

Minutes
SELECT BOARD
Monday, September 17, 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; Dominic Poli from The Recorder; 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 Tuesday, September 4, 2018, seconded by Armstrong, the vote was unanimous in favor.**

Warrants

- **On a motion from O'Rourke to approve the vendor warrant for \$445,058.47; the payroll warrant for \$112,460.26; and the payroll deduction warrant for \$27,262.79, seconded by Armstrong, the vote was unanimous in favor.**

Meetings Attended by Select Board Members

Kantor attended a Frontier Regional building renovation subcommittee meeting. Armstrong attended the Frontier Regional meeting also, as well as a meeting in Pelham with MBI, Comcast and Lt. Gov. Polito re: connecting towns to the internet. Armstrong said there is only one property in Conway that is not going to be connected. O'Rourke was at the MBI meeting also; he stated that Comcast has done very well for Conway. O'Rourke also attended the MMA Board meeting on 9/11, where they discussed what the state legislature is doing and some supplemental budget items. O'Rourke also attended a local gov'm't advisory committee meeting where housing issues were discussed; and the Selectman's Association board meeting on 9/11, where the next regional meeting and the October conference were discussed.

Public Comments

None.

Old Business

Special Town Meeting: review warrant articles and recommendations

Tom Hutcheson talked about motions/talking points sheet that he distributed to the Select Board. Article 1/first motion: Hutcheson was able to assign specific costs and funding sources to previous fiscal years for unpaid bills, with some explanation to be done at Special Town Meeting. Article 2: Hutcheson presented reasons for the Article after the motion. Kantor asked why we're doing PILOTs; why don't the companies just pay taxes? Hutcheson said Lee Whitcomb will speak to this at the Special Town Meeting but summarized the reasons by stating that the PILOT gives the Town steady payment as opposed to depreciation. There was continued discussion about the wording of Articles 2 and 3. Kantor will be happy to talk about Article 4 (enabling a future short-term rentals tax) at Special Town Meeting; it was noted that the Governor just vetoed what was passed by the state legislature concerning short-term rentals taxes. Article 5: highway garage appropriation item; this article supports the design phase; Hutcheson will add a sentence clarifying. In response to questions from Kantor, he stated the Town was being asked for the maximum it might need for the design phase, including hiring a project manager. Kantor had a number of questions about this Article including, why are we voting on hiring a project manager for a project that the Town has defeated twice? Why not vote on the actual project first? Why do we need to vote on spending money for a project manager if we don't know what will happen with the eventual vote? O'Rourke and Hutcheson explained that the process is cumbersome, but we have to go through these steps to have the nuts and bolts of the design/project management process when we go out to bid. Kantor thinks we should put the project before the Town with the previous numbers, adjusted for inflation. We can't do that legally, stated O'Rourke. This way of doing things is not a mistake, it's the legally-mandated process. Kantor asked what we have done to ascertain what the numbers for design phase/project management are; why are we OK with the lack of specificity described in the talking points. Hutcheson said this is the maximum these things should cost the Town; we don't want to under-estimate the cost. O'Rourke explained the process again. Kantor want to know what was done to firm up an estimate. Last time total we ended up spending money that included management of the bidding process, which then failed to produce a favorable

Town Meeting vote. Hutcheson said these are reasonable estimates. Kantor abstained from voting on this Article at the last Select Board meeting, and he's still on the fence. Article 6: Hutcheson said he expects this Article to be amended by the Planning Board after tonight's meeting.

New Business

5-year Employee Recognition letters:

Thomas Hutcheson

Ann Gibson

- **On a motion from O'Rourke to sign 5-year employee recognition letters for Thomas Hutcheson, seconded by Kantor, the vote was unanimous in favor.**
- **On a motion from O'Rourke to sign 5-year employee recognition letters for Ann Gibson, seconded by Kantor, the vote was unanimous in favor.**

Administrative Assistant to boards, committees, etc.

Hutcheson informed the Select Board that our administrative assistant has resigned, feeling the job was not as good a fit as she thought it would be. The nature of the job was described and why it doesn't make sense for someone to come from out of town to do these small tasks. Hutcheson asked for help in publicizing the position at Special Town Meeting; it's also on the web site and slated for publication in the Visitor.

Sheep Barn lease – insurance

Select Board reviewed a letter from the new owners of 40 Fournier Road (Pleasants) who have requested a certificate of liability insurance from Town. Kantor said we should start making other plans for the things that are in the sheep barn.

Interim Appointment: Mathilde Hunting to the Board of Health

- **On a motion from O'Rourke to appoint Mathilde (Tilda) Hunting to the Board of Health on interim basis for a term ending May 16, 2019, seconded by Armstrong, the vote was unanimous in favor.**

Items Not Anticipated 48 Hours in Advance of the Meeting

None.

Town Administrator update

Town Meeting

The Attorney General's office has responded to the annual Town Meeting articles that require their approval. They have approved the clarification for the timeline for submitting articles for the annual Town meeting and for allowing the Town Clerk to re-number and re-letter Town by-laws. On the other hand, they have given themselves an additional 90 days to consider two articles: the Large-Scale Industrial and Commercial Facilities Zoning Bylaw and the Bylaw Declaring Conway to be a Safe Community. We expect to hear their decision on these two bylaws by December 4.

Departments

The EMD and I have submitted the Emergency Management Preparedness Grant for FY 2019. we are requesting two laptops, one to be available in the Emergency Operations Center and one to be used by the Assistant EMD.

We received a report regarding the Conway Grammar School water tank. The odors and taste were from three solvents. I have not yet ascertained whether the solvents were from the lining or from a proprietary material used to help clean the tank. I have also not yet ascertained whether the presence of the chemicals could lead to degradation of the lining. Mass Tank Inspection is implying the problem is the lining; they have communicated with the manufacturer, Sherwin Williams, who said that lining degradation is not a concern, and suggested leaving the tank empty and open for a day or two before filling and flushing one more time. Mass Tank Inspection also suggested that the tank could have bene re-filled too soon—an operations and maintenance issue they should have been on top of and communicated to us.

I attended a STAM meeting regarding new requirements for the Department of Labor Standards, which will bring cities and towns into full compliance with the Occupational Health and Safety Act. This will require new policies and training, and conceivably some expense, and though creating the policies and providing training will be time-consuming, monetary expenses should be minor.

Select Board Comments

None.

Mail

The Select Board members received a letter from Historical Commission about the enforcement of a clause re: the façade of the UCC church not being altered and how that relates to the razing of the church. Hutcheson remarked that since they've repaid the CPC funds that were the subject of the agreement with the Town, any obligation to not alter the façade has ended. Hutcheson will draft a letter for the Commission. There was an email from FRCOG re: Walk Franklin County maps; we'll be getting copies of these, and Hutcheson will forward them to the Parks, Recreation, and Trails Committee. There was also a letter re: Pioneer Valley housing roundtable on 9/26 in Amherst. There was an email from MMA re: their annual meeting in January 2019. The Select Board received an email from Deanna Harrington thanking them for selecting her as a candidate for a Germain Scholarship. Also, the Select Board received their copies of the Beacon and updated Mass Municipal Association directory.

Announcements:

None.

Documents and Other Exhibits Used at the Meeting

Special Town Meeting warrant, motions and talking points

Sheep barn lease and letter from owner

BOH recommendation re: Tilda Hunting

Letter from Commonwealth of Mass Office of the Attorney General re: Conway Annual Town Meeting May 14, 2018

Next Meeting Scheduled for Monday, September 24, 2018 at 3:00 p.m. Tax Classification meeting with Board of Assessors at the Town Office; then Special Town Meeting at 7:30 p.m.

- **On a motion to adjourn from O'Rourke at 6:58 p.m., seconded by Armstrong, vote was unanimous in favor**