

Minutes
SELECT BOARD

Monday, June 21, 2021

General Purpose Room, Town Hall, 5 Academy Hill

In person, with Zoom access for others not able to attend in person

Selectboard Present: Bob Armstrong, Chair; Erica Goleman, Phil Kantor

Others Present: Kimberly MacPhee, Janet Chayes, Joe Strzegowski, Véronique Blanchard, Ross Perry, Interim Town Administrator, Louise Beckett, Assistant to the Town Administrator

Called to order Bob called the meeting to order at 6:04 p.m.

Minutes On a motion from Bob to approve the minutes of June 7, 2021 Erica seconded, and the vote was unanimous in favor.

Warrants On a motion from Bob to approve the Vendor warrant of \$279,577.52, the Payroll warrant of \$145,207.31, the Payroll Deduction warrant of \$36,425.40; and the Accounts Payable Warrant of \$81,328.73 Phil seconded and the vote was unanimous in favor.

Meetings Attended by Board Members Erica attended a Zoning Board of Appeals meeting; Phil had a Conway Grammar School meeting and reported that the playground project is now under construction. Bob had conservation-related meetings. The tower had got slowed down during Covid, but they are moving ahead now.

Public Comments None

Old Business

Update on South River *Update on Mohawk Trail Woodlands Partnership South River meetings*
Kimberly Noake MacPhee gave a wrap-up of the current MVP project which is ending on June 30th and encouraged everyone to attend the last public information meeting on 06/23 at 7 p.m. via Zoom at which river corridor management options will be presented. She has had interesting conversations with a group of Ashfield and Conway folks about the model river corridor easement and ways that the corridor can be managed. Conway's Open Space Committee has been very much involved. Final appraisal for the three properties (69 Main Street and the Boeh and Waldo properties on Shelburne Falls Road) have been received and related work done under the grant has been given legal review. Professional title searches have also been done. So for the next round of funding we will be well-positioned to pursue acquisition options. Part of the MVP grant application submitted, which closed in May contained additional funding to help the town with acquisition of the properties. That money could be used to bridge a gap in the price negotiated or for other legal work if needed. A question was asked that since the town had given approval for purchase prices, if the appraisals are redone could we use some of the new MVP grant to add to the purchase price? The reply was that the next round is for implementation with most for environmental permitting and getting to the point that things can be built. But Kimberly had put in for additional acquisition funds if the negotiated price is higher than what was voted at town meeting. A question was asked if the town could use those funds to fill the gap without another town meeting vote? Kimberly thought yes, though with some constraints: The town can pay up to 125% of the appraised value. She put in a budget item because there was plenty of potential match from the town. It was mentioned that at town meeting, the vote passed for the 69 Main Street property

up to the appraised value of \$80,000, but the seller wants a lot more: \$180,000. The other deliverables on the grant include four priority culverts identified which will receive 30% designs that if replaced are subject to Mass Stream Crossing Standards. One, over Johnny Bean Brook will go to 100% design. The next MVP grant will help with environmental permitting. The final deliverable is a right-sizing protocol for culverts that are important for drainage. They convey storm water away from the road. An ARC-GIS map is available with all that information. Because of COVID and inability to have an in-person outreach, they are creating an interactive story-map. It gives a history of all the work done, plus current and future projects. These can be posted as links on the town website. If 69 Main Street can't be negotiated, how does that affect the grant just put in? The Town could apply for a FEMA grant as a last resort. Or a section 319 Grant Program, like the one that funded the South Meadow work – a DEP program. There is overlap between 319 (Federal) which counts as a match for MVP (State). The funds voted cannot be used for anything other than land conservation – or real estate purchases for that purpose. The Town could vote more CPA money over the \$50,000 already voted. We need to balance the percentages or find another source of funding. Until we hear the town has been awarded the MVP grant nothing can be done except to start to negotiate with the sellers.

New Business

Appoint negotiating team for land purchase

Appoint negotiating team to acquire land authorized by Annual Town Meeting or allow the Town Administrator to do so at his/her discretion. A suggestion was made to consider the task of negotiation to be given to the incoming Town Administrator. Rather than appointing a negotiating team, this gives a more nimble approach, and the TA brings back discussions for the Selectboard's review. There was some confusion about the negotiations: Town meeting voted a specific amount for the purchase of acquiring the three land parcels. The three owners are in different circumstances and the group already working on this project has important knowledge to help execute the sale. It was noted that at Town Meeting, the amount voted was limited at the appraised value – we could have gone up 15-20% more but did not. Andy Levchuk, who is an attorney and a member of the Open Space Committee offered to facilitate the negotiations for the sale. The opinion was expressed that the Selectboard could appoint the incoming Town Administrator to negotiate best deal for the town to purchase the three parcels, and that it should be up to her to decide what assistance and advice she wants to accomplish this. She has the authority so there is no need to form another committee for this purpose. She will bring back the deal for the Selectboard to approve. On a motion from Erica to turn the task of appointing a negotiating team over to the incoming Town Administrator for the sale of the properties for flood mitigation on the best terms to the town, Bob seconded and the vote was unanimous in favor.

Board Reorganization

Post-election Selectboard Reorganization

On a motion from Bob to choose Phil as new Chair of the Selectboard, Erica seconded and the vote was unanimous in favor.

Appoint representative for school union negotiations.

Appoint representative for contract negotiations with Union 38, Frontier teachers and IA's unions.

On a motion from Erica to re-appoint Phil as representative for contract negotiations with Union 38, Frontier teachers, and IA's unions, Bob seconded and the vote was unanimous in favor. We need to send a letter to the Union 38 school administrator (Darius Modestow) to advise him of this appointment at our earliest convenience.

Remote meeting participation.

Vote to allow Board and Committee members to participate remotely

There is now no need for a vote now, since the State has gone back to allowing remote participation for now. We could keep Zoom as a public option – this is a good outreach for the community. The Selectboard could make recommendations or allow the other boards to meet as they prefer, but we should inform them of the rules.

Covid expense recovery

Coronavirus Local Fiscal Recovery Fund (CLFRF) application

This has actually been done already. Ross submitted a request for CARES reimbursements for \$54,891 going back to March 31. There is about \$33,000 left. With the monies expected from the Biden Administration's \$4T proposal, a wish-list and how the town would want to prioritize if some money comes down should be made. The school can be included in such requests. Since there was a short timeline to get proposals in, the Interim Town Administrator made some educated guesses as to what the town would see as priorities. (See **American Jobs Plan** under Town Administrator update, below.) It was agreed that the elevator or LULA for the Town Hall would be the first priority. The finance committee has given some feedback as well.

Items Not Anticipated 48 Hours in Advance of the Meeting

None

Town Administrator Update

Personnel:

- I looked into a way to pay police details at closer to the time they work the detail versus waiting for the contractor or utility to pay the town first. However State Law doesn't allow deficit spending which will be the case initially when it is first set up. The only way I see this happening is via a town meeting article to set up a revolving account.
- Veronique and I are meeting regularly to work on transition issues.
- The swearing in ceremony for the new TA will be here, Town Hall at 2:00 Wednesday, June 23rd. We will have light refreshments and short speeches.

Cares Act:

- I submitted a reimbursement request to the State under the Cares Act \$54,891 covering the Towns Covid related expenses for 1/1 – 3/31/21.
- As of the end of March, there was a balance remaining of about \$33,000 in this account.

American Jobs Plan

- The Federal government may 'infuse up to \$4 Trillion dollars into the economy. Representative Blais is looking for Conway's top three projects by June 18th.
- I submitted the following per the Representative's request for top three projects
 - \$120,000 to install elevator or Limited Use Limited Access (LULA) lift in the Town Hall
 - \$100,000 to complete the funding of the purchase of land in the center of town (69 Main Street).
 - \$344,000 to the section of Shelburne Falls Road requested by the Highway Department.
- I also submitted the following 'wish list' in case there is more money available:
 - \$1,000,000 to widen the South River Bridge under Main Street

- \$220,000 to purchase a new Highway truck
- \$120,000 for engineering the removal of the High Dam
- \$1,000,000 to remove the High Dam
- \$9,000,000 to build a new Municipal Office and Public Safety Center

Playground Project:

- Met the contractor and designer on-site along with school officials to discuss the project logistics.
- Some equipment has already been delivered.
- Construction should start soon.
- There is one piece of surplus playground equipment that is looking for a new home (on Town Land). It's a 4ft by 6ft steel bus-like structure mounted on coil springs.

Festival of the Hills:

- I think this group needs support from the town, especially in recruiting more members and Activity Chairpersons.
- They seemed to want to stay independent of the Town, yet have access to some 'seed' money to help with some of their infrastructure costs.
- Town Council doesn't think it's possible to use Town funds for a 501c3 charitable organization. But I will check with the Attorneys General.

Draft 7/5/21 Agenda:

- Nothing yet
- Do you want us to keep it open and possibly skip this meeting?

Respectfully submitted,
 Ross Perry
 Interim Town Administrator

**Select Board member
 comments and concerns**

The question was raised as to whether Ross might be able to come back perhaps the last week of July to answer any questions Véronique might have at that time. It might depend on funding, but the Selectboard is willing to check on that. Ross was congratulated on having done an excellent job as our Interim Town Administrator, and he thanked all who had helped him during his time here in Conway.

Mail

None

Announcements

None

Next Meeting:

July 19, 2021; 6:00 p.m. unless there is new or old business that must be discussed.