

BOARD OF SELECTMEN  
TOWN OF CONWAY, MA  
MINUTES  
July 20, 2009

**Meeting Open: 7:00 PM**

**Present:** Maureen Chase, Jack Lochhead, Chuck Trombley, Tom Spiro

**Also Present:**

**Appointments**

**7:00 Bob Van Gelder** – Bardwells Ferry Road slope project

Bob Van Gelder noted that it would be easier than he thought to get through the Conservation Commission's permitting requirements. Jack said that the Commission set the required hearing for July 28<sup>th</sup> and noted that a site visit was set for the day before as well. Jack said he had been in touch with the four abutters. Three had gotten back to him but the fourth has not responded yet and therefore may delay the needed approvals for access as well as easements for future maintenance access. Jack explained that, with Mr. Van Gelder's granting of access etc. that property could be used for direct access and make the project access easier. Vehicles would be able to drive across the Van Gelder property but may pass over the septic system, mainly the leach field. Mr. Van Gelder wanted reassurance that the DEP and the Board of Health would allow for repair or replacement of the septic system if damage is done. Mr. Van Gelder explained that the septic system was allowed to be installed within the limits of buffer zones beside wetlands. The system was designed and approved under Title 5. He said the Conservation Commission told him that his system could be re-built in the same spot if needed because it was a Title 5 system. Chuck mentioned and the board agreed that if access through the Vangelder property is not possible, there were other alternatives as suggested and cost analyzed by the engineering designs and plans. Chuck reiterated that the Van Gelder's did not want daily use of the access by heavy construction vehicles, but was comfortable with equipment left in place until the job was complete. Mr. Vangelder requested that his septic system be replaced if it fails in the next few years due to unforeseen damages by travel over his system for this construction. Chuck suggested that the Board consider replacing the leach field whether it fails or not. Mr. Van Gelder questioned if the timing of this replacement would be "premature" and suggested that he would not want to replace the system before the time. Maureen suggested the designing engineer be contacted and get the approximate expected life span for the system. The Board and Mr. VanGelder agreed that might help in coming to contractual negotiations with Mr. Van Gelder. Tom will draft a letter outlining the specifics of a possible agreement between the Town and the Van Gelder's for this project. Tom will also draft an easement for access and required maintenance for the other abutters.

**7:50 Drop-in ; Joe Strzegowski**

Joe noted that Sam Lovejoy called him about a parcel of land owned by the Kisa's on South Part Road. The Kisa's would like to sell this land to Mass Fish & Wildlife. Mr. Lovejoy works for Mass Fish & Wildlife and was questioning the status of the road; whether or not the road was discontinued. Joe said the file on South Part Road indicated that it was actually a county road and could not legally be discontinued by any Town. Tom will look into this further and contact Mr. Lovejoy concerning his findings. The Select Board & full Planning Board will be meeting next Monday and will have this brought up at that meeting. The Board thanked Joe for doing the basic footwork on this issue and Joe will forward any further inquiries to the Planning Board or Select Board.

There was more discussion about the Van Gelders' part in the slope construction project. Joe gave his personal insight on past negotiations and possible current negotiations.

**meeting items**

- meeting minutes for 7/13/09 were approved as amended.
- the warrants were signed.
- The Board signed a letter approving Conway Conserves to move forward with their insulation project.
- The Board signed a letter to allow a consultant to analyze and make a formal, professional analysis of the Fire Department tanker truck (the Mass Fire Chief's Assoc recommended the company to do the inspection and report).
- The Board approved the recent Melanson and Heath invoice.
- Tom asked the Board if they wanted to consider a new Bylaw addressing noise limits in neighborhoods. Tom will add this item to the Planning Board agenda for their next meeting.

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- Tom gave a report on the Ambulance Department accounts review draft. The draft report from Melanson & Heath has been mailed to the Board and should be available for review by the Board at the next meeting.
- Tom asked the Board if they wanted to complete this year's Commonwealth Capital application. Due to the necessity for application of a STRAP grant, they approved this work.
- The Board authorized paying \$1,700 to Stantec for services rendered after demanding and receiving a detailed bill from the company.
- The Board agreed to replace the sign directing traffic to Shelburne Falls from the intersection of Shelburne Falls Road and 116. This sign was removed during the Streetscape project and never replaced. Traffic has continued up Baptist Hill Rd instead of making the turn on to Shelburne Falls Road and had to stop and ask for directions from residents on the hill.
- Jack gave a report on his meeting with Weston & Sampson on the Bardwells Ferry Road project. He explained that Weston & Sampson also does inventories and maintenance schedules of municipal drainage systems, and Jack asked them to send us a proposal in case we wanted this work done at some point. Weston & Sampson also suggested the possibility of installing a small waste water system, and the Board discussed this issue without resolution.
- Chuck noted the Treasurer's memo regarding software purchased for the Ambulance Department by the town has not been turned over to the new director. Tom will draft a letter asking that this software be turned over to the new director immediately.
- Jack spoke about his taking the test and receiving a license to spray pesticides for the town. The license cost \$50.00 and he asked the Board for approval to pay for this, and to coordinate with the insurance company. Approval was given.
- Tom gave an update on his attempt at finding out whether some dead trees along Route 116 can be replaced at no cost. Tom is still waiting to hear back from the vendor who planted these trees as part of the Streetscape project to find out if they can be replaced under the warrantee for the Streetscape Project plantings.
- Tom gave a report on the last FRCOG Council meeting, held on July 16<sup>th</sup>. He noted that there may be another request regarding 'shovel-ready' projects from the Federal government as part of the ARRA grants. He also said that a report was given about changes to the State Retirement Board's charter, which included a switch from use of a three-year high to a lifetime salary history in determining benefits. Tom asked if the Board would agree to write a letter to the Retirement Board in hopes of persuading them away from this change. This will be considered at the next Select Board meeting.

**Mail and Other Items**

- other mail items as per agenda

**9:10 PM**

Motion to adjourn by Maureen, 2<sup>nd</sup> by Chuck, all in favor.