

Minutes
CONWAY SELECTBOARD
Town Office, 32 Main Street
August 10, 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; Lacey Arnold, FCAT; Elizabeth Wroblicka, Emily Boss, Dana Goodfield, Russell French, Thomas Pleasant, Ron Sweet, Don Joralemon, Robert A. Anderson, Janet Chayes, Pixie Holbrook, Michelle Harris, Sheila Harrington

Minutes

- **On a motion from O'Rourke, seconded by Moore, to accept the minutes of July 27, 2015 and the revised minutes of July 13, 2015, the vote was unanimous in favor.**

Warrants

- **On a motion from O'Rourke, seconded by Moore, to sign the vendor warrant for \$151,605.48, the payroll warrant for \$88,435.92, and the payroll deduction warrant for \$23,479.62, the vote was unanimous in favor.**

Meetings Attended by Selectboard Members

None.

Citizens' Concerns

None.

Old Business

- *Awarding Town Hall insulation project to successful bidder*
Hutcheson reported that both bids received were over the maximum budget. The discussion was tabled.
- *Review and signing of permit applications (Natural Heritage and DEP) for the South River restoration project*
Hutcheson indicated that the applications were not ready. The discussion was tabled.
- *Sign document for municipal leaders to call on European counterparts to act against rising anti-Semitism.*
 - **On a motion from O'Rourke, seconded by Moore, to sign the document calling on our European counterparts to act against rising anti-Semitism, the vote was unanimous in favor.**

New Business

- *Smith College lawyer Elizabeth Wroblicka on proposed amendment to a Conservation Restriction to the Kestral Land Trust*
Wroblicka explained that the amendment pertains to an exchange of KLT land (7 acres for 20 acres) in Whately, not in Conway, but that Conway approval is legally required.
 - **On a motion from O'Rourke, seconded by Moore, to sign the Conservation Restriction on an additional 20 acres to the Kestral Land Trust as outlined in the proposal, the vote was unanimous in favor.**
- *Franklin Land Trust; Emily Boss on proposed work on a state Landscape Partnership grant*
Boss described FLT's efforts to secure a state grant to provide funding to assist municipal, state and non-profit partners in acquiring interests in conservation land, and for the development of municipal zoning and planning for the protection of open space and working lands. She described FLT's work with the Dept. of Fish and Game, and the Department of Transportation to conserve land surrounding Flag Mountain and along designated scenic byways. She noted that while conservation restrictions are usually gifts, with this grant they will benefit the landowner. She indicated that FLT is working with Conway's Open Space Committee and Community Preservation Committee. She explained that although no action is required at this time, the acceptance of the grant will require that a public entity – in this case, the Town of Conway – co-hold the conservation restriction, and that the land be permanently accessible to the public. She summarized the conditions under which Charlemont, Hawley, and Leyden are participating in the grant program. Baker requested an estimate of the impact on the Town's tax base.

- *Assessors' report on possible settlement with Comcast*
Hutcheson noted that staff Assessor Lee Whitcomb was unable to attend the meeting, then summarized Comcast's plan to reimburse MCI for a probable over-assessment. MCI has offered Conway (among other towns) what seems to be a generous settlement; funds to pay would come from the overlay account.

New Business, continued

- *Festival of the Hills organizational structure and finances*
Hutcheson referred to his memo on the topic, then summarized his discussion with Treasurer Jan Warner and members of the FOH committee earlier in the day. The committee is requesting a grace period during which it will come into compliance with rules governing the use of Town funds, including those it has accumulated to date, as well as considering the constitution of the separate FOH Scholarship Committee, he said. He indicated that committee members are investigating the possible formation of a non-profit organization to run the FOH in the future. Select Board members agreed to allow the committee a grace period until after the 2015 Festival of the Hills.

Old Business, continued

- *Appointment of members of a Capital Improvements Planning Committee*
 - **On a motion from O'Rourke, seconded by Moore, to appoint Russell French, Dana Goodfield, and Thomas Pleasant to the Capital Improvements Planning Committee, the vote was unanimous in favor.**

Hutcheson noted that still to be appointed are a representatives from the Finance Committee and the Select Board, noted that James Bosman (Finance Committee) supports the current system of capital planning in the Highway Department, and suggested that Bosman may be interested in serving on the Capital Improvements Committee. Hutcheson summarized his report and recommendations, and asked that the committee propose policies for the definition of capital and the funding and use of stabilization funds; work on populating spreadsheets for capital expenses; and propose capital funding and spending articles for Town Meeting.

- **On a motion from O'Rourke, seconded by Baker, to appoint Jim Moore to the Capital Improvements Planning Committee, O'Rourke and Baker voted in favor and Moore abstained.**

Town Administrator Update

- **Committees and Boards**

There was a question at the last meeting about the source of funds for the proposed energy committee project. The grant the Energy Committee has applied for is a Municipal Energy Technical Assistance grant, or META grant, through the Department of Energy Resources. Our contact there says it has a good chance of being funded. The RFP is being developed on that understanding, so we can move ahead quickly if we are funded. On a related matter, bids for the town hall insulation and air sealing project came in above expectations, so that will not be moving forward until the project is considerably reworked.

I received a copy of the brief comments Meg Burch of the Pipeline Task Force made at the FERC scoping hearing and will forward them to you if you like.

Weston and Sampson reports that Mass West intends to re-seed the field in early September. While this may not allow the use of the field this fall or next spring, with this year's growth already developing roots, it could be usable next summer and fall. We have been asked by Parks and Rec. if it could be opened for soccer this fall; as it is slated to be re-seeded in September, I don't see how that could happen.

Also on the ball field, Dave Beaudet e-mailed regarding its use: "I just want to clarify for the Selectboard that the intention is for the festival and certainly the 250th celebration to be at the town field. The no driving comments are best practice for any field, but certainly the field was designed to accommodate the festival with food vendors etc. We just want to minimize traffic on it so the soil doesn't become overly compacted."

- **Departments**

Based on the Finance Committee's release of \$11,000 from the FY2015 Reserve Fund, I have contacted C.W. Construction, from Adams, MA to move forward with repairing the Town Office and Town Hall roofs. They should be ready to begin work in September. Also, they are working on a quote for the snow guards.

An e-mail from the attorney representing Greg Rose, who leases us the sheep barn, stated, "you should prepare to have the town move out of the barn at the end of the lease year. Greg intends to use the premises for his

own needs at that time.” I have asked the Highway Superintendent to research and prepare for alternative storage space.

- **Other**

I’d like to contact Representative Steve Kulik on behalf of the Town regarding the proposed amendments to the Public Records Law. The main driver for the amendments was state-level exemptions. Concerns about the unintended burdens on cities and towns have led Rep. Kulik to postpone consideration until September. The FRCOG has articulated a number of concerns, and the Small Town Administrators of Massachusetts are also planning to comment. There could be unintended burdens on small towns. [O’Rourke noted that the matter has been discussed among FRCOG counselors and that there may be enough opposition to block the amendments.]

I’m also tracking proposed legislation regarding payment of out-of-district technical schools; a proposal in committee now would exempt communities that are members of vocational districts, or that have their own vocation school, from such payments. Please let me know if you’d like me to prepare a letter of support. Failing that bill, at least allowing payment to be made without a vote of Town Meeting (if the tax rate has not yet been set) would help.

As a member of the Upper Pioneer Valley Veterans’ Services District, Conway now has a veterans’ agent conducting outreach hours at the Conway Town Hall, Conway-born Brian Brooks (son of David Brooks). Hours are the 2nd Monday of every month from 9:30 – 10:30 a.m. beginning August 10th; he was here today. Brian will provide information on veterans’ benefits for veterans and their dependents and schedule one-on-one appointments as needed, and is available at the Veterans’ Services office at 1-413-772-1571 for more information.

I had asked Lee Whitcomb to review the statement of values on Town buildings, which had not been done for some time, and am reviewing now these increased values of Town property with MIIA. I expect a cost rise in FY 2017.

Mail

- Letter of resignation from Jane Recore, Council on Aging

Old Business, continued

- *Capital planning discussion*

O’Rourke complemented Hutcheson on the preparation of background material for members of the Capital Improvements Planning Committee. Hutcheson reviewed the contents of the binders, including his own summary and recommendations; enabling legislation; outlines of presentations by speakers at regional conferences; sample by-laws; and a current matrix of capital planning in Conway. Hutcheson, prompted in part by questions from Pleasant, suggested several charges for the committee, including the determination of what constitutes capital spending in Conway; the development of a policy on the source of capital funds; and the authorship of a capital article for the annual Town Meeting as well as interim warrants as needed. He indicated that he does not anticipate any capital expenses in the next six months; Baker noted that the Fire Department will need approximately \$400,000 for a fire truck in FY 2017. Pleasant noted the value of the content and format of the binders.

Sweet provided an update on his approach to capital planning in the Highway Department. After studying the cost of repairing old equipment, trade-in values of used equipment, and the life-expectancies of new equipment, he has developed a five-year replacement schedule to reduce equipment down-time, increase departmental efficiency, trim operating expenses, and conserve capital funds. He noted that this is possible through the use of the federal program HGACBuy (Helping Governments Across the Country Buy,) which provides deep discounts to municipalities. Pleasant expressed interest in arranging a visit to the garage in order to see the condition of the equipment.

New Business, continued

- Housing Committee: request for proposals for housing study

Holbrook reported that the members of the committee had gathered the names of three individuals from whom they plan to request bids for consulting services to assist them in preparing to request CPA funds at Town Meeting. Based on a recommendation from Baker, she indicated that the committee would likely expand the target of the study to include residents who are approaching, but have not yet reached, senior citizen status.

- **On a motion from O'Rourke, seconded by Moore, to approve the sending of a Request for Proposals for the first phase of the senior housing project, the vote was unanimous in favor.**

Items Not Anticipated 48 Hours in Advance of the Meeting None.

Concerns of the Selectmen None.

Announcements None.

Documents and Other Exhibits Used at the Meeting

- Capital Improvements Planning Committee binder, August 20, 2015
- Statement on Anti-Semitism by Mayors and Municipal Leaders
- Memos from Elizabeth Wroblicka and Conservation Commission Chair John Gates regarding a conservation restriction to the Kestral Land Trust
- Amended and Restated Conservation Restriction to Kestral Land Trust
- Franklin Land Trust map of Flag Mountain Neighborhood
- Draft memo and RFP for Development Services from the Town of Conway (Housing Committee)
- Memo from Hutcheson to Select Board re: The Organizational and Financial Status of the FOH Committee and the FOH Scholarship board, August 6, 2015
- Draft Conservation Restriction, Franklin Land Trust
- Uniform Co-Holder Agreement between Town of Leyden and FLT
- EOEEA Landscape Partnership Program information sheets

Next Meeting

- Scheduled for Monday, August 24, 2015 at 7:00 p.m. at the Town Office, 32 Main Street
- *The meeting was adjourned at 8:05 p.m.*

Respectfully submitted,

Jim Moore