

Minutes
CONWAY SELECT BOARD
Town Office, 32 Main Street
July 13, 2015 7:00 p.m.

Select Board members present: John O'Rourke, Chair; Jim Moore, Clerk; Robert Baker

Others present: Tom Hutcheson, Town Administrator; Liz Jacobson-Carroll, Assistant to the TA; John Prosperi, Chris Collins, Joyce Palmer-Fortune, FCAT; Ron Sweet, Highway; Greg Rose, Ruth Parnall; Dusty King

Minutes

- **On a motion from O'Rourke, seconded by Moore, to accept the minutes of June 29, 2015, the vote was unanimous in favor.**

Warrants

- **On a motion from O'Rourke, seconded by Moore, to sign the vendor warrant FY2015 for \$24,172.20 and the vendor warrant FY2016 for \$62,117.20, the payroll warrant FY2015 for \$51,886.78 and the payroll warrant FY2016 for \$30,656.83, and the payroll deduction warrant FY2016 for \$20,911.53, the vote was unanimous in favor.**

Old Business

- Rental of sheep barn
Rose expressed his unhappiness with the Town not having signed the lease that he had prepared, with the Town's proposal of an alternate lease, and with the Town's lack of payment of this year's rental fee. O'Rourke explained that the alternate lease, prepared by Town Counsel, is substantively similar to the original, but that it addresses liability concerns in a more common manner, assigning liability to Rose for any damages caused by him, as well as Town liability. O'Rourke noted that the Town could not pay the fee until it had signed a lease, and that there is always a grace period for the payment of rent. Rose questioned the need for changing the lease after 9 years. O'Rourke indicated that the need for a change was not noticed prior to last year when a 50% in the rental fee prompted a closer review of the terms. Rose expressed his unwillingness to sign the alternate lease and indicated that the Town would need to remove its equipment from the barn promptly. O'Rourke asked for written notice, and Rose said he would provide it.
- *Special Town Meeting, August 3 – sign warrant*
Hutcheson explained that the main reason for having the special Town Meeting is to raise and appropriate funds to pay the tuition and transportation costs for an additional student to attend the Smith Vocational School in the coming year, as indicated by Article 1.
He noted that the intent of Article 2 is to raise and appropriate funds to repair Town Office and Town Hall roofs. While he had asked the finance committee for a transfer of funds for this purpose earlier in FY15, they have not made the transfer and may not be able to do so before July 15th due to a potential lack of quorum. He noted that there is water coming through the roof on the 2nd floor of the Town Office during heavy rain, that slates are missing, and that having one company repair both roofs simultaneously would be cost effective. Based on estimates he received approximately 6 weeks ago, he anticipates needing up to \$10,000. Baker suggested that the contractor also address roof problems which cause ice to fall onto the front steps and sidewalk, resulting in unsafe conditions. Accordingly, Selectboard members agreed to raise the request to \$11,000.
Regarding Article 3, Hutcheson explained the request by the Parks, Recreation & Trails Committee for up to \$8000 of Community Preservation Funds for materials for construction of team shelters at Ball Field. Moore expressed his opinion that enough money has already been spent on the Ball Field project, noting that he would not vote in favor of the article.
Passage of Article 4 would establish a position of Associate Member of the Planning Board. The purpose of Article 5 is to pay Building Maintenance and Assessor bills for expenses from the prior fiscal year totaling \$145.02. Hutcheson explained that if a quorum of Finance Committee members meets on Wednesday evening,

they may transfer the funds between FY15 accounts, thereby enabling Articles 2 and 5 to be passed over at the Special Town Meeting. If they do not, then these items must be on the warrant.

- **Regarding Articles 1, 2, 4, and 5, O'Rourke, Moore and Baker voted in favor.**
- **Regarding Article three, O'Rourke and Baker voted in favor, Moore opposed.**
(see below for vote)

- *Frontier Community Access Television*

Palmer-Fortune, chair of the board, introduced the new general manager, Chris Collins, who expressed his enthusiasm for the work ahead. Palmer-Fortune asked the Selectboard to accept the FCAT budget, noting that it is very similar to those of the past. She hoped that the franchise agreement, which the FCAT board is proposing for the future, and which was introduced to the Selectboard by Bob Armstrong at an earlier meeting, will be discussed in the coming months. O'Rourke suggested Baker work with Hutcheson on proposing any changes the agreement.

- **On a motion from Moore, seconded by Baker, to approve the FCAT budget, Moore and Baker voted in favor, O'Rourke abstained.**

- *A letter of appreciation, to Betty Lou Guilford*

The Selectboard agreed to sign a letter thanking Ms. Guilford for her years of service to the Town as the coordinator of the July 4th parade, by acclamation.

- *Appoint Ron Hawkes Deputy Chief, Fire Department*

- **On a motion from O'Rourke, seconded by Moore, to appoint Ron Hawkes as Deputy Chief of the Fire Department, the vote was unanimous in favor.**

- **On a motion from O'Rourke, seconded by Moore, to sign the Special Town Meeting Warrant for August 3rd, 2015, the vote was unanimous in favor.**

New Business

- *Highway Department*

- On the recommendation of Sweet, the Selectboard signed Chapter 90 reimbursement for requests pertaining to the Maple Street paving project.
- Sweet described a Maple Street water management issue resulting, from the department's work on the Road, which involves water from one resident's property flowing onto that of another resident. While not technically the problem of the Town, Sweet requested permission to remedy the situation by installing a yard drain or small catch basin to pipe the water to an area within the Town's easement where it won't cause a problem. Baker noted his concern that the work might set an unfortunate precedent; O'Rourke suggested that any future requests be considered on a case-by-case basis.

- **On a motion from O'Rourke, seconded by Baker, to accept Sweet's recommendation to proceed as discussed, the vote was unanimous in favor.**

- Sweet described his plan to make an even trade (pending vendor inspection) of a problematic 2007 International plow/dump truck for a 1997 Ford with fewer electronics that can be worked on, as needed, by the crew. Baker indicated that residents are questioning the amount of highway equipment being purchased by the Town, including the excavator and the two loaders. Sweet said that the excavator replaced the former backhoe, and that the two new loaders replaced two existing loaders. O'Rourke requested that Sweet come back to the Selectboard with firmer numbers for the 1997 Ford.

- *Request for rental fee reduction for Town Hall Yoga program*

Parnall, explained that she considering the Town Hall as an alternate location for the senior yoga program, which is currently meeting in the Church, but which cannot accommodate their soon-to-be instituted fee schedule. Noting that while the teacher is private, the program is for the public benefit, she thereby requested a reduction or waiver of the \$100 in monthly rental fee of the Town Hall.

- **On a motion from O'Rourke, seconded by Moore, to waive the rental fee, the vote was unanimous in favor.** Hutcheson requested a copy of the instructor's certificate of insurance.

- *Emergency procurement policies: general and designer selection*
Hutcheson explained that both policies reflect his work with Matt Boyden to establish administrative and financial procedures to be implemented in the event of an emergency. These are local policies that would enable the Town to procure materials quickly, without being restricted by the Town budget, after having notified the State. In his new role as ICS (Incident and Command System) Finance and Administration coordinator, he hopes to work with Town officials to establish emergency-related contracts with various companies; these would stipulate services to be provided to the Town in the event of an emergency, and would likely provide the Town with faster and more reliable service in such a situation.
- **On motion from O'Rourke, seconded by Moore, to approve the Emergency Designer Selection Policy and the Emergency Procurement Policy as recommended by our Town Administrator, the vote was unanimous in favor.**

Items Not Anticipated 48 Hours in Advance of the Meeting

- Sign change order #2 and final pay requisition for Ball Field project
Noting that this is the 6th and final pay requisition request, Hutcheson reminded those present that there is a one year warranty on the project, and that some work will continue to be done at no cost to the Town. He cited a recent example of the re-positioning of a tree which Parnall noticed had been planted too deeply. Hutcheson indicated that the whole project may be \$2000 under budget.
- *Transfer \$145.02 from Employee Benefits (900) – \$89.50 to Assessors (141) and \$55.52 to Building Maintenance*
Although this is on the special Town Meeting warrant, passing it now would enable the Finance Committee to transfer the funds, should they have a quorum Wednesday night.
 - **On a motion from O'Rourke, seconded by Moore, to transfer \$145.02 as indicated, the vote was unanimous in favor.**
- **On a motion from Baker, seconded by Moore, to sign change order #2 and the final pay requisition for the Ball Field Project, the vote was unanimous in favor.**
- Hutcheson explained that Meg Burch may come to discuss the submission of a comment to FERC regarding pipeline; if she does not, it will go on the next Selectboard meeting agenda.
- Discussion turned back to the FCAT agreement. Baker expressed his concern regarding the request to have the money go directly to FCAT, not to Conway first. Hutcheson indicated that his (relatively minor) consideration that some of the PEG money could be used for Conway's web site.

Town Administrator Update

- Regarding the trees on the Ball Field mentioned earlier, I have sent the report from the contractor's arborist to Parnall for her review.
- The Energy Committee is pursuing the state grant option that they talked to the Selectboard about earlier.
- On the 23d, the Council of Governments natural resources person Kimberly McPhee will be meeting with the Planning Board regarding the South River project (up on 116, not in center of town). She has a report that may be of interest to the Selectboard.
- Half a dozen companies were represented at a recent walk-through pertaining to the Town Hall insulation project. We should have a competitive bid to look forward to on Thursday, August 6th at 2p.m. We are working on a plan how to move files and desks away from the walls so that the all exterior walls can be insulated from the inside.

Concerns of the Selectmen

- Baker mentioned concerns regarding water coming through the blacktop on Maple Road; he regrets not having mentioned it to Sweet when he was present. Hutcheson will discuss it with Sweet.

Mail None.

Announcements None.

Documents and Other Exhibits Used at the Meeting

7/9/15 Email from Hutcheson to O'Rourke regarding visit from Ed Rose and Sheep Barn Rental

7/7/15 Fournier sheep barn rental agreement from Gregory T. Rose

Lease Agreement, prepared by Town Counsel, between Town and Gregory T. Rose

Lease Comparison grid, prepared by O'Rourke

7/7/15 DRAFT Emergency Designer Selection Policy

7/13/15 DRAFT Emergency Procurement Policy

7/1/15 Memo to Selectboard requesting waiver of Town Hall fee for senior yoga

7/13/15 Mass DOT Chapter 90 forms:

Final Report on Maple Street 2015-01

Reimbursement Request, for above, for \$98,362.17

Materials – HED 454 Form, for above, for \$103,576.3200

8/3/15 DRAFT Special Town Meeting Warrant

Next Meeting

- *Scheduled for July 27, 2017 at 7:00 p.m. at the Town Office, 32 Main Street*
- *On a motion from O'Rourke, seconded by Moore, to adjourn the meeting at 8:20 p.m. the vote was unanimous in favor.*

Respectfully submitted,

Jim Moore