

Minutes
SELECT BOARD
Monday, August 6, 2018 6:00 p.m.
Town Office 32 Main Street

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

Others present: Alyssa Tan, FCAT; Tom Hutcheson, Town Administrator; Lisa Turowsky, Assistant to the Town Administrator

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

Minutes

- **On a motion from O'Rourke to approve the minutes of Monday, July 23, 2018, seconded by Armstrong, the vote was unanimous in favor.**

Warrants

- **On a motion from O'Rourke to approve the vendor warrant for \$105,154.33; the payroll warrant for \$101,087.86; and the payroll deduction warrant for \$24,313.46, seconded by Kantor, the vote was unanimous in favor.**

Meetings Attended by Select Board Members

Kantor attended a joint school committee meeting regarding the hiring of a consultant to provide business director services; a proposal was approved. O'Rourke attended the Franklin County Selectman's Association Executive Board meeting; the next meeting will be in October.

Public Comments

None.

Old Business

Update: Mathews Road Corrective Action plan

Hutcheson distributed a letter showing the status of the negotiations between the Town and Lane Construction; Ron Sweet of the Highway Department is satisfied with the outcome of the dispute. Lane is going to credit the Town with a little over \$8,000. One matter that hasn't been resolved is whether the Town can be relieved of its contract with Lane. Andrea Woods of FRCOG has advised that the Town should inform Lane that their lack of response signals agreement by Lane that the Town can drop out of the contract; the Select Board agreed.

Update: Wastewater Committee application to Mass Works

Hutcheson handed out a one-page project description. The more people who sign up to participate in the wastewater project, the cheaper it will be for everybody. This project would allow for more commercial development downtown. It would involve using some portion of the Meadow property for a leach field. Joe Strzegowski will submit the grant application this week. Kantor questioned the text in Section 5.3.b and 5.6 of the application regarding benefit to a private developer; Armstrong said this was likely referring to the senior housing project. Hutcheson will find out Strzegowski's reasoning for answering these questions this way.

6:10 PUBLIC HEARING: Municipal Aggregation plan; receive and review comments, vote

The municipal aggregation plan was submitted by Colonial Power. No written comments have been received and there are no members of the public here tonight to comment. Notice about the aggregation plan was posted on the website on July 10; there was discussion about people not looking at the information on the website. On a comment from Kantor that there hadn't been much public outreach, O'Rourke opined that Colonial will do more as the process moves forward.

- **On a motion from O'Rourke to open the public hearing on the municipal aggregation plan, seconded by Armstrong, the vote was unanimous in favor.**
- **On a motion from O'Rourke to close the public hearing on the municipal aggregation plan, seconded by Kantor, the vote was unanimous in favor.**
- **On a motion from O'Rourke to approve the municipal aggregation plan submitted by Colonial Power, seconded by Armstrong, the vote was unanimous in favor.**

Update: special Town Meeting warrant

Hutcheson said he is hoping that the warrant can be signed at the August 20th meeting of the Select Board. Because the Moderator is scheduled to be away until late fall, Town Meeting will need to elect a Moderator. Hutcheson discussed the Articles as set forth in the warrant: 1) Article 1 has included specific reasons for the items in the Article. There are some invoices from the Greenfield Recorder that may be included in Article 1; 2) Article 2 is on the warrant in light of the Nexamp project; Hutcheson explained that two Town Meetings are usually needed for each project, which takes a lot of time, and he wants the Article to refer separately to Select Board first negotiating, and then approving, any and all agreements. O'Rourke said he preferred that this be done in two separate articles, and the Board agreed; 3) Article 3 refers to an Airbnb tax bill which Governor Baker still has to sign; this article lays the groundwork for an eventual Town bylaw accepting the local option for room occupancy excise; 4) Article 4 allows a garage project to get started; Hutcheson hopes the Town will be able to use the prior design; Hutcheson noted that there was a 2017 annual Town Meeting straw vote saying the Town is ready for the garage project. Article 4 funds hiring a project manager and revising existing plans so the Town can get to the point of going out to bid; 5) Article 5 is the marijuana bylaw as proposed by the Planning Board; a hearing on it is scheduled for 9/17, one week before the Special Town Meeting.

New Business

Appoint Roger Goshea as part-time Transfer Station Attendant

Board of Health submitted a letter recommending that his appointment be approved. Leroy Rose recently resigned.

- **On a motion from O'Rourke to appoint Roger Goshea as part-time Transfer Station Attendant for a term ending June 30, 2019, seconded by Kantor, the vote was unanimous in favor.**

Appoint Mark Silverman to Zoning Board of Appeals for term ending 6/30/2021

- **On a motion from O'Rourke to appoint Mark Silverman to the Zoning Board of Appeals for a term ending June 30, 2021, seconded by Armstrong, the vote was unanimous in favor.**

Close out certain special revenue funds:

Frontier Regional Study (not completed):

2/8/16 STM, Article 3, for \$3,000;

- **On a motion from O'Rourke to close out the Frontier Regional Study special revenue fund of 2/8/16 STM, Article 3, for \$3000, seconded by Armstrong, the vote was unanimous in favor.**

Pipeline articles:

5/11/15, ATM, Article 12, for \$17,500 (\$9,750 remaining); 5/9/16 ATM, Article 20, for \$19,400, and Article 21, for \$5,000;

- **On a motion from O'Rourke to close out special revenue funds related to a pipeline article of 5/11/15, ATM, Article 12 for \$17,500 (\$9,750 remaining), seconded by Armstrong, the vote was unanimous in favor.**
- **On a motion from O'Rourke to close out special revenue funds related to a pipeline article of 5/9/16 ATM, Article 20 for \$19,400, seconded by Armstrong, the vote was unanimous in favor;**
- **On a motion from O'Rourke to close out special revenue funds related to a pipeline article of 5/9/16 ATM, Article 21 for \$5,000, seconded by Armstrong, the vote was unanimous in favor.**

250th Anniversary Committee

(Special Revenue Fund 270, various years, including Article 9, 5/9/16, for \$30,000)

- **On a motion from O'Rourke to close out special revenue fund 270 related to the 250th Anniversary Committee, various years including Article 9, 5/9/16 for \$30,000, seconded by Armstrong, the vote was unanimous in favor.**

Items Not Anticipated 48 Hours in Advance of the Meeting

- **On motion from Kantor on behalf of the Town, to express its gratitude for returning money to the Town, seconded by O'Rourke, the vote was unanimous in favor**

Town Administrator update

Committees and Boards

There will be a Conway Pool Party sponsored by the Parks, Recreation, and Trails Committee and the Conway Pool Association on Saturday, August 25, from 1 to 4 p.m., with a rain date of Sunday, August 26. Food and refreshments will be provided. Parking will be available at the Pumpkin Hollow Common, as in the past. They are also planning to put up an advertising sign on the 116/Elm St. island near the library.

The first meeting of the Cable Advisory Committee is scheduled for tomorrow night, Tuesday, at 6 p.m., at Comcast's request.

The Finance Committee is intending to meet at the same time as the Select Board on August 20 and provide their recommendations for the Town Meeting articles at that time. I noted to the chair that such timing was very close.

As you probably know, the Agriculture Commission has received a complaint, and is dealing with it, as they are supposed to, under the Right-to-Farm by-law. If the matter rises to a policy level, it may come to the Select Board, but I'm hoping it can be resolved more easily.

Departments

With the switch to Comcast, we now have new Wi-Fi at the Town Office and Town Hall. Because of the details of setting up the account, it's now named Guest-ConwayPolice (for the Town Office, which is designated as the Police Department for Comcast's purposes; the Town Hall account is named Public Town Hall). I've e-mailed the password out to all committees.

The Conway Grammar School water tank is scheduled to be cleaned and lined starting tomorrow and going through Thursday. The tank was drained over this past weekend and the tank float switch assembly removed, which will allow the tank to be cleaned and lined. The tank float switch assembly will be re-installed Friday; the tank should then last another 15-20 years, at a much lower cost than replacing it.

Other

Chief Ouimette told me that he spoke with Palmer Paving, who is going to be paving Route 116, and they said they are planning to start work in one week, on August 13.

I'd like to give a short remembrance of Paul Dunphy, Rep. Steven Kulik's district manager, who passed away last week. Everyone I know who worked with him found him very helpful and enjoyed working with him.

Select Board Comments

None.

Mail

Select Board members received copies of the Beacon and the Municipal Advocate. They received a letter for the Massachusetts Office on Disability re: grant application process for FY2019. Hutcheson stated that there are no plans to apply for a grant this year, as it would have had to be on the Annual Town Meeting warrant. The next major project will be a lift in the Town Hall; after that the renovations of Town Hall for office space etc. could be looked at.

Announcements:

None.

Documents and Other Exhibits Used at the Meeting

Municipal Aggregation Plan

Letter re: Lane Construction Co. Mathews Road Corrective Action Plan

Wastewater Committee MassWorks application

Special Town Meeting Warrant

Colonial Power Municipal Aggregation Plan

Next Meeting Scheduled for Monday, August 20, 2018 at 6:00 p.m. at the Town Office.

- **On a motion from O'Rourke to go into Executive Session under Reason #3, to discuss strategy with respect to litigation (MacDonald v. Town of Conway), having declared that an open meeting may have a detrimental effect on the litigating position of the Town, Armstrong voted yes, Kantor voted yes, O'Rourke voted yes.**
- **On a motion from O'Rourke to adjourn at 7:55 p.m., seconded by Armstrong, the vote was unanimous in favor.**