

**Minutes**  
**SELECT BOARD**

Monday, December 21, 2020, 6:00 p.m.  
Via Zoom

*Present:* Bob Armstrong, Erica Goleman, Phil Kantor, Select Board

*Others present:* Ron Hawkes, Cable Committee, Attorney Bill Solomon, Bill Arduser, Jonathan Barkan and Eileen Leahy, Comcast; Chris Collins, FCAT; Tom Hutcheson, Town Administrator; Louise Beckett, Assistant to the Town Administrator

Armstrong called the meeting to order at 6:03 p.m.

*Minutes*

*Approval of minutes from December 7, 2020*

**On a motion from Armstrong to approve the minutes of December 7, 2020, seconded by Goleman, the vote was unanimous in favor.**

*Warrants*

*Approval of the following warrants:*

**On a motion from Armstrong to approve the vendor warrant for \$507,554.68, the payroll warrant for \$106,783.07, and the payroll deduction warrant for \$26,600.41, seconded by Kantor, the vote was unanimous in favor.**

*Meetings Attended by Select Board Members*

Goleman attended a meeting of LifePath for the Age-Friendly Communities effort. The next step is to meet with representatives of the community. Kantor attended a Frontier Regional meeting on the 8<sup>th</sup> at 7 p.m. which dealt with the closure of the school. On the 9<sup>th</sup> he attended a Board of Health meeting, and a Four-Town Board of Health meeting on the 10<sup>th</sup> regarding the school closures, as well as a Conway School Committee meeting on the 15<sup>th</sup>. He also met with the Williamstown carbon credit contacts said there is plenty of interest in Conway from a number of the large landowners in town. Armstrong attended a conservation committee meeting, made a solar site visit, and attended a cable committee meeting. Regarding the solar site, there is one neighbor who can see the panels, so it needs to be addressed. He and Hutcheson also had a phone conversation with MIIA regarding town public safety workers over the age of 70 and whether they can be covered by the current insurance policy.

*Public Comments*                      *none*

*Public Hearing Regarding the Renewal of the Cable Television License of Comcast of Massachusetts II, Inc.*  
At 6:15 a Public Hearing Regarding the Renewal of the Cable Television License of Comcast of Massachusetts II, Inc. was called. Armstrong said that as regards an agreement, it looks like we're almost there.

*Old Business*

*FY 2021 Town Budget update: budget hearing schedule and other business*

Hutcheson went over the budget schedule, which is similar to last year's schedule. Department budgets are due the end of this week, and hopefully the majority will be in by that time. He also welcomed comments and questions.

*Approve Select Board stipends*

Hutcheson recalled that the select board stipends were not yet approved. The Finance Committee voted not to restore the stipends given up in the current fiscal year. Hutcheson noted that any resulting Select Board account deficit would be made up through a donation from Armstrong, which the Select Board and the Finance Committee could move into the Select Board account at the end of the year. **On a motion from Armstrong to approve the three \$900 semi-annual select board stipends, seconded by Goleman, the vote was unanimous.**

*69 Main Street – approve requesting owner access for a Phase One environmental assessment*

Hutcheson said we need approval from the seller to allow someone to go on to the site. Kantor said he thought that the seller had so indicated in another conversation. Hutcheson said it would be better to have confirmation from the seller to avoid any confusion, and to protect anyone who might need to walk the property.

*New Business*

*UCC request for splitting cost of reinforcing foundation wall near Whately Road (\$14,375)*

Hutcheson said that the town cannot legally give money to private/religious institutions. Kantor cited a case in which the CPA had granted money to such an organization. Hutcheson said that CPA is different, that the town received something in return for the grant, along with a written agreement. Kantor felt that the issue with the church was an engineering one. Because of the proximity of the foundation to the road, if the wall collapses, there could be injuries to townspeople. But he said he felt it should be a warrant article, and that the church should make their case to the town. Armstrong questioned if the town should be expected to fund the rebuild of the foundation. The Highway Superintendent does not see an issue with the safety of the road. Hutcheson said it is the church's responsibility to make the area safe. Goleman thought it unwise to set a precedent by the town agreeing to fund part of the repair project. The focus should be on the safety of the road. Hutcheson will draft a letter to the church to request better information on the plans and the danger to the road.

*Letter in support of a state Office of Rural Policy*

Armstrong and Goleman expressed support for the policy. Kantor differed in his opinion. Hutcheson outlined the main points for the policy and expressed agreement that rural areas should have a presence in this matter. **On a motion from Armstrong to support the letter, Goleman seconded. The motion passed, with Kantor abstaining.**

*Letters thanking Hatch family members for donations for South River Meadow bench installation*

Hutcheson said he had prepared letters to the four members of the Hatch family. **On a motion from Armstrong to sign the letters, seconded by Kantor, the vote was unanimous.**

**Items Not Anticipated 48 Hours in Advance of the Meeting**

*Renewal Certificate Form for ABCC Licensing*

The renewal certificate is required by the ABCC, certifying that no licensees have been delinquent in sending in their renewals, and that no licensees have been disapproved by the town. **On a motion from Armstrong to sign the form, seconded by Kantor, the vote was unanimous in favor.**

*Contract amendment for FRCOG regarding Town access to payroll and HR software*

The fact that there is little or no cost to the town to make this change, the board agreed that it made sense to accept the plan. **On a motion from Goleman to sign the amendment, seconded by Armstrong, the vote was unanimous.**

## *Town Administrator update*

### **Committees**

The Open Space Committee is working on a South River planning process which is being funded by the Municipal Vulnerability Preparedness Program via the Mohawk Trail Woodlands Partnership, part of a much larger grant. Some conceptual designs have been made and are being presented to landowners. The project will generate a set of projects that have been designed and agreed to and are therefore ready for implementation funding.

### **Departments**

As I wrote earlier, we have gotten our final cherry sheet numbers for the FY 2021 state budget. The final number is a net increase of \$31,918 from the conference committee bill.

The Small Town Administrators of Massachusetts sent a letter to the economic bond bill conference committee supporting the establishment of an Office of Rural Policy, an item in the House bill that was not in the Senate bill, and I sent one myself as well.

The new round of Community Compact best practices grants has been funded and I expect to apply for two IT-related grants, since we did not get the application we submitted to the IT program approved this year (it's more competitive than the best practices grants). The Assessors would like a tablet for property inspections, and Roy Cohen, our IT consultant, would like to enhance our cyber-security.

*Concerns of the Selectmen*                      *none*

*Mail*                                                      *none*

### *Announcements*

Kantor said that *Conway Currents* had asked for a New Year's greeting from the Select Board which would be welcome. The board was given Kantor's thoughts for such a greeting. **On a motion from Goleman to send the greeting to *Conway Currents*, seconded by Armstrong, the vote was unanimous.**

*Next Meeting:* Scheduled for Monday, January 4, 2021, at 6 p.m., via Zoom

**At 7:18 p.m., on a motion from Armstrong that the board adjourn the meeting to go into Executive Session for Reason #7, to act under the authority of any general or special law (to approve minutes of previous executive sessions), the Board to adjourn from open meeting immediately thereafter, Phil seconded, and Bob voted yes, Phil voted yes, and Erica voted yes.**

**Executive Session  
December 21, 2020**

Armstrong called the roll at 7:18 p.m. to go into Executive Session: For Reason #7, to act under the authority of any general or special law (to approve and release minutes of previous executive sessions). Phil seconded. Bob, Phil, and Erica voted yes.

Kantor said he had reservations about his comments regarding the Hutcheson contract minutes. He said there was a time and place for his comments at the time, but not now. He made an argument for keeping personnel committee discussions about employees private, but the use of a scoresheet could be made public. He felt that specific characterizations of employee performance should be redacted.

Hutcheson gave the town attorney's advice regarding the Stone disciplinary hearing, which he said should be withheld and that Melissa Allis' name should be redacted under G. L.c. 4 s. 7, cl. 26: Personnel files or matters relating to a specifically named individual, the disclosure or which may constitute an unwarranted invasion of personal privacy.

**On a motion by Armstrong to approve and release the Executive Session minutes as revised and redacted under the attorney's instructions, the vote was unanimous in favor.**

**On a motion by Armstrong to approve and release the Executive Session minutes regarding the lawsuits, the vote was unanimous in favor.**

**At 7:35 p.m. on a motion by Armstrong to end the Executive Session the vote was unanimous in favor.**