

Minutes
CONWAY SELECTBOARD
Town Office, 32 Main Street
Monday, December 14, 2015 7:00 p.m.

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

Others present: Liz Jacobson-Carroll, Assistant to the TA; Ben Tillona, FCAT; Bob Langevin; Meg Burch, Pixie Holbrook, Pipeline Task Force; Alain Peteroy, Franklin Land Trust; Tony Borton

Minutes

- **On a motion from John O'Rourke to accept the minutes of November 30, 2015, seconded by Robert Baker, the vote was unanimous in favor.**

Warrants

- **On a motion from John O'Rourke to sign the vendor warrant for \$134,250.80, the payroll warrant for \$99,941.42, and the payroll deduction warrant for \$26,279.72 seconded by Robert Baker, the vote was unanimous in favor.**

Meetings Attended by Selectboard Members

John O'Rourke attended a meeting for mayors and selectmen hosted by the governor. The latter announced his Municipal Modernization Act; John O'Rourke commended him and the lieutenant governor on their work to cut red tape.

Citizens' Concerns

None.

Old Business

Business License Renewal Applications, including but not limited to:

Langevin Auto Sales and Service application for Class II license

Robert Langevin explained that that he needs to retain Riley Road as his business address, despite its location on Ashfield Road, in order to receive mail from the USPO. Liz Jacobson-Carroll noted that the Town Administrator proposed listing both addresses on the Class II license. Select Board members asked that the matter be reviewed by Town Counsel.

- **On a motion from John O'Rourke to approve the Class II license for Langevin Auto Sales and Service through December 31, pending approval of the listing of both addresses by Town Counsel, 2016, seconded by Robert Baker, the vote was unanimous in favor.**

Vight's Garage application for a Class II license, Class III license

- **On a motion from John O'Rourke to approve the Class II and Class III licenses for Vight's Garage, seconded by Robert Baker, the vote was unanimous in favor.**

Baker's Country Store for Gas and Oil, Common Victualer, and Packaged Goods Store licenses

John O'Rourke signed the application but postponed approval of the license until Select Board member Jim Moore is available to sign it.

NED pipeline proposal

Meg Burch brought the final copy of the Motion to Intervene, and noted the minor changes and corrections to headings, wording, and a date, as well as references to locations and the Attorney General's recent report.

- **On a motion from John O'Rourke to sign the Motion to Intervene in Opposition to the Northeast Energy Direct Pipeline, seconded by Robert Baker, the vote was unanimous in favor.**

FY 2017 Budget: update – Tabled due to Town Administrator Absence

New Business

7:30 Proposed Conservation Restriction

Alain Peteroy of Franklin Land Trust (FLT) described the 300+ acre property off Main Poland Road owned by Dana Street, referring to a fire pond, a yurt, and a small platform within what will become a building envelope. She indicated that this standard restriction allows for agriculture, forestry, fishing, hiking, trail-building, and the like, limits ATV use to that pertaining to agriculture, and prohibits the addition of satellite, paving, tennis court, etc. She passed out a letter from Dana Street, who was unable to attend, in which he offered a bit of history pertaining to his desire to conserve his land, which was purchased by his father 55 years ago. Alain Peteroy noted that FLT has had a survey done, and that they will create a base-line photographic record as well. She asked the Select Board to approve the restriction in time for it to be recorded by December 31, 2015. Subsequent to the restriction, FLT will walk the land annually in order to ensure that the restrictions are being met. In response to a question from Robert Baker, Alain Peteroy explained that the organization will have no financial interest in the property, and that the restriction will remain with the deed to the land in perpetuity. Those present surmised that their will likely be little net change to the Town's revenue from property taxes because an increase in taxes to be paid on the building envelope acreage will negate the reduction in those to be paid on the remaining restricted land; the Town Administrator had planned to check this with the Assessor.

- **On a motion from John O'Rourke to approve the conservation restriction for the Street property located on Main Poland Road, seconded by Robert Baker, the vote was unanimous in favor.** The signing of the restriction was notarized by Alain Peteroy.

Employee Recognition: Matt Boyden, Fire Department, 15 years

- **On a motion from John O'Rourke to sign the letter of recognition for Matthew Boyd, seconded by Robert Baker, the vote was unanimous in favor.**

Visual financial data for the Town website

John O'Rourke and Robert Baker stated their support for the inclusion of an article to fund the development of visual financial data for the Town website, to be drafted by the Town Administrator.

Appoint representative to MIIA annual meeting

- **On a motion from John O'Rourke to appoint Tom Hutcheson to represent the Town at the Massachusetts Interlocal Insurance Association, seconded by Robert Baker, the vote was unanimous in favor.**

FRCOG LTA priorities

Select Board members noted that they will complete the FRCOG form, indicating their own suggestions regarding the prioritization of various projects to be considered for a 2016 Local Technical Assistance funding, and will return the form to the Town Administrator next week.

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

Town Administrator Update (prepared in advance; regrets received from Town Administrator)

Committees and Boards

- The Board of Assessors has been communicating with a Mr. Stafursky regarding land used at times for conservation. According to Lee Whitcomb, the land was not maintained as part of a non-profit for some time, and he is being taxed on the land for that time. He believes he has a legal argument for not paying; Lee Whitcomb has an argument to counter that; and Mr. Stafurski asked to be in contact with Town Counsel. Since he mentioned possible legal action, I gave him Counsel's contact information, and I am working with Counsel to make sure he has all the information Lee Whitcomb has assembled.
- Nick Filler has appointed Brian Kuzmeskus to be the new representative to the Franklin County Technical School.

Departments

- I spoke with Chief Ouimette about the basketball hoop and hope you will note it is no longer up.
- We are now advertising for a highway laborer to replace the employee who resigned recently.
- The Treasurer has taken 37 Williamsburg Road in lieu of payment of taxes. We expect that the bank will assert its right to foreclose on the house due to its high mortgage.

Other

- A request has come from the organizers of the Eastern Collegiate Cycling Conference Championships (ECCC) bicycle race to pass through Town. We are excited to show off the beautiful cycling routes in Massachusetts on April 23, 2016.
- Planning Board Chair Joe Strzegowski has confirmed his request for a Special Town Meeting on Feb. 1 or 15. The dates seem to be the best of those considered; both the Town Clerk and Moderator are available. I'll put it on the next agenda for you to decide which would be better. There may be other items to go on it as well.

Concerns of the Selectmen

Robert Baker reported that a Snow's landscaping company is in the process of clarifying a couple of proposals to fertilize the ballfield, and is in touch with the Town Administrator.

Mail

- Letter from the MA Dept. of Telecommunications and Cable regarding cable rate
- Letter from Kinder Morgan updating the Select Board on their NED project; they have filed an application with FERC.
- There will be a USDA Rural Development Programs workshop Wednesday 12/16/15, 7-9:00 PM at Olver Transit Center, Greenfield.

Announcements

None.

Documents and Other Exhibits Used at the Meeting

- Motion to Intervene before the Federal Energy Regulatory Commission in opposition to the Northeast Energy Direct Pipeline) of The Board of Selectmen, Town of Conway, Massachusetts DRAFT and FINAL
- Conservation Restriction on Main Poland Road, between Dana B. Street and The Franklin Land Trust, Inc. DRAFT, with maps
- Letter from Dana B. Street
- Memo from FRCOG requesting input pertaining to Local Technical Assistance funding from Dept. of Housing and Community Development

Next Meeting

- *Scheduled for December 28, 2015 at 7:00 p.m. at the Town Office, 32 Main Street*
- *On a motion from John O'Rourke, seconded by Robert Baker, the meeting was adjourned at 7:55 p.m.*

Respectfully submitted,

John O'Rourke