

*Minutes*  
SELECT BOARD  
Monday, November 18, 2019 5:00 p.m.  
Town Office, 32 Main Street

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

*Others present:* Dan Fentin-Thomas, FCAT; Robert Baker, Fire Chief; Lisa Gustavsen and Shannon O'Brien, Roaring Glen Farm; Walter Goodridge, Highway Facility Committee; 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.**

*Meetings Attended by Select Board Members*

Kantor attended Frontier Budget Subcommittee meeting; Ch. 70 was remitted twice by state so it had to be repaid. Frontier was not able to complete the MVP grant for permeable asphalt parking lot, but it turned out that it could be done. So the application was timely as a regional application. Kantor also attended a Union 38 contract negotiation session.

Armstrong went to a ConCom meeting, a Frontier Capital Improvement Committee meeting, and the Town Academy session on GIS with Lee Whitcomb.

*Public Comments*

*None.*

*Old Business*

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

Baker spoke about his request; he said the Select Board hired him as a "strong chief" in 1980. However, Hutcheson and the Town Clerk cannot verify that Town Meeting adopted the statute. Baker has been talking with the fire chief in Ashfield, who is a strong chief there. If a merger of Ashfield and Conway fire departments happens, Baker thought there should be a strong chief in both towns. O'Rourke pointed out that Baker has been acting as a strong chief, but the Select Board retains the authority to appoint employees. Baker said it used to be that there was no annual appointment for employees necessary. A strong chief has absolute authority over policy, which has been the practice in Conway. If the fire chief position were a strong chief, this person would have the authority to hire and fire. Language about making the position a strong chief could easily be inserted in the Special Town Meeting warrant. Kantor was comfortable being a "rubber stamp" on the decisions of the fire chief, though Kantor and Armstrong wanted to make this a warrant article. Hutcheson will put it on the warrant. Baker will speak to the article at Town Meeting.

- **On a motion from O'Rourke to add a warrant article making Baker a strong chief under Mass. General Laws, seconded by Armstrong, the vote was unanimous in favor.**

*Highway Department*

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

A draft letter re: issue of poles on the Town's right-of-way was reviewed. Town Counsel said the Town can send the letter.

- **On a motion from O'Rourke to sign and send the letter re: the issue of poles on the Town's right-of-way to Town resident, seconded by Kantor, vote was unanimous in favor.**

*Approve contract with Vreeland Design Associates for the Highway Maintenance Building*

Goodridge was here to formalize the contract that was discussed at last Select Board meeting. The new contract has a reduction of \$5,800 because someone other than Vreeland has taken on value engineering.

- **On a motion from O'Rourke to sign the revised scope of service proposal for construction of the Highway Facility maintenance building, seconded by Armstrong, the vote was unanimous in favor.**

*Approve Municipal Response to Municipal Notification of A Marijuana Establishment (Roaring Glen Farm)*

Gustavsen spoke in support of the Roaring Glen Farm marijuana growing establishment, which has applied for a license. The municipal response requires that the business be in compliance with all municipal bylaws. Hutcheson recommends approving the application. Any Planning Board issues will be dealt with later in the site plan review and special permit process.

- **On a motion from O'Rourke to approve marijuana establishment Roaring Glen Farm, seconded by Armstrong, the vote was unanimous in favor.**

*New Business*

Appoint David Shaw as a volunteer fire fighter

Baker highly recommends appointing David Shaw who has met with the Fire Department.

- **On a motion from O'Rourke to appoint David Shaw as volunteer firefighter for term expiring 6/30/20, seconded by Armstrong, the vote was unanimous in favor.**

*Special Town Meeting: draft warrant*

*Recommendations*

Hutcheson presented the draft warrant. The Finance Committee was meeting at the same time the Select Board met.

Select Board votes are as follows:

Art. 1: 3 in favor, 0 against

Art. 2: 3 in favor, 0 against

Art. 3: 2 in favor; 1 against

Art. 4: 3 in favor, 0 against

Art. 5: 3 in favor, 0 against

Art. 6 (new) "strong chief" (M.G.L. Ch. 48, Sect. 42 adoption) 3 in favor, 0 against

Art. 7: 3 in favor, 0 against

Art. 8: Hutcheson said that this change would bring the hours worked by the Assistant to the Town Administrator position into the benefited range; it would have to be budgeted in the next fiscal year. There is a substantial possibility of additional responsibilities being added if The Visitor ceases to publish; also, there is the potential for greater work in HR to get the Town to be compliant with changing laws.

2 in favor; 1 against

Art. 9: 2 in favor, 1 against

Art. 10: 2 in favor, 1 against

Art. 11: 3 in favor, 0 against

Art. 12: 3 in favor, 0 against

Art. 13: 3 in favor, 0 against

Art. 14: 3 in favor, 0 against

*Public Comments*

*None.*

*Items not anticipated within 48 hours of the meeting*

*None.*

*Town Administrator update*

Permitting boards (Conservation Commission, Board of Health, ZBS and Planning Board) will be discussed at them and last, Town Academy session on 11/21.

*Select Board Comments*

*None.*

*Mail*

*None.*

*Announcements*

There was a DEP complaint against the Town regarding water quality near Conway Grammar School; we're in full compliance, say Hutcheson and O'Rourke. Congratulations to new building maintenance person at the school, Bill Hildreth.

*Next Meeting*

**Monday, November 25, 2019** at the Town Office, 32 Main Street, at **6:00 p.m.**