 2021 REC.*	FY20 – 21 CHANGE
	114	MODERATOR	350	350	350	0
	122	SELECTMEN	6,500	6,500	2,900	-3,600
	131	FINANCE COMMITTEE	300	300	300	0
	132	RESERVE FUND	40,000	40,000	40,000	0
	135	TOWN AUDITS	21,500	1	1	0
	141	ASSESSORS	7,690	8,155	10,690	2,535
	141	ASSESSORS SALARY, WAGES	49,731	58,606	49,114	-9,492
	145-146	TREASURER-COLLECTOR	15,562	16,878	17,898	1,020
	145-146	TREASURER-COLLEC. SALARY, WAGES	58,685	60,337	60,337	0
	150	TOWN ADMIN	14,485	18,700	16,000	-2,700
	150	TOWN ADMIN SALARY, WAGES	88,787	88,787	98,787	10,000
	151	LEGAL	12,000	11,000	10,000	-1,000
	159	INFORMATION TECHNOLOGY	29,980	29,980	34,431	4,451
	161	TOWN CLERK	13,950	13,850	6,150	-7,700
	161	TOWN CLERK SALARY, WAGES	34,513	34,513	34,513	0
	162-163	REGISTRARS AND ELECTIONS	9,345	8,950	9,600	650
	170 SERIES	ConCom, Pl. Brd., ZBA, Ag. Com, Open Space	4,105	9,056	6,004	-3,052
	190	PERSONNEL COMMITTEE	100	200	1	-199
	192	BUILDING MAINTENANCE	56,100	56,100	59,600	3,500
	192	BUILDING MAINTENANCE WAGES	17,398	17,833	17,833	0
	193	TOWN INSURANCE	86,900	73,000	84,710	11,710
	210	POLICE	17,750	18,150	18,050	-100
	210	POLICE SALARY, WAGES	109,822	110,922	110,620	-302
	220	FIRE	36,945	36,945	36,005	-940
	220	FIRE SALARY, WAGES	21,630	30,693	36,673	5,980
	231	AMBULANCE	25,000	25,000	22,400	-2,600
	290 SERIES	DOG & TREE WARDENS, EMERG. MAN.	7,820	7,535	7,535	0
	422	HIGHWAY	230,000	256,000	256,000	0
	422	HIGHWAY SALARY, WAGES	252,495	260,781	260,781	0
	423	WINTER ROADS	103,000	105,000	103,000	-2,000
	423	WINTER ROADS WAGES	19,346	19,830	19,830	0
	512	BOARD OF HEALTH (BOH)	141,923	139,968	165,131	25,163
	512	BOH SALARY, WAGES	58,993	60,469	60,469	0
	540 SERIES	HUMAN SERVICES (COA, VETERANS)	10,600	13,718	11,943	-1,775
	630	PARKS, RECREATION, TRAILS	7,755	8,000	8,000	0
	691	HISTORICAL COMMISSION	400	400	400	0
	751	DEBT SERVICE	34,138	33,441	103,046	69,605
	752	SHORT TERM INTEREST	1	1	1,650	1,649
	830	FRCOG (town nurse under Board of Health)	50,183	51,992	56,474	4,482
	900	EMPLOYEE COSTS	671,206	668,468	731,191	62,723
B.	300A	GRAM SCH OPERATING	1,825,454	1,868,752	1,868,752	0
	300B	GRAM SCH TRANSPORT	83,362	83,520	83,520	0
C.	892A	FRONTIER REG OPERATING	1,344,781	1,478,594	1,473,565	-5,029
	892B	FRONTIER TRANSPORTATION	23,472	54,729	38,734	-15,995
D.	320	TECHNICAL SCHOOLS	218,305	151,468	132,274	-19,094
	FY20 to 21: +\$135,130 +2.09%	GRAND TOTALS:	5,851,510	6,037,472	6,165,362	127,890

**recommended by the Select Board (3-0) and Finance Committee (4-0)*

ARTICLE 3: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$25,800 for **capital expenses of the Conway Grammar School**, or take any action relative thereto. *(Two-thirds vote.)*

SUBMITTED BY: Conway Grammar School
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 4: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$8,066 to the **Frontier Regional School District**, for capital needs, including purchasing and installing electric corridor holds, repairing the Central Clock System, and repairing the exterior and interior Intercom System, as part of a total \$48,500 expense, or take any action relative thereto.

SUBMITTED BY: Frontier Regional School District
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 5: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$240,000 to **replace a 6-wheel Highway Truck**, the current truck to be traded in, or take any action relative thereto:

SUBMITTED BY: Capital Improvements Planning Committee
CAPITAL IMPROVEMENTS PLANNING COMMITTEE RECOMMENDATION: 3 - 0
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 6: To see if the Town will authorize **transferring \$159,000 from the General Stabilization Fund to the general fund** for operating funds to partially make up for any revenue deficit, as determined by a vote of both the Select Board and the Finance Committee, or take any action relative thereto. *(Two-thirds vote.)*

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 7: To see if the Town will authorize **transferring \$159,000 from free cash to the general fund** for operating funds to partially make up for any revenue deficit, as determined by a vote of both the Select Board and the Finance Committee, or take any action relative thereto.

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 8: To see if the Town will authorize the Treasurer/Collector to **borrow up to \$200,000** to partially make up for any Fiscal Year 2021 revenue deficit, if needed after use of free cash and general stabilization appropriation, and as determined by a vote of both the Select Board and the Finance Committee, or take any action relative thereto.

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 0 - 4

ARTICLE 9: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$150,000 for the **Capital Improvements Stabilization Fund**, or take any action relative thereto.

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 10: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$122,700 for **capital improvements** as follows:

- Highway – Bucket Loader, 50,000
- Fire – Equipment, 42,700
- Highway – Compact Loader, 30,000

or take any action relative thereto. *(Two-thirds vote.)*

SUBMITTED BY: Capital Improvements Planning Committee
CAPITAL IMPROVEMENTS PLANNING COMMITTEE RECOMMENDATION: 3 - 0
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 0 - 4

ARTICLE 11: To see if the Town will transfer \$38,416 from the OPEB Trust Fund to pay **Other Post-Employment Benefits (retiree health insurance)**, and to transfer \$10,000 from free cash into the OPEB Trust Fund, to or take any action relative thereto. *(Two-thirds vote.)*

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 12: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$27,693 for a **partial payment for Ambulance Department operational expenses**, or take any action relative thereto.

SUBMITTED BY: Ambulance Department
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 13: To see if the Town will transfer \$27,435 from free cash to the general fund for **partial debt service for the Highway Garage**, or take any action relative thereto.

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 14: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$23,300 for **radio equipment for the Police, Fire, and Ambulance Departments**, or take any action relative thereto.

SUBMITTED BY: Police, Fire, and Ambulance Departments
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 15: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$11,040 to pay for the first year of a **software conversion for the Treasurer/Collector**, or take any action relative thereto.

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 16: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$5,000 for an annual contribution to the **Assessors' five-year revaluation program**, or take any action relative thereto.

SUBMITTED BY: Board of Assessors
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 17: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$5,000 to **partially replenish the grant match fund**, or take any action relative thereto. *(Two-thirds vote.)*

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 - 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 18: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$4,500 for **software conversion for the Board of Assessors**, or take any action relative thereto.

SUBMITTED BY: Board of Assessors
BOARD OF SELECTMEN RECOMMENDATION: 3 – 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 19: To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide \$2,641 to the **Field Library** to help ensure its accreditation, or take any action relative thereto.

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 – 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 20: To see if the Town will appropriate, or reserve for later appropriation, monies from the **Community Preservation Fund**, with each item considered a separate appropriation, or take any other action relative thereto:

A: \$115,854 from the Unreserved Fund Balance for preservation of the Field Memorial Library, including the heating system, interior lighting, dome repairs, and multiple interior restoration projects;

B: \$4,000 from the Open Space Reserve for interpretative historical and nature signage in the South River Meadow;

C: \$14,000 from the Open Space Reserve for updating the Open Space and Recreation Plan;

D: \$74,000 (\$60,840 of that from the Open Space Reserve and \$13,160 from the Unreserved Fund Balance) for part of the Town match of a \$440,000 state grant for Municipal Vulnerability Preparedness (MVP) against flooding of the South River;

E: \$250,000 from the Unreserved Fund Balance for safety and accessibility improvements to the playground at the Conway Grammar School;

F: \$50,000 from the Unreserved Fund Balance for conservation of the MacLeish Stone House; and

G: From FY 2021 Annual Revenue (estimated):
10% to the Community Preservation Historical Resources Reserve (\$9,021.05, estimated);
10% to the Community Preservation Community Housing Reserve (\$9,021.05, estimated)
10% to the Community Preservation Open Space Reserve(\$9,021.05, estimated);
5% from FY 2021 Annual Revenues for Administration of the Community Preservation Committee (\$4,510.53, estimated); and
the remainder to the Community Preservation Budgeted Reserve (\$58,636.81, estimated).

SUBMITTED BY: Community Preservation Committee
BOARD OF SELECTMEN RECOMMENDATION: no recommendation
FINANCE COMMITTEE RECOMMENDATION: no recommendation

ARTICLE 21: To see if the Town will authorize the Treasurer to spend \$15,000 from the **Medicaid Revolving Fund** to pay related reimbursement fees, or take any other action relative thereto.

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 – 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 22: To see if the Town will authorize the Select Board to approve a Massachusetts Department of Transportation project to **approve a road layout, and replace a bridge or bridges, on North Poland Road**, or take any other action relative thereto:

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 – 0

ARTICLE 23: To see if the Town will authorize the creation of a revolving fund for receipts from sales and donations for the purpose of **publishing a Town newsletter** in accordance with M.G.L. Chapter 44, Section 53E½, with annual expenses not to exceed \$5,000, and the Newsletter Committee and the Town Administrator, or his or her designee, being authorized to expend funds from the account, or take any action relative thereto.

SUBMITTED BY: Select Board
BOARD OF SELECTMEN RECOMMENDATION: 3 – 0
FINANCE COMMITTEE RECOMMENDATION: 4 - 0

ARTICLE 24: To see if the Town will **rescind the Town Meeting vote** for Article 27 at the April 10, 2006 annual Town Meeting to establish a Housing Committee, or take any action relative thereto.

SUBMITTED BY: Board of Selectmen

BOARD OF SELECTMEN RECOMMENDATION: 3 – 0

PLEASE NOTE: FOR CHANGES SHOWN TO *EXISTING* BYLAWS, DELETIONS ARE IN STRIKEOUT AND ADDITIONS ARE UNDERLINED.

ARTICLE 25: To see if the Town will **amend its General By-laws by adding a section**, as follows, or take any action relative thereto:

Depositing Snow in Roads

No person shall throw, or cause to be thrown, or put or cause to be put, by any means, any snow or ice onto any public way or public land. Anyone doing so is subject to non-criminal disposition. Homeowners are responsible for contractors' actions. The enforcing agent shall be the Police Department.

SUBMITTED BY: Highway Department

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

ARTICLE 26: To see whether the Town will amend Article 11 of its Protective (Zoning) By-law as follows, or take any action relative thereto: (*Two-thirds vote*)

Article 11: Adult Use Recreational Marijuana Establishments

1. Amend Section 11.4B as follows:
 - a. Change "500 feet" to "1,000 feet."
 - b. Add after "building or parking area," "or any outdoor cultivation area."
2. Amend Section 11.4(C):
 - a. Change "500 feet" to "1,000 feet."
 - b. Add after "building or parking area," "or any outdoor cultivation area."
3. Amend Section 11.4(D):
 - a. Change "200 feet," to "1,00 feet."
 - b. Add after "building or parking area," "or any outdoor cultivation area."
 - c. Add at the end: "Unless all owners of residences within such 1,000 feet waive any objection."
4. Amend the introduction to Section 11.5 Site Development, Permitting Standards, & Application by adding the following language to the end of the introduction:
 - a. "All applicants shall provide written documentation with supporting research by independent qualified professionals with expertise in the areas governed by Section 11.5, at applicant's expense, to support the ability of the Marijuana Establishment to meet the dimensional requirements of Sections 11.4 and 11.5A and compliance with Section 11.5, in particular Sections 11.5 D (Lighting & Security), E (Noise & odors), and L (Water efficiency)."
5. Amend Section 11.5(A) Dimensional Requirements as follows:
 - a. In the event that "outdoor cultivation" is added to Sections 11.4A, 11.4B and 11.4C above:
 - i. By deleting "Except for outdoor cultivation" in the first line.
 - ii. By inserting after "building or structure" "or any outdoor cultivation area."
 - iii. By deleting the last sentence, referring to outdoor cultivation.
 - b. In the event that "outdoor cultivation" is not added to Sections 11.4A, 11.4B and 11.4C above: By deleting the last sentence and inserting the following in its place: "For outdoor cultivation, a minimum setback (clearance) of 500 feet shall be required from the property line of the Marijuana Establishment to the outdoor cultivation area, measured in a straight line, without regard to intervening structures, unless all owners of residential property within such 500 feet waive any objection."
6. Amend Section 11.5(E) Noise and Odors as follows:
 - a. By deleting "Except for outdoor cultivation," in the first line and
 - b. Replacing "at" with "beyond" in the second line and
 - c. By deleting the second sentence.

7. Amend Section 11.5(F) Hazardous Materials as follows:
 - a. Revise the first sentence of this section to read:
 - b. Applicants shall be required to submit a complete list of chemicals, pesticides, fertilizers, fuels, and other potentially hazardous materials, including all “organic” pesticides or fertilizers, to be used or stored on the premises in quantities greater than those related with normal household use.

8. Amend Section 11.5(J) Cultivation by:
 - a. Deleting “minimizes public nuisances, including odors, noises, and lighting to neighboring properties,” and inserting in its place: “eliminates public nuisances through compliance with the requirements of this Section 11.5.”
 - b. Adding: “Not more than 500 marijuana plants shall be grown outdoors at any Marijuana Establishment during the initial five-year period. Upon any renewal of any Special Permit pursuant to Section 11.6, the Marijuana Establishment may apply for an increase of the maximum number of marijuana plants grown outdoors from 500 to 1,000, provided it is in full compliance with these Zoning Bylaws and the rules and regulations of the Cannabis Control Commission.”
 - c. Adding: “Reports of public nuisances shall be made to the Building Inspector, who shall investigate such reports and, based upon the result of that investigation, shall require the Marijuana Establishment to bring its operation into compliance with these Bylaws. The Marijuana Establishment shall be granted thirty (30) days to bring its operations into compliance. Failure of the Marijuana Establishment to bring its operations into compliance with these Bylaws within the thirty (30) day time limit shall result in the immediate issuance of a cease and desist order by the Building Inspector ordering that all activities conducted under the Special Permit cease immediately.”

9. Amend Section 11.5(L) Water Efficiency as follows:
 - a. Revise the second sentence of this Section to read:
 - b. Applicant shall provide expected water usage amounts for cultivation or processing and shall provide a written report with supporting documentation showing that the expected water usage amount will have no adverse impact on nearby public or private drinking water supply or other water resources in the area.

10. Amend Section 11.5 by adding Section 11.5(S) as follows:
 - a. 11.5(S). Where a Marijuana Establishment is proposed for a residential neighborhood where there are six (6) or more houses within a mile radius of the property lines of the proposed Marijuana Establishment, the Planning Board shall take the character of such residential neighborhood into consideration when determining whether the Special Permit will be granted. No Special Permit shall be granted if the Planning Board determines that the Marijuana Establishment would fundamentally alter the residential quality of the affected neighborhood or adversely affect property values in the affected neighborhood.

11. Amend Section 11.6 Expiration, by adding: “No renewal shall be granted if the Marijuana Establishment does not comply with the Town Zoning Bylaws at the time of such renewal.”

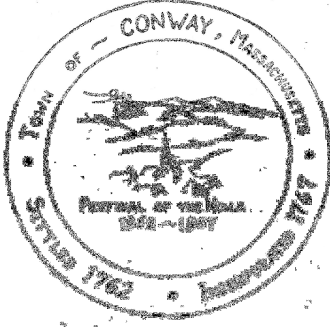
12. Amend Section 11.7 to add: “The invalidity of all or any part of any amendment to these ByLaws shall not invalidate any other Section, provision, or amendment thereto.”

SUBMITTED BY: Citizens’ petition

BOARD OF SELECTMEN RECOMMENDATION: 1 - 2

The meeting will then adjourn until Tuesday, June 30, 2020 to the Town Hall between the hours of 11:00 a.m. and 7:00 p.m., to bring in their votes for:

- One Selectman for three years;
- One Assessor for three years;
- Two members of the Board of Health for three years;
- Two members of the local School Committee for three years;
- One member of the local School Committee for one year;
- Two members of the Planning Board for three years;
- One Tree Warden for three years; and
- One Moderator for one year.



And you are directed to serve this Warrant, by posting up attested copies thereof in two public places in said Town, seven days at least before the time of holding said meeting.

THEREOF FAIL NOT and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of meeting as aforesaid.

Given under our hands this 2nd day of June in the year of our Lord, two thousand twenty.

John P. O'Rourke, Chairman

Ronald D. Hawkes, Constable

_____, 2020
(date)

Robert A. Armstrong, Jr.

Posted at:
Conway Post Office
Baker's Country Store
Town Hall
Town Office Building

Philip Kantor