

Minutes
CONWAY SELECT BOARD
Town Office, 32 Main Street
May 30, 2017, 6:00 p.m.

Select Board members present: Robert Baker, Bob Armstrong; John O'Rourke was absent

Others present: Tom Hutcheson, Town Administrator; Lisa Turowsky, Assistant to the TA; Jan Warner, Treasurer; Joe Zinan, FCAT; Kathy Dorval, Teacher/Resident; Heidi Flanders, 250th Committee; Susan Siegel, Union 38, Teachers and Instructional Assistants Associations; John Harrison, Resident; Megan Hart, Resident; Mark Gollehon, Resident; Linda McDaniel, Resident; Steve Thomas, Resident; Alain Peteroy, Franklin Land Trust; Jan & John Maggs, Residents; Pamela O'Brien, Resident; Heidi Flanders, 250th Anniversary Committee; Cristobal & Dierdre Bonifaz, Residents; Sue Bridge, Resident; Katie Waddell, Resident; Grant Ingle, Resident; Janet Chayes, Open Space Committee; Joe Strzegowski, Wastewater Committee; William Sheehan and Katherine Robertson, Residents

Robert Baker called the meeting to order at 6:00 PM.

Minutes Tabled

Robert Armstrong made note of a typographical error in the minutes of May 15, 2017 prior to the meeting. The error was corrected and the minutes were amended. Meeting minutes tabled for further information pending submission by Tom Hutcheson.

Warrants

- **On a motion from John O'Rourke to approve the vendor warrant of \$541,997.23, the payroll warrant of \$106,367.55, and the payroll deduction warrant \$28,460.99, seconded by Robert Baker, the vote was unanimous in favor.**

Meetings Attended by Selectboard Members

FRTA annual meeting attended by Robert Baker who also went to look at the new fire truck "from the front bumper to the back." All looked very good and should be here before the 250th. Robert Baker also met with the 250th Committee and police/emergency services to review the celebration schedule and finalize everything needed for emergency services.

Citizens' Concerns

Steve Thomas of 100 Whately Road reported that there's an almost-dead tree dropping branches and was told that this needs to be reported to Highway Department/Ron Sweet.

Old Business

Sign revised access agreement for Cows Lumber

The agreement is ready to sign. Tom Hutcheson sent changes to the Amherst agreement to the Select Board that they looked reviewed at the last Select Board meeting.

- **On a motion from Bob Armstrong to approve the agreement, seconded by Robert Baker, the vote was unanimous in favor.**

Approve implementation of process to change Health Benefits pursuant to M.G.L. c.32B Sect. 21-23

Tom Hutcheson related that Hampshire County Group Insurance Trust has requested member towns to take this procedural step to enable them to make changes. The Trust is sustaining losses that aren't sustainable. There is an advisory group made up of the member towns' Treasurers. It's been heard that the current proposal is to raise co-pays within the plan rather than raising the cost of the plan. Member towns pay a percentage of premiums. Upper limit for cost of co-pays is the amount that State group insurance plan charges for co-pays. The Trust will be talking at its next quarterly meeting in July about the proposals they want to bring to the towns. Bob Armstrong said the Select Board has to adopt this process to have the authority to deliberate and vote on later proposals. Ms. Siegel, representing teachers' union, feels like this is putting the cart before the horse and feels excluded from the process. Health costs are out-of-control; salaries can't keep pace with increases. Ms. Siegel said from their point of view, it's not a transparent process. Wants Select Board to slow down the process. It was noted that the Town Treasurer wants Select Board to give itself the authority to vote on the future proposals.

Robert Baker stated that he agrees with Ms. Siegel. If the trust fund goes broke Town will be out of luck and will have to adopt the state insurance policy. Tom Hutcheson said that the intention of starting the process now is to let people know that there's going to be a public meeting in July. Tonight's decision only allows the Select Board to consider making changes to the benefits package in the future. If the Select Board doesn't vote the process to make changes in the future, can they vote it in the future? At some point, something is going to have to happen. Bob Armstrong said he would like to vote the authority to take action when the Select Board needs to. It's not their intention to cut the teachers out of the process. Bob Armstrong said he thinks they should vote it, it's saying we would like Conway to remain in this insurance program.

- **On a motion from Robert Baker that the town of Conway elects to engage in the process to change health benefits pursuant to M.G.L. Chapter 32B, Sections 21 through 23, seconded by Robert Baker, vote was unanimous in favor.**

New Business –

Conservation restriction: Sheehan property

Alain Peteroy from the Land Trust was here with the Sheehan's/owners of the subject property, to wrap up conservation restriction on their land in Pumpkin Hollow. Many of the Sheehan's neighbors were present to support the restriction. The restriction would be limited to one house lot. Elaine Peteroy gave an explanation of a conservation restriction. They surveyed a 2.7-acre lot which stays with rest of the land as buildable area, as well as driveway. The lot has already been perked, and it has been reviewed by the Department of Conservation Services; agriculture, forestry allowed. The land stays on tax rolls. Given Natural Heritage issues out there it allows for nice house lot while protecting the rest of the land. Will be put in place as is and forever. Land Trust was here to ask Select Board to vote to support it. Robert Baker asks how the restriction would affect the tax rate; land going into conservation restriction will be taxed per Town rate, no state rule on that, it's left up to Assessors. There is a formula if it's going to be put under chapter. Discussion of plans for a 2000-square-foot house. There is a lot of neighborhood support.

- **On a motion from Robert Baker that Select Board approve a conservation restriction for the Sheehan property, seconded by Bob Armstrong, vote was unanimous in favor.**

Old Business

Tornado recovery: Grant Ingle and others

Grant Ingle thanked Select Board for opening up Town Hall to Team Rubicon when they were here to help with tornado recovery. Grant Ingle is sending a thank-you letter, Tom Hutcheson has a copy for Town to send. Team Rubicon is in process of becoming a preferred service provider when FEMA hasn't made emergency declaration. They would like to return to Conway and Grant Ingle would like to have them back. They moved mountains of materials, most of the material across from UCC. One church member put up \$400 for chipper but aside from that, the church didn't apply for Gofundme money and hasn't contributed much, said Grant Ingle. There were 7 or 8 truckloads of chips taken out. Robert Baker asked how Grant Ingle found out about Team Rubicon; it was through MEMA. All workers were certified in their particular skills and had liability insurance. Team Rubicon looked at some work elsewhere (beside Pumpkin Hollow.) Grant Ingle wanted to begin a conversation about how a resident-driven group can better communicate with the Town. They want to know how to proceed next time they need to get something done. They're trying to get a contractor from Ashfield to come and take out damaged trees. Area of ambiguity is stumps and tree sections that are too big to chip. Is there any way Town can pick up the cost of these things? Stump removal for Town goes to Wagner in Amherst. What about tree sections that are too big to chip? Were they Town trees, asked Robert Baker. Most of them were UCC's trees, said Grant Ingle. Why are we subsidizing this for UCC, asked Grant Ingle? There's a lot of damage in the rest of Town; the Town can't offer assistance just to residents of Pumpkin Hollow. Grant Ingle said he encourages Town to think creatively. Robert Baker said we could ask Tom Hutcheson to research this. Pumpkin Hollow Brook has 100 trees down. There will be special permitting involved in dealing with tree removal there, said Tom Hutcheson. Grant Ingle has been reluctant to ask UCC for money. The question was raised whether CPA funds could be used for debris removal of UCC's trees. However, this is not a permissible purpose for use of CPA funds.

- **On a motion from Robert Baker that Select Board sign appreciation letter to Team Rubicon, seconded by Bob Armstrong, vote was unanimous in favor.**

New Business continued

Open Space Committee: award contract for invasive species control to Lincoln Fish, BayState Forestry

Janet Chayes had some questions about dates and prices, she brought in a new page one for the contract. She inserted June 1st and language concerning 3-4 acres of invasives around the edges of "South River meadow." This is a three-year project,

most of the heaviest work done in the first year. Lincoln Fish wants to start ASAP. Needs to get ConComm approval for the project. Contract ends summer of 2019. Also want to have them treat some bittersweet near Route 116 and in front of Town Hall. Money is coming from CPA funds that were approved at Town Meeting.

- **On a motion from Robert Baker that Select Board sign the contract with Lincoln Fish, seconded by Bob Armstrong, vote was unanimous in favor.**

Sign contract with Tighe and Bond for Phase I of wastewater system design

Joe Strzegowski came in with Tighe & Bond contract that he sent to Town Counsel for review. As per the Town Meeting vote, it is only for Phase One; there is only a single signature required for the Select Board. They're going to dig about six holes looking for water, finding of which would reduce cost of project. There was discussion about conflict with activities related to the 250th Celebration on June 16th and the morning of June 17th.

- **On motion from Robert Baker that Select Board sign the contract with Tighe & Bond for Phase I of wastewater system design, seconded by Bob Armstrong, vote was unanimous in favor.**

250th Anniversary Celebration:

Approve liquor license

- **On a motion from Robert Baker that Select Board approve Common Victualers license, seconded by Bob Armstrong, vote was unanimous in favor**

Sign parade permit

The Select Board discussed of where the Select Board and Fire Chief will be in the parade.

- **On a motion from Robert Baker that Select Board sign the parade permit, seconded by Bob Armstrong, vote was unanimous in favor.**

Sign Green Communities contract extension

- **On a motion from Robert Baker that Select Board sign the contract extension to complete work on Town Hall, seconded by Bob Armstrong, vote was unanimous in favor.**

Insurance: approve FY18 injured-on-duty quote

- **On a motion from Robert Baker that Select Board approve FY18 injured-on-duty quotes, seconded by Bob Armstrong, vote was unanimous in favor.**

Appointments: review draft letter of appointment with language regarding COI training; swearing in; timing

Tom Hutcheson talked about importance of appointees getting sworn in and completing conflict of interest training etc. in a timely way, so that all Committee members are legal voting members. This is the letter that we're proposing to send out to all appointees/staff with any policy making/fiscal responsibilities.

- **On a motion from Robert Baker that Select Board approve language regarding COI training and swearing in etc., seconded by Bob Armstrong, vote was unanimous in favor.**

Items Not Anticipated 48 Hours in Advance of the Meeting

Appointment of Thomas Hutcheson as ADA Coordinator

- **On a motion from Robert Baker that Select Board sign approval of Thomas Hutcheson as ADA Coordinator, seconded by Bob Armstrong, vote was unanimous in favor.**

Town Administrator Update

Committees

I've been working on the historic preservation restriction for the schoolhouse, using the model proposed by the Massachusetts Historical Commission, the same template that was used for the church. We should be ready to move forward with that soon; it's being reviewed by the Conway Historical Commission.

I have checked in with Town Counsel about problems with the Town ball field and have some preliminary data I'd like to share soon—in executive session, as it would involve the possibility of legal action.

In case anyone you know has asked about the tennis net, it needs to be repaired, and will not be up before the 250th Anniversary Celebration (when it would be taken down anyway).

Departments

The Constables are considering requesting the Select Board to sign a letter opposing legislation that would curtail their responsibilities. They are reviewing the legislation now and may be drafting a letter for your consideration.

I've been working on the Mass. MOD planning grant for ADA compliance, and have Tom McCarthy and Rusty Blossom on board. It's unclear how likely it is we'll get it, but if we do, it will help with our CDBG grant and MOU with MOD as well.

Concerns of the Selectmen

None.

Mail

Quarterly Selectmen's meeting mailing

Announcements

None.

Documents and Other Exhibits Used at the Meeting

Vendor, Payroll, and Payroll Deduction Warrants

Access Agreement with Cows Lumber

M.G.L. c.32B Sect. 21-23 law – process for changing health benefits

Conservation restriction: Sheehan property and associated maps

Contract for invasive species control with Lincoln Fish, BayState Forestry

Contract with Tighe and Bond for Phase 1 of wastewater system design

Common Victualers license- 250th Anniversary Celebration

Parade permit- 250th Anniversary Celebration

Green Communities contract extension

FY18 injured-on-duty quote (public safety staff, excluding Ambulance Dept.)

Revised letter of appointment for Town officials with policy making/fiscal responsibilities

Appointment of Thomas Hutcheson as ADA Coordinator

Next meeting scheduled for Monday June 12, 2017 at 6:00 p.m. at the Town Office, 32 Main Street

- **On a motion from Robert Baker, seconded by Bob Armstrong, the meeting was adjourned at 7:45PM.**

Respectfully submitted,

Robert A. Armstrong, Jr., Clerk