

Minutes
SELECT BOARD
Monday, November 9, 2020, 6:00 p.m.
ZOOM MEETING

Present: Bob Armstrong, Chair, Selectboard, Phil Kantor, Selectboard, Erica Goleman, Selectboard, Janice Warner, Treasurer, Tom Hutcheson, Town Administrator, Louise Beckett, Assistant to the Town Administrator

Minutes

Approval of minutes from October 26, 2020

On a motion from Bob Armstrong to accept the minutes of October 26, 2020 as amended, seconded by Goleman, the vote was unanimous in favor.

Warrants

Vendor warrant: \$88,487.80

Payroll warrant: \$108,811.81

Payroll deduction warrant: \$27,301.30

Student Activity Fund: \$988.19

On a motion from Bob Armstrong to sign the vendor warrant for \$88,487.80, the payroll warrant for \$108,811.81, the payroll deduction warrant for \$27,301.30, and the Student Activity Fund for \$988.19, seconded by Goleman, the vote was unanimous in favor.

Meetings Attended by Select Board Members

Goleman is the liaison for the Age-Friendly Communities discussed at the last Selectboard meeting, but they have not yet met. Kantor had no meetings for the past two weeks. Armstrong has had a conservation and has been working with Comcast, but no meeting. The cable advisory committee made an offer and Comcast has accepted it. He will meet tomorrow to present the offer to the cable advisory committee and then will present it to the select board.

Public Comments – None.

Old Business

Land for sale prioritized for flood mitigation at 69 Main Street (South River Trust):

Approve appraisal fee of \$1,300

Funding for 21(e) survey: DOR advice

Armstrong noted that at its last meeting two weeks ago, the Selectboard discussed the land for sale in regard to the town's longstanding efforts for flood mitigation on the South River. Hutcheson was to negotiate a contract for an appraisal and has moved on it. Kantor has spoken with the seller, and said an agreement is fine, but questioned whether or not it's a wise thing to go forward with it at this time. The seller has received substantial interest in the property as listed, and may not wish to go through the process required of the town to effect the purchase. If it doesn't sell within a few months, they might want to work with the town on the sale. There is some funding available from the sale of the old Grammar School. The question was asked: is it possible to divide the lot, leaving a small lot for housing, and keeping the rest for flood mitigation? Kantor thought it may sell before the town has a chance to negotiate. What if the town is interested both in putting a building there and also doing flood mitigation? This might not require subdividing the property. Hutcheson reminded the board that the purpose of the flood mitigation plan is to reduce the force of the river and its effect, not to stop flooding. Kantor noted a concern regarding the view across the river after removing trees. Armstrong said he thought the main reason the town is interested is mostly about removing the large berm and wondered about abutters' thoughts. Hutcheson said that development would also involve removing trees. Goleman expressed surprise that there is so much interest in the property, especially since there is currently no home on it. Armstrong has heard that the current

owner came to the Conservation Commission regarding building on the property with the same footprint. He wanted to come in with heavy equipment, which the ConComm would have had to rule on. Kantor reported that the amount needed to develop the property was more than the owner had planned on. Goleman remarked that \$1,300 for an appraisal is not excessive and that it would be well worth it for the town to pursue it. Hutcheson said that he didn't see that there would be any restrictions on the money from the old Grammar School. Armstrong asked if there is any law or restrictions on developing the land? Hutcheson thought not from what he has been able to find. Has been in touch with Dave Guzman at DOR, but has not heard back. **On a motion from Armstrong to fund the \$1,300 for the appraisal, seconded by Goleman, the vote was unanimous in favor.**

New Business

Employee handbook policy interpretation: return from FMLA leave

Treasurer Janice Warner asked that the Select Board to decide on a section in the employee handbook regarding FMLA which is open to interpretation. It reads that the "town may recover the cost of any payments made to maintain your health insurance coverage, unless the failure to return to work was for reasons beyond your control." She had two main questions: what about returning after some subsequent leave, and what would prompt the town ask an employee to return monies? Hutcheson suggested the board might interpret the phrase "upon the completion of your FMLA leave and any other *subsequently approved leave*"; the intent to return is important. The Board could go after someone if they took the leave in bad faith. Goleman asked: how do we define intent? FMLA is different from other leave types. What happens if an employee takes FMLA leave to care for very sick spouse, exhausts their FMLA leave, and then does not come back – is still caring for the sick spouse? Goleman said she fully supports making a determination on a case-by-case basis. Warner suggested that such cases should go to the Select Board. It was agreed that when an FMLA-approved leave completes and a request is made to extend the leave, the Select Board should become involved. Hutcheson said that it's all about the approval of a subsequent leave. Warner expressed her understanding as if the employee doesn't come back after a leave and any extension, then the town has the right to recover insurance funds. Armstrong said there is no vote on this item at this point, but clarification. Hutcheson will provide a formal amendment at the next meeting.

Sign DEP grant agreement for recycling funds

On a motion from Bob Armstrong to accept the \$3,500.00 from DEP, seconded by Kantor the vote was unanimous in favor.

License Renewal for the Conway Inn:

Consider possible reduction in fees due to Covid-19 loss

Sign license renewal form

Regarding a reduction in fees for the 2021 licenses, Hutcheson recommended that the fees for the liquor license (\$500.00) for the common victualer's license (\$25.00) and the weekday jukebox license (\$20.00) be halved, due to the Inn's losses caused by Covid-19 this year. **On a motion from Armstrong to reduce fees this year by one-half, seconded by Goleman, the vote was unanimous in favor.**

Select Board budget: FY 2021 stipends

Hutcheson said the current Selectboard FY budget has a certain amount of money in it. Both John O'Rourke and Bob Armstrong waived their stipends last year. This year the budget is underfunded. It is awkward because Erika Goleman wasn't present at the time the stipends were given up. Goleman said that the stipend incentivizes participation. Hutcheson said a request from the Finance Committee can be made for money that wasn't budgeted due to unexpected circumstances. Goleman asked to abstain for the 2022 budget in regard to this matter. Hutcheson to file a request for a transfer from the reserve fund from the Finance Committee. **On a motion from Armstrong to ask the Finance Committee to make up for the shortage in the FY 2021 stipend, Kantor seconded and the vote was unanimous in favor.**

FY 2022 stipends and other items

Armstrong said that FY22 stipends should return to their usual amounts. Kantor noted they were less than the Animal Control Officer. Hutcheson said the Selectboard should consider requesting \$2,000 for general expenses and unexpected items and has proposed that in the budget worksheet.

Items Not Anticipated 48 Hours in Advance of the Meeting

Kantor said he has heard complaints about the sound quality of some meetings. Hutcheon said he felt it was because of the people participating via conference call. Armstrong wondered whether there was another way to connect the phone with better quality; FCAT would know.

Kantor also reported that Mary Wigmore of the Forest Stewardship plan had suggested establishing an overlook at the end of the trail, which she termed a “million-dollar view”. It was unclear where that was; Hutcheson will ask Wigmore.

Town Administrator update

Committees

There have been two resignations: Marie Iken from the Board of Health, for personal reasons, and Dave Barten from the Personnel Committee, as his wife’s health is declining. The Finance Committee appointed Steve Dinkelaker as its representative, so the committee still has a quorum.

The Cultural Council grant application deadline is November 16.

Departments

The FY22 budget worksheets went out as planned, and a number have already been returned.

The amount of money in the “sale of real estate” account, which Phil mentioned last week, is about \$84,995. Since the site has an industrial past, including a tannery, the Town should have an environmental assessment done. A Phase 1 Environmental Site Assessment (ESA) typically costs between \$4,000 and \$6,000 dollars; that involves a site visit and historical review. That would not include soil and groundwater testing, which would be a Phase II ESA (in case it was recommended after the Phase 1), and more expensive.

At the request of a resident who had trouble finding the hours for early voting, I purchased two sign boards, one for the Town Office and one for the Town Hall. They will be of use for Town Meetings, future elections, bill due dates, and general information.

Also in response to concerns expressed, we have changed the calendar on the website to be immediately accessible on the front page, without having to click on the calendar menu item.

There are additional grants available for businesses affected by COVID-19, these including a program for businesses employing fewer than 50 people as well as microenterprise grants. Information is posted on the website.

We have a second student at Smith Agricultural and Technical High School. That means the tech school budget is off considerably, about \$17,000 for tuition and \$17,000 for transportation. Since there’s only \$40,000 in the reserve fund, my suggestion is to take it from free cash at the next Town Meeting. I have also let Alan Singer, Finance Committee chair, know. Students often don’t indicate interest until mid-March, and it’s not till April that they usually sign up. This year, we really didn’t know till school started. I have never added hypothetical students in my preliminary budget; that would add an extra \$34,000 to taxes just in case someone signs up.

The House Ways and Means budget dropped Friday; Conway gained \$16 for the Library. Debate starts tomorrow; the MMA has laid out its priorities for the 777 amendments filed—let me know if you'd like their e-mail on that.

I applied for a MIIA risk management grant for Conway's contribution to a UV disinfectant system for Frontier as well as a work zone safety trailer with equipment.

Concerns of the Selectmen – None.

Mail

We received an update from the Franklin County Redevelopment Authority regarding grants: there are three other towns in this CDBG program (Deerfield, Sunderland, and Leverett), and the fund closes on Dec. 31. Conway had 9 units rehabilitated; only Deerfield had more, at 11. The program funded \$920,000 worth of renovations in all.

Announcements: – None.

Next Meeting: Scheduled for Monday, November 23, 2020, at 6 p.m., via Zoom.

On a motion from Bob Armstrong to adjourn, seconded by Goleman, the vote was unanimous in favor and the meeting was adjourned at 7:10 p.m.