

Minutes
CONWAY SELECTBOARD
Town Office, 32 Main Street
November 30, 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; Ben Tillona, FCAT; Meg Burch, Pixie Holbrook, Chris Gray, Will Cote, Tami Borton, Mary Parker, Chris Rose, Rachel Smith-Cote

Minutes

- **On a motion from John O'Rourke to accept the minutes of November 16, 2015, seconded by Jim Moore, the vote was unanimous in favor.**

Warrants

- **On a motion from John O'Rourke to sign the vendor warrant for \$140,238.02, the payroll warrant for \$100,456.70, and the payroll deduction warrant for \$26,677.81, seconded by Jim Moore, the vote was unanimous in favor.**

Meetings Attended by Selectboard Members

None.

Citizens' Concerns

None.

Old Business

- NED pipeline proposal
 - Meg Burch indicated that after a conference call with Attorney Elefant today, she will be revising the Town's Motion to Intervene, and will ask the board to sign the document at their next meeting. She noted that the Kinder Morgan proposal to FERC is 21,000 pages long, and that interested parties have only 21 days to review it. Further, she noted that KM has not made progress in securing commitments for more than 38% use of the pipeline; that FERC may consider their request to use land already under easement with other utility companies as a new request (due to new impact.) She explained that KM cannot take property by eminent domain without FERC permission, and that permission, if granted, precludes export of their product. Meg Burch asked the Select Board members to review the motion, then send their comments to her via the Town Administrator.
 - **On a motion from John O'Rourke to sign a request to FERC for an extension of 45 days to file a petition to intervene in the NED pipeline proposal, seconded by Jim Moore, the vote was unanimous in favor.**
- FY 2017 Budget: update

Tom Hutcheson explained that, based on the Town's minimal free cash, further substantial investment in capital expenses likely will require an increase in property taxes. He explained that the Town's levy limit would allow for another \$360,000 to be raised and appropriated, and that for every 100,000 added to the budget, the tax rate would rise approximately \$0.50. To ease the burden on taxpayers, he proposed purchasing the pumper truck needed by the Fire Department through debt exclusion, over a number of years. Further, he expressed his concern regarding the funding of the grammar school and garage stabilization funds, other capital projects such as renovating the Town Hall, and funding the Other Post-Employment Benefits (OPEB) account. He said he would like to propose borrowing for the fire truck. Robert Baker reported on his research into the purchase of the pumper truck, saying that at least one company won't build a truck short enough to fit in Conway's existing garage. He found a company that will build one, but it will fit with only 3 inches to spare, and will cost \$495,000 not \$450,000.

New Business

- Employee recognition: Joseph Peramba, Fire Department, 10 years

- **On a motion from John O'Rourke to sign a letter of congratulation to Joseph Peramba, seconded by Jim Moore, the vote was unanimous in favor.**
- Appointments
 - **On a motion from John O'Rourke to appoint Paul Charest and Steffany Charest to the 250th Anniversary Committee for terms ending June 30, 2015, seconded by Jim Moore, the vote was unanimous in favor.**
 - **On a motion from John O'Rourke to appoint Marguerite Gump to the Parks, Recreation, and Trails Committee, ending June 30, 2017 or 2018, (date pending check with committee) seconded by Jim Moore, the vote was unanimous in favor.**

- Approval of 2016 Business Licenses:

- ✓ J&J Maggs: Antiques
- ✓ J&J Auto: Class II Used Auto
- ✓ OESCO: Class II Used Auto
- ✓ Sunset Trail Package Store: Packaged Goods
- ✓ Conway Inn: Common Victualer, Weekday Jukebox

- **On a motion from John O'Rourke to approve the 2016 business licenses listed above, seconded by Jim Moore, the vote was unanimous in favor.**

The Select Board postponed the review of the application by Langevin Auto Sales and Service for a Class II Used Auto license pending clarification of the location of the business

- Proposal for fixed wireless (subscription-based) for downtown Conway: Chris Gray of Ashfield
Chris Gray, the owner and operator of Hilltown Networks, offered an alternative to the Town's existing service. He explained that his proposal is to install hardware, including antennae, to make use of the Massachusetts Broadband Initiative (MBI) fiber optic connection at Town Hall in order to provide wireless access to locations beginning in the lower center of town, then expanding outward. He reported success in with a comparable initiative in Ashfield, where residents report speed 3x that which they had with DSL service. He noted the contrast between his price, which is fixed, and Comcast's price, which changes from a low promotional price to a higher long-term price. He indicated that he has 46 customers through Ashfield, and that in lieu of paying for the use of their Town Hall, he provides the Town with internet service roughly equivalent to \$100/month; further, he provides free or discounted service to those whose buildings he uses to establish repeater service. In response to questions from Robert Baker, he indicated that the contract would include provisions for the removal of the equipment should the service be discontinued. In response to questions from John O'Rourke, he explained that the system would not be open; he would install hardware at each subscriber location. John O'Rourke requested Tom Hutcheson review the Town's contract with Comcast, and Town Counsel review Hilltown Network's proposal.
- Sign abutter permission letters for South River project
 - **On a motion from John O'Rourke to sign letters to five landowners (requesting permission to proceed with the South River Flood Mitigation Project, seconded by Jim Moore, the vote was unanimous in favor.**
- Approve change order for Wastewater Committee perc test work
Tom Hutcheson indicated that recent perc tests initiated by the Wastewater Committee on multiple locations were unsuccessful, and that they recommend the approval of the change order to allow for them to initiate another series of tests (for which they have adequate funding) on additional properties.
 - **On a motion from John O'Rourke to approve the change order for White Engineering to increase their estimate by 2000 gallons in accordance with the sanitary code (which requires less than 10,000 gallons per day), seconded by Jim Moore, the vote was unanimous in favor.**
- Approval of disclosure forms for Treasurer
 - **On a motion from John O'Rourke to approve a disclosure form from Jan Warner, Treasurer, seconded by Jim Moore, the vote was unanimous in favor.**
Hutcheson noted that he is also working on preparing one for Roy Cohen; these are appropriate for any individual who has financial responsibilities in Town and conducts business with the Town.
- Options for addressing Agricultural Commission members' differences
 - Tom Hutcheson summarized his understanding of the differences between Co-Chair Will Cote and member Tami Borton, noting that he had offered to both parties to engage the services of a mediator (at an initial cost of \$600), but that the parties did not agree on whether to pursue this option.

- Tami Borton indicated her willingness to participate in mediation, her lack of understanding of the co-chair's concerns, and her involvement in recruiting commission members. She recognized her extensive municipal experience relative to new members', and cited apologetically an occasionally "know-it-all" perspective. She stated her desire to remain on the commission, and indicated her willingness to work through Co-Chair Jason Silverman.
- Will Cote said Tami Borton persisted in communicating with him personally after he requested that she include all members of the commission in her correspondence, and that due to the amount of damage – including slanderous allegations - already done, he is not willing to put their differences aside. He referred to a paper file documenting Tami Borton's indecorous email correspondence, and said that despite her competence and expertise, she is disruptive to the work of the commission. He expressed his desire for her to resign from the commission.
- Both parties reported being offended by the other's prior behavior and comments, especially pertaining to their personal or professional integrity and behavior.
- Co-Chair Jason Silverman read a statement by member David Fisher in which the latter expressed his desire for Will Cote to remain on the commission, and for Tami Borton to follow through on her previously stated intention to resign once the committee had been established; he indicated his gratitude for her work to date. Jason Silverman indicated that his own opinions echo those of David Fisher.
- O'Rourke, at various points, suggested that the parties should be able to overcome their differences. At the conclusion of the meeting he requested that the matter (including written statements from both parties) be referred to Town Counsel.
- Visual financial data for the Town website: ClearGov.com, Visual Budget
Hutcheson described the trend of municipalities to present financial information to voters graphically, as well as the benefits of doing so, then highlighted the differences between models proposed by cleargov.com and Visual Government, a non-profit organization that was created by individuals who had developed open source software for the Town of Arlington. The former would cost less to set up, but would include ongoing service, such as annual updates, for \$1000 per year. The latter would cost approximately \$3000 to set up, would not include ongoing service or cost, and would require maintenance by Conway staff. Both models require data entry by staff. Hutcheson asked Select Board members to view the two models, then provide him with feedback. Discussion included the possibilities of building the cost of the preferred model into the FY17 budget, of demonstrating the software at Town Meeting, and whether to ask residents to vote on the expense during the meeting in which it is demonstrated, or one year later.
- Set date for annual holiday party
The annual holiday party for volunteers and staff will be held Thursday, 12/17, 5:30-7:00 at The Conway Inn.

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

Town Administrator Update Committees

- I have reached out to the other Frontier towns regarding youth sports. The town administrators have all forwarded the request for information to the appropriate parties, and I am still waiting for the last reply, so I don't have complete information at this time. Also, I will be picking up a lot of information from Deerfield, which has a longstanding program. However, Mike Kurkulonis has been invited to attend a regional Cal Ripkin meeting on behalf of Conway, so unless there are any objections, I'll let him know he can go ahead with that. [There were no objections.]
- Liz has notes from the All Committee Meeting last month, and will put them on the website. Let me know if you want hard copies.

Departments

- On the Treasury side, the audit for FY 2014 has been completed, with no major deficiencies. As you know, we have no audit scheduled for FY 2015. I am budgeting for an audit for FY 2016, the current year; while it is acceptable to skip one year for an audit, in a small town where there is little change, skipping two years is considered at the boundary of good practice.
- Butch Rose reports that the POW-MIA flag is excessively worn. It has been up for a year and a half; I will look in the usual catalogue for a more durable replacement.

- Baker reports being asked by townspeople about who is responsible for lowering the flag. Hutcheson said that there has been no directive from the state, then questioned whether there was a federal directive and if he should have received that.

Other

- The FRCOG has sent a copy of its budget development workbook, in case you're interested in seeing how their budget is put together.
- Regarding one piece of mail, from Betty Lou Guilford, I have made the necessary communication as requested for the second item she mentioned, about parking, so you can consider that taken care of.

Concerns of the Selectmen

Robert Baker expressed his concern regarding the safety of a basketball hoop currently located on the street in the center of Town. Hutcheson indicated that he will ask the Chief of Police to see that it is removed.

Mail

- Copy of a letter to the BOH from *Community Action!* regarding the health and safety of a resident.
- Letter from Betty Lou Guilford, of 31A Academy Hill Road, regarding the need for signs at the recreation field, and a Sunday morning parking issue
- Letter from AJC Global Jewish Advocacy regarding the Chairman's participation in its Mayors United Against Anti-Semitism Campaign
- Letter from UPVUSD Director regarding FY17 assessment and credits

Announcements None.

Cancelled: Executive Session: Reason #1, to discuss the discipline or dismissal of a Highway employee. The employee has resigned.

Documents and Other Exhibits Used at the Meeting

- Motion to Intervene in Opposition of NED Pipeline – DRAFT
- Material from Will Cote regarding conflict on the Agricultural Commission
- Email from Agricultural Commission member David Fisher to Tom Hutcheson regarding commission members.

Next Meeting

- *Scheduled for December 14, 2015 at 7:00 p.m. at the Town Office, 32 Main Street*
- *On a motion from John O'Rourke, seconded by Jim Moore, the meeting was adjourned at 8:24 p.m.*

Respectfully submitted,

Jim Moore