

**Agenda**  
**SELECT BOARD**  
**Monday, June 11, 2018 6:00 p.m.**  
**Town Office 32 Main Street**  
**and JOINT MEETING with the CAPITAL IMPROVEMENTS PLANNING COMMITTEE 6:30 p.m.**

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*Select Board members present:* John O'Rourke, Chair; Bob Armstrong; Philip Kantor

*Others present:* Dan Fentin-Thomas, FCAT; Tom Hutcheson, Town Administrator; Lisa Turowsky, Assistant to the Town Administrator; Dana Goodfield, Roy Cohen, Russell French, Brian Kuzmeskus, Capital Improvements Planning Committee; Colonial Power Group's Mark Cappadona, Denise Allard; Janice Warner, Treasurer;

John O'Rourke called the meeting to order at 6:00 p.m.

*Announcements*

Tom Hutcheson has been elected as Massachusetts Municipal Management Association representative for Region 1.

*Minutes*

- **On a motion from O'Rourke to approve the minutes of Tuesday, May 29, 2018, seconded by Armstrong, the vote was unanimous in favor.**

*Warrants*

- **On a motion from O'Rourke to approve the vendor warrant for \$14,061.67; the payroll warrant for \$108,302.49; the payroll deduction warrant for \$26,804.27; and the correction warrant for \$519.26, seconded by Armstrong, the vote was unanimous in favor.**

*Meetings Attended by Select Board Members*

Phil Kantor attended a DOR New Selectman Training at Holy Cross College and a Mass Selectman's Association training in Natick. Bob Armstrong was Conway's delegate to the state Democratic convention, an MCAP meeting, which meets every three months or so, and a climate change leadership workshop, which many Selectmen attended. John O'Rourke was at also at the training for new Selectman and had a meeting with Town Counsel regarding an Executive Session matter.

*Public Comments*

*None.*

**Old Business**

Meeting with Colonial Power Group, Inc. regarding electricity aggregation (Mark Cappadona, Denise Allard)

O'Rourke and Mark Cappadona have known one another a long time. Cappadona spoke about municipal aggregation. He explained that aggregation involves the power supply portion of an energy bill, moving from WMECO or Eversource; municipal aggregation is an opt-out agreement for end users who can decide whether or not to join. Those who don't opt out will automatically be included in the program. Cappadona stated the process at the DPU is longer than it should be, it will probably take 8 months or so. Possible late February/March time frame but more likely will be in the spring. Conway doesn't have to commit to anything until the DPU approves the program. Green products may be chosen; some of these are priced lower than Eversource/WMECO products. Any time after the plan is filed Colonial can accept input about what each municipality wants. Kantor asked why they don't have an opt-in product if people are going to save money. But Colonial doesn't know how much money people can save until they go out to bid. Armstrong explained that many companies with opt-in products have been scamming customers in the individual supply market for residential customers. Opt-in is heavily regulated and protects residential customers. Kantor asked about the policy re: safeguarding customer privacy. The data is stripped of identifying information; the supplier who wins the contract can't market to customers. From Colonial's standpoint everything is an encrypted file in the cloud, only used for enrollment and to show load profile so companies can use it to prepare bids. Suppliers are not allowed to use any data per DPU regulations. Colonial's fee is a usage fee of .001 or 1/10 of a penny per kilowatt hour. Cappadona distributed a handout entitled "The Process of Municipal Aggregation."

- **On a motion from O'Rourke to sign the contract with Colonial Power Group, Inc., seconded by Armstrong, the vote was unanimous in favor.**

Festival of the Hills: final contract (Sheila Harrington, Sue MacDonald)

Hutcheson noted that this contract has been revised slightly since last year's contract, to make it better. This is the remainder of the money FOH has left in the account. Kantor asked if this is the way we've always done it. O'Rourke explained that FOH used to be a Town agency but is now a separate entity. The FOH did request to become a separate organization.

- **On a motion from O'Rourke to sign the contract with Festival of the Hills for their production of the event, seconded by Armstrong, the vote was unanimous in favor.**

6:30 JOINT MEETING Capital Improvements Planning Committee (CIPC) work plan

Goodfield said the notes that Hutcheson put together show that there's a lot of work to be done here. Goodfield is concerned with how much help the committee will get from the outside, especially with regard to administrative help. He doesn't see this committee as being able to do all of the research necessary to carry out the plan. He looks to the Select Board to ask various departments to tell the Select Board what they need; O'Rourke says this is what the Select Board looks to the committee to provide. Cohen pointed out that departments have skill sets that the committee can rely on to formulate its plans. Cohen believes the rationale should come from the departments, not from the committee. Goodfield said at least part of its function is to provide the Select Board with information to make a decision. Committee members spent some time trying to establish the mandate of the committee. O'Rourke says it's to put together a spreadsheet of items costing over \$5000 with the useful life of items and an estimate of when the items will need to be replaced. French said the committee needs to create a timeline. These are difficult and time-consuming questions, but the committee is charged with giving an estimate of how much money the Select Board needs to come up with to keep things going; the primary goal is an inventory of capital items with a timeline. Hutcheson reminded the committee that as of yet we don't even have a complete list of items costing over \$5000. He recommended going directly to department heads and asking for such a list, then looking at various ways that items can be replaced as they reach end of their useful life. The course of action for the committee is to first get a list from department heads of those pieces of equipment to get a fresh inventory. If there are policy questions the Select Board is the policy-setting body of the Town. Goodfield asked Hutcheson to give the current list to departments to update and then give it to the committee once that's been done. O'Rourke asked whether a spreadsheet can be set up by IT person Cohen that department heads can use to enter their equipment needs. Cohen will look at how to do this. There was a discussion of how to present the concept of capital planning at Town Meeting; It was reiterated that the CIPC should not be making policy but can make recommendations to the Select Board which then sets policy.

## **New Business**

Treasurer: contract for tax software

Discussion: amount of data that should be available to the public

Jan Warner has the contract for collection software for the Select Board to sign. The generic contract covers 13 towns; there's also a separate contract for each town. DOR has reviewed the software. The Conway-specific contract went through the 30B process with two bidders. Warner was very enthusiastic about this software. It's going to be fully online, with much more information to taxpayers. The drawback is people other than individual taxpayers will also have access to more information. Warner stated we have to determine how much we want online and how easy we want to make it to get this information, which is already public information? One benefit is the online payment system will be live, so the collectors won't have to update files. There will also be an emailing capability that people can sign up for to supplement postal service mailings. Quality Data needs 11 communities to commit to this new software. Warner shared the list of the communities that have expressed their intentions to sign on with the Select Board. Warner concluded that Quality Data is cloud-based and affordable. She thanked Roy Cohen for reviewing the services in detail.

- **On a motion from O'Rourke to approve the contract with Quality Data for collector's software, seconded by Phil Kantor, vote was unanimous in favor.**

Letter in support of additional support for rural school districts (Sen. Hinds' budget amendment #318)

- **On motion from O'Rourke to sign the letter in support of additional support for rural school districts, seconded by Armstrong, the vote was unanimous in favor.**

Farmers' Market: return to Main Street location (in triangle by Library)

No problems or questions. They were in this location last year. Good idea.

- **On a motion from O'Rourke to allow the farmer's market to return to the Main Street location, seconded by Kantor, unanimous in favor**

Request for Farm Stand *Tabled.*

Hutcheson never got anything from the resident who asked about operating a farm stand. Not clear what rules for selling raw produce are. Hutcheson checked in with Ginny Knowlton and learned that anyone selling processed goods needs a BOH inspection of their kitchen in order to sell things.

Appointments (all starting July 1, 2018):

- Regional through June 30, 2019:
  - Fred W. Wells Scholarship Committee Representative: Kate French
- Staff through June 30, 2019:
  - Animal Control Officer: Joseph Colucci
  - Board of Assessors Clerk: Laura Hutt
  - Board of Health: Virginia Knowlton  
Clerk: Virginia Knowlton  
Burial Agent: Virginia Knowlton
  - Highway Department – Superintendent: Ronald Sweet; Foreman: Jason Stone; Driver/Laborer: Adam Baker, Nicholas Sweet; Jeremy Purinton Administrative Assistant: Michelle Duguay
  - Custodian: Debra Craven
  - Assistant to the Town Administrator: Lisa Turowsky
  - Transfer Station Attendant: James Allyn, Leland Gray, Paul Lloyd, Leroy Rose, James Wakefield
  - Treasurer/Collector: Jan Warner
  - Assistant Treasurer/Collector: Lynn Kane
  - Veterans' Graves Officer: Donald Graham
  - Tree Warden: Walter Goodridge
  - Public Safety Staff through June 30, 2019:
    - Ambulance Department:* Gemma VanderHeld - Director; Christopher Herrmann - Asst. Director
    - EMTs: James Bernier; Conan Pelc; Christina Lankarge
    - Firefighters/first responders: Robert Baker; Adam Baker; Douglas Deane (in EMT training); Dakota Deane (in EMT training)

*Emergency Management Director:* George Murphy, *Enhanced 911 Coordinator:* Robert Baker

*Fire Department:* Chief: Robert Baker; Deputy Chief and Deputy Forest Warden: Ronald Hawkes; Deputy Chief: Adam Baker; Captain: Matthew Boyden; Lieutenant: Joseph Peramba; Lieutenant: Nickolaus Vanderheld; Clerk: Laura Hutt; Firefighters: Robert Armstrong, Helen Baker, Daniel Blakeslee, Howard Boyden, Bill Burnett, Deb Craven, Dakota Deane, Alexis Deane, Conan Pelc, Stephen Scala, David Smith, Kyle Stosz, Matthew Sweet, Gemma Vanderheld; Junior Firefighters: Olivia Romanovicz, Bradley Loncar

*Police Department:* Chief: Ken Ouimette; Reserve Officers: Donald Bates, James Bernier, Christina Conklin, Ronald Hawkes, Nathan Jackman, David Johnson, Randall Williams

- Committees through June 30, 2019:
  - Cable Advisory Committee: Bob Armstrong, Ron Hawkes, Jose Cruz, Bill Arduser
  - Capital Improvements Planning Committee: Bob Armstrong (Select Board); Roy Cohen (Finance Committee)
  - Conservation Commission: Marcelle Morgan
  - Energy Committee: Sue Bridge, Brice Hereford
  - Open Space Committee: Janet Chayes, Andrew Levchuk
  - Wastewater Committee: Joseph Strzegowski, Marie Iken, Carl Nelke, Michele Novak
- Committees through June 30, 2020:
  - Agricultural Commission: Susan Schroder
  - Capital Improvements Planning Committee: Dana Goodfield, Brian Kuzmeskus
  - Conservation Commission: Robert Nowak
- Committees through June 30, 2021:
  - Agricultural Commission: Jason Silverman, Mary Parker
  - Capital Improvements Planning Committee: Russ French
  - Council on Aging: Hank Horstmann, Peg Tiley
  - Cultural Council: Stein Feick
  - Energy Committee: Peter Martin
  - Historical Commission: Carl Darrow, Sarah Williams
  - Personnel Committee: David Barten
  - Board of Registrars: Sarah Newman
- **On a motion from O'Rourke to approve staff appointments through June 30, 2019, seconded by Kantor, the vote was unanimous in favor.**
- **On a motion from O'Rourke to approve a regional representative appointment through June 30, 2019, seconded by Kantor, the vote was unanimous in favor.**
- **On a motion from O'Rourke to approve committee appointments through June 30, 2019, June 30, 2020, and June 30, 2021, seconded by Kantor, the vote was unanimous in favor.**

*Item Not Anticipated 48 Hours in Advance of the Meeting*

Appoint Ira Band to the School Committee through May 16, 2019

- **On a motion from O'Rourke to appoint Ira Band to the School Committee through May 16, 2019, seconded by Kantor, the vote was unanimous in favor.**

Band decided not to run for elected position, but he's been asked by School Committee to be a member for one more year. Michael Merritt and Elaine Campbell came in and told O'Rourke/Hutcheson they support this.

Sign stipend forms for stipended employees

- **On motion from O'Rourke to sign all stipend forms, seconded by Armstrong, the vote was unanimous in favor.**

*Town Administrator update*

**Committees, Boards, etc.**

I have brought up the Select Board banner for the Sunderland Parade. The contact is Mike or Brenda Wozniakewicz, at 413-325-4112, reachable at [woz12@comcast.net](mailto:woz12@comcast.net).

The office got a phone message for anyone wishing to support the transgender equality bill on the November state ballot; to learn more, let me know. To sign on, go to [freedommassachusetts.org](http://freedommassachusetts.org) or e-mail [hannahs@massequality.org](mailto:hannahs@massequality.org).

I sent a draft advertisement for the new position approved at Town Meeting to the Personnel Committee—the administrative assistant to various boards—and did not receive any negative comments. If any of you would like to look at them, please let me know, but I intend to post the position in the Recorder and on the website later this week.

### **Departments**

I have been appointed as the Massachusetts Municipal Management Association representative for Region 1 to the Massachusetts Municipal Association, so I will be attending MMA Board and Local Government Advisory Committee meetings as well as John.

On Thursday I attended a workshop put on by the FRCOG featuring a member of the Cannabis Control Commission. One issue I was particularly interested in has not been settled—whether a town can create a by-law stricter than the state law mandating a 500-foot buffer between a commercial operation and a school, that is, say, a 1000-foot buffer. The law apparently allows only for reducing the distance, but laws of smaller political entities have traditionally been allowed to create stricter laws than the larger political entity. The question has been noted by others as well, though, so there may be a decision before too long.

Last year, the Select Board prioritized succession planning as a need for the FRCOG’s Local Direct Technical Assistance program (for which they get an annual state grant). I pleased to report that the FRCOG is going to sponsoring a county-wide training in succession planning, details to come.

A resident ran over an object in a road and wondered whether the Town would pay for the damage. Our insurer, MIIA, has not allowed the claim. It is worth emphasizing that the Town needs notice of any defect in a road, as defined under Chapter 84, with reasonable time to repair it, or we will not be negligent in accordance with Massachusetts General Law, and our insurer will be unable to accept these liability claims. Also, the Town cannot be held liable for damages that are caused by objects originating from unknown sources or other causes that are unreported.

### **Other**

Conway’s joint project with Ashfield for Municipal Vulnerability Preparedness is moving forward, with a listening session based on the recent workshop slated for June 20; please save the date for that. I will have a joint resolution for adopting the plan soon, perhaps July 9.

Hutcheson said he will do a letter for Gov. Baker re: the warrant article on renewable energy for the next Select Board meeting.

*Concerns of the Selectmen*

*None.*

### *Mail*

Members received their copies of The Beacon. There was a resident complaint about O’Rourke’s letter to the Recorder concerning the “safe city” bylaw.

*Next Meeting* Scheduled for Monday, June 25, 2018 at 6:00 p.m. at the Town Office.

### *Executive Session*

Reason #6, to consider the purchase of real estate, if the chair declares that an open meeting may have an effect on the negotiating position of the public body

Reason #7, to comply with any general or special law: review and approval of executive session minutes

- **At 7:33p.m., on a motion from John O’Rourke to open Executive Session, to be held under Reason #6, to consider the purchase of real property, if the chair declares an open meeting would have a detrimental effect on the Town’s negotiating position, and Reason #7, to comply with any general or specific law: review and approval of executive session minutes, then to adjourn immediately from open session, O’Rourke declared it so and voted in favor, Armstrong voted in favor, and Kantor voted in favor.**