

Minutes
SELECT BOARD
Monday, December 10, 2018 6:00 p.m.
Town Office 32 Main Street

Present: Bob Armstrong, Phil Kantor

Also present: Dan Fentin-Thomas, FCAT; Ken Ouimette, Chief of Police, Conway; Phil Bowden, Leah Bowden, Residents; Ron Sweet, Highway Dept.; Govinddass Goleman, Resident; Tom Hutcheson, Town Administrator; Lisa Turowsky, Assistant to the Town Administrator

Minutes

- **On a motion from Kantor to approve the minutes of November 26, 2018, seconded by Armstrong, the vote was unanimous (2-0) in favor.**

Warrants

- **On a motion from Kantor to approve the vendor warrant of \$162,210.36, the payroll warrant of \$128,675.16, and the payroll deduction warrant of \$30,204.46, seconded by Armstrong, the vote was unanimous in favor.**

Meetings Attended by Select Board Members

Kantor reported attending teacher negotiation sessions; a Building Renovation Subcommittee meeting; and a Highway Facility Committee meeting.

Armstrong attended a Building Renovation Subcommittee meeting and the Highway Facility Committee meeting. Armstrong also attended a good-bye event for Steve Kulik at the restaurant/golf course in Greenfield and a cybersecurity preparedness conference at UMass.

Public Comments

None.

Old Business

Energy Committee: next steps for cooperative solar project. Tabled

Armstrong reported that the entire capacity for western Mass. was sold out after just a few days. The Nexamp project is being blocked because of this and any further solar development is on hold.

New Business

Match for Highway message board grant

The Highway Department applied for a \$10,000 grant through MIA for a \$14,500 project but was awarded \$7,500, so they need the Select Board's approval to spend an additional \$7,000 (rather than \$4,500) without going through the capital improvements process (for capital items over \$5,000). There is also a time constraint, as the project has to be completed by April, before Town Meeting. Sweet is looking to see if there's anything for less money but this is almost bottom of the line. He's trying to see if the company will give a discount, but it has to be decided before Town Meeting. Sweet has \$4,500 in his budget. He notes that putting signs up for paving projects etc. is very helpful.

- **On a motion from Armstrong to approve the Highway Department spending up to \$7,000 for signage, seconded by Kantor, the vote was unanimous in favor.**

Sign December stipend forms

- **On a motion to approve semi-annual stipends from Kantor, seconded by Armstrong, the vote was unanimous in favor.**

Consider draft marijuana host agreement policy, liaison for applicants

Armstrong stated that the Select Board is creating a policy under which they can work with applicants for marijuana businesses in Town. There is a draft policy for Conway that was taken directly from Buckland's policy. The Buckland draft has been finalized with some minor tweaks. There won't be a vote at this time on the process that the Select Board is going to use in approval of host agreements. Armstrong read aloud the Buckland policy with Conway inserted as the relevant town, which describes the community outreach meeting, the process of filing an application with CCC, and the provision that the applicant must provide \$5,000 in escrow to cover application costs. O'Rourke is not here, so the Select Board postponed discussion about the process for dealing with host agreements. Phil Bowden reviewed the Buckland process.

Bowden doesn't approve of the \$5,000 escrow, as the legal costs are already pretty burdensome. Bowden thinks the Town should consider that for every dollar the applicant has to spend, they have to raise more investor capital. Bowden is interested in finding a more sustainable way to go forward. Armstrong said the Select Board can look at other towns to see what's being done. Bowden stated his opinion that the only thing that makes sense is to have the application process be as fast as possible. Deerfield and Whately are looking into zero-carbon emission marijuana cultivation projects. Armstrong stressed that for all of the Select Board members this is brand new.

Discussion: non-recurring Federal holidays and Town staff

Hutcheson stated that he doesn't recall ever having something happen like the National Day of Mourning, which took place last week, and apologized for the poor process he initiated. He had seen that some towns might make the federally-proclaimed holiday a town holiday, but that did not happen. Some unions have all federal holidays written into their contracts, so they did get the day off. Hutcheson stated, and the Select Board agreed, that there is no reason to create a policy at this point.

- **On a motion from Armstrong to table the adoption of a policy for non-recurring Federal holidays for the Town, seconded by Kantor, the vote was unanimous in favor.**

Discussion: paid holiday for Dec. 24th and December 31st

Hutcheson distributed a spreadsheet of other towns' approaches to opening/closing the Mondays before Christmas and New Year's Day. Other towns are granting these days off but some are only doing giving part of the day off. There is no Town policy right now. Kantor thinks we should not extend this to the day before New Year's Day.

- **On a motion from Kantor to make Monday, December 24, 2018 a paid holiday for Town employees, seconded by Armstrong, the vote was unanimous in favor.**

License renewal: Bakers Country Store

- **On a motion from Armstrong to renew Baker's Country Store licenses for calendar year 2019, seconded by Kantor, the vote was unanimous in favor.**

Items Not Anticipated 48 Hours in Advance of the Meeting

Hazard Mitigation Plan Update

Hutcheson stated that there was a timing issue; FRCOG work is scheduled to begin in December, which it could not if the vote were delayed. As the Board had approved the project earlier (and signed the state contract), this should be a non-controversial item.

- **On a motion from Armstrong to sign the Hazard Mitigation Plan update contract with the FRCOG, seconded by Kantor, the vote was unanimous in favor.**

Vigliani's complaint about Malloy's horses

Ken Ouimette received a complaint about some loose horses at a resident's property. Ouimette is still investigating options as to how to pursue when these situations arise. The horses getting loose has happened numerous times in the past. There is no statute or Town bylaw that specifically addresses this issue. A "field driver" position used to exist; that person could round up loose large animals and house them. The Malloy's fencing situation was questioned. Ouimette said that he learned the ground wire was not working properly on the electric fence. Kantor would like to raise the minimum standards for fencing for large animals. Ouimette thinks the Town should look at creating a mechanism for responding to this problem. Armstrong asked about applicability of the ticket system; they are only used when a bylaw is being violated. The ACO is involved in trying to resolve problem with Ouimette. Hutcheson will look around and try to work up a solution for Town Meeting.

Town Administrator update

Committees

The Highway Facility Committee met last Wednesday and heard from Andrea Lammas, the Town Administrator for Buckland, about their process. They are now working on questions and answers regarding the project to address s many issues as they can before Town Meeting.

Departments

The Town Caucus warrant will be on the next agenda. The Town Clerk developed it early because there are many positions to be voted.

The Ambulance Department is moving ahead with procuring the Stryker unit. The company they've been dealing with is on the Mass State Contract FIR04 list, so that will eliminate needing a quotes process. The Ambulance Director is looking into pricing from other companies, so they will have a bargaining chip with Stryker, but she has worked with the company in the past and feels confident that they will be a good match for what the Town needs for maintenance and service for the unit.

The Frontier main office is finally moving out of the Christian Lane building, and I was able to get five excellent file cabinets with the help of the Highway Department. The file cabinets are now upstairs in the Town Hall.

Other

The running club at Conway Grammar School is planning to host their annual 5K Fun Run/Walk in the center of town again this spring. It would be the same route but have a different starting location (perhaps the library) so they don't interfere with any groups using the Town Hall. In the past they have had between 70-100 participants. This year is planned for Sunday, May 19, starting around 9 and finishing by 11:00. They would not need to use the facilities at either the town hall or the library (they'll use the porta-potty).

Sen Hinds' aide will be in town Wednesday—at the Town Hall from 11 to noon, and at the Town Office from noon to 1 p.m. There may be some interest from the Energy Committee in asking for the SMART program caps to be raised, to allow for the possibility of a municipal or community solar project in town, as they have been working for one for some time.

Select Board Comments *None.*

Mail

Holiday card from Adam Hinds

Letter from DLS re: single-topic notifications and PILOTs; being available to come out to discuss issues around PILOTs.

FRCOG will hold regional transportation meetings to discuss local needs: on 12/11 in Colrain 5:30 at the highway garage; in Sunderland at the Library on 1/16 at 5:30

Letter from Attorney General approving a planning board article and the safe community bylaw

Announcements

The Rural Policy Advisory Commission will meet on 12/13 at GCC downtown campus, from 5-7.

Next Meeting

Wednesday, December 26, 2018, Town Office, 6:00 p.m.

- **On a motion from Armstrong to adjourn, seconded by Kantor, the vote was unanimous in favor.**