

*Minutes*  
SELECT BOARD  
Tuesday, November 12, 2019 5:00 p.m.  
Town Office, 32 Main Street

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

*Others present:* Ron Sweet, Highway Department/Highway Facility Commission; Terry Walker, applicant for Highway clerk position; Walter Goodridge, Highway Facility Commission; Tom Hutcheson, Town Administrator; Lisa Turowsky, Assistant to the Town Administrator

*Minutes*

*October 28, 2019*

- **On a motion from O'Rourke to approve the minutes of October 28, 2019, seconded by Armstrong, the vote was unanimous in favor.**

*Warrants*

- **On a motion from O'Rourke to approve the vendor warrant of \$49,604.94; the payroll warrant of \$121,210.74; and the payroll deduction warrant of \$30,661.53, seconded by Armstrong, the vote was unanimous in favor.**

*Meetings Attended by Select Board Members*

Kantor attended school committee strategy session and a meeting of Frontier Capital Planning Improvements Committee.

Armstrong went to a Frontier Capital Improvements Planning Committee meeting, a Cable Advisory Meeting with Comcast, and a Frontier Regional Planning Board meeting; FRCOG rural policy commission plan that was presented by Linda Dunlavy. O'Rourke attended the MMA board meeting today, and an LGAC meeting with the Lt. Governor.

*Public Comments*

*None.*

*Old Business*

*Receive report on the feasibility of a regional human resources function*

Hutcheson said the Town got a Commonwealth Community Compact grant and hired Deb Radway, former HR director of Amherst, to study the feasibility of a regional human resources function. The Personnel Committee voted to go forward with approving the regional HR function and recommends that the Select Board accept the recommendations. The other three towns in the region (Whately, Deerfield, Sunderland) don't have an HR person. Frontier Regional is not in favor of adding administrative costs to its budget. Radway recommended creating a part-time HR position. Kantor thought the report is unconvincing in that it's not favorable to Conway and didn't like the way the survey was done; he did not agree with Radway's conclusions. O'Rourke said the Town is hanging on by a thread by not having an HR person; personnel problems can be intricate and complex. O'Rourke was inclined to back the Personnel Committee's recommendation. Kantor didn't think a dedicated HR function is necessary, and that the proposed position, with costs and work split proportionally, gives too much benefit to Deerfield and Sunderland. FRCOG looked at what it would take to provide a larger regional HR function, and decided they didn't want to take this on. O'Rourke would like to give the regional HR person a chance. The Personnel Committee recommended that the Select Board accept the report's recommendations and see if the other three towns want to move forward.

- **On a motion from O'Rourke to accept the report for the consultant for the HR regional feasibility study and to contact other towns to see if they would like to hire a regional HR person, seconded by Armstrong, the vote was two in favor and one against (Kantor).**

*Update on Highway Facility road work.*

Goodridge and Sweet said the concrete pour work has been done and the result exceeds expectations. Everything is on schedule. The building is being manufactured now and should arrive at the site either this Friday or the following Monday. Goodridge handed out results of a meeting with Vreeland last night. \$1,450,000 is the final estimate which includes a little fudge factor of about \$17,000. Site work will be done by the Town under Highway Department supervision. Armstrong would like Sweet to present at Special Town Meeting about how much money was saved by the Highway Department doing the work. It was decided that Goodridge will speak to this instead of Sweet. Some of the work might be done by Franklin Technical School; this will have to be approved in Boston. Low bidder sub-bids were chosen as conservative estimates. (HVAC, Plumbing

and Electrical) Special Town Meeting will be presented with the \$1,450,000 estimate. There was a discussion of the general conditions and contingency items in Vreeland's estimate. The Town would borrow everything but the money in the stabilization account, somewhere around \$1.2 million. Goodridge needs to provide Hutcheson with reworked numbers so he can figure out what will go on the warrant.

*New Business*

*Highway Department*

*Appoint Terry Walker as Highway Department clerk*

Ron Sweet and Tom Hutcheson both recommend Terry for this position. She will work out her work hours with Sweet and Hutcheson. She has experience bringing in grants with previous positions.

- **On a motion from O'Rourke to appoint Terry Walker as Highway Department clerk for 8 hours a week for a term ending 6/30/2020, seconded by Kantor, the vote was unanimous in favor.**

*Easement issue: draft letter regarding poles installed in the Town's right-of-way at 46 East Guinea Road*

Sweet reported that there have been some poles at the edge of the roadway near a resident's house. The Town has a right-of-way over the resident's lawn. Sweet hasn't spoken to the resident yet. Hutcheson thought it would be best if a letter came from the Select Board. Kantor has some questions about it; he thinks removing the poles would be ill-advised. Sweet said the poles are in the Town's right-of-way. Kantor thinks legal process might be required for the Town to remove the poles. Hutcheson said he can check with Town Counsel before sending the letter. It might be useful to have the letter come from Town Counsel. The Board agreed to postpone the discussion pending Town Counsel advise.

*Sign license for annual licensing of Conway Inn (Barbara Llamas)*

- **On a motion from Kantor to sign two annual licenses for Barbara Llamas at the Conway Inn, seconded by Armstrong, the vote was unanimous in favor.**

*Special Town Meeting: draft warrant*

Hutcheson presented the draft warrant. The Town Clerk wants to increase some fees to be more in line with what other towns are doing. She also recommends changing one of the bylaws to make it consistent with noncriminal municipal citation process. Art. 4 is from the Board of Assessors. PILOT needs actual amounts and Hutcheson will insert those or add them as a hand-out to the warrant. Hutcheson is waiting for Malcolm Corse to give him some numbers for Historic Preservation. Hutcheson is asking for more money for the position of Town Administrator's Assistant, based on the possibility of the Town picking up the function of a Town newsletter if The Visitor ceases to be published. This Assistant might also pick up some HR functions if a regional HR person doesn't go forward. There's an article re: mowing a path for the South River meadow; there was some miscommunication about whose budget it was supposed to come from. Hutcheson has not heard whether the grant application for the lift in the Town Hall was accepted. If it's not accepted, the money can be released and used for something else at the annual Town Meeting. Mass DOT is happy to start planning for 2023 replacement of a bridge on North Poland Road, so about \$10,000 is needed to get that project underway. Kantor said he does not like the Art. 3 dog leash law, and will not vote for it; he violates it every day. Hutcheson pointed out that the leash law is a state law. Kantor noted he was not in favor of the increased penalty.

*Request from Fire Chief to be designated a strong chief*                      *Tabled*

The Fire chief has requested to be designated a strong chief. Kantor wants to table this, as does O'Rourke. They want to ask Robert Baker to come in and talk about why he wants to do this. It would allow Baker to hire/Fire Department staff instead of the Select Board. There is no benefit to the Town to making this change, say Kantor and O'Rourke. Hutcheson noted that Baker has specifically requested it at this time; an article could be added to the warrant if the Select Board wants.

*Public Comments*

*None.*

*Items not anticipated within 48 hours of the meeting*

Hutcheson wants to have the Town's holiday party on December 19<sup>th</sup>. Kantor needs to check the School Committee's December meeting schedule before he can commit to the party being on the 19<sup>th</sup>.

*Town Administrator update*

**Departments**

Regarding Conway’s electricity aggregation initiative, we have heard from the company we selected, Colonial Power that the 9-10 months expected for DPU review of our petition has turned into 11-12 months. Their reply when recently asked for an update was boilerplate: “These dockets remain under active investigation by the Department, however, consistent with Department practice, we are unable to provide an estimate of when final orders will issue.”

The Highway shed slab has been poured and cured without incident, so it’s ready for the building, which should be arriving within two weeks. Meanwhile, Michael Blaine, the well consultant for the Grammar School notes that the Source Water Assessment Program (SWAP) buffer zones for the Conway Grammar School are, for Zone One, 195 feet, and for the Interim Wellhead Protection Area (IWPA, Zone 2), 496 feet. These buffer zones were considered and drawn into the current site plan, as they were in 2014. We are building within Zone 2, which is allowed (though not considered a best practice), and which the Conservation Commission approved. Presumably DEP will let us know their opinion of this situation. It may be that the best long-term solution is to drill a new well, which would solve the school’s low-flow (and long recharge time) issues as well. Bill Hildreth, the new Frontier Facilities Manager, agrees that a new well would be great (assuming it had a higher flow rate than the current one).

I have asked the Cannabis Control Commission for clarification on a process point in the license application of Roaring Glen Farms. The Planning Board has weighed in with recommended language as well. I anticipate that the owners’ perspective will be supported, and we can submit a form to the state with a positive answer that asks whether a marijuana establishment is allowed at their particular location, but there are site constraints, and I want to be sure they are not relevant—which seems to be what the state guidance document says—before getting the form submitted. It may take some time to get clarification from the CCC, as they met on Thursday and may be catching up with that business for a few days.

I got a noise complaint from a resident regarding what turned out to be an extensive logging operation near Leukhardt Road. I also heard from the state service forester that she had not gotten a cutting plan. The Conservation Commission was also involved, as you heard earlier. Because of the lack of a cutting plan, the state DEP is now involved.

The electrical work for Gary Lisewski’s home was completed and inspected, and with the invoice being presented at the estimate price, which is what the Select Board approved, I included payment for that invoice in this warrant. Building work has also been reported accomplished.

Ron and I will be meeting with FEMA and MEMA on November 22 regarding the proposed Delabarre Avenue project. This is farther than we’ve gotten before with the project, so it is very welcome news.

*Select Board Comments* *None.*

*Mail* *None.*

*Announcements* *None.*

*Next Meeting*

**Monday, November 18, 2019** at the Town Office, 32 Main Street, at **5:00 p.m.** (before the All-Committee Meeting at 7:00 p.m. at the Town Hall)