



Commonwealth of Massachusetts  
**Town of Conway, Massachusetts**

**Annual Town Meeting**  
**13 May 2019**

**A**T A LEGAL TOWN MEETING of the inhabitants of the Town of Conway qualified to vote in town affairs, convened at the time and place and for the purpose specified in the warrant, 173 voters were checked at the door and issued yellow cards for the purpose of voting. Lorraine Boyden, Marie Iken, and Laurie Lucier served as checkers. John O'Rourke, chairman of the Board of Selectmen, presented the Town Clerk with a plaque acknowledging appreciation of her 40 years of service to the town. The meeting was called to order by Moderator J. Nicholas Filler, and unanimously voted to dispense with the formality of having the warrant read by the Town Clerk. The following action was taken by those persons in attendance:

**ARTICLE 1:** Unanimously voted that the Town dispense with hearing the reports of Town officers and committees and to accept the reports as printed in the Town Report and as amended to include the Tax Balance for FY 2018.

**ARTICLE 2:** Voted to hear the report of the Finance Committee and **raise and appropriate only, by taxation, such sums of money as may be deemed necessary to defray the Town charges for the year ensuing.**

A.	DEPT #	DEPARTMENT NAME	FY 2020 REC.*	VOTE
	114	MODERATOR	350	Unanimously voted
	122	SELECTMEN	6,500	Unanimously voted
	131	FINANCE COMMITTEE	300	Unanimously voted
	132	RESERVE FUND	40,000	Unanimously voted
	135	TOWN AUDITS	1	Unanimously voted
	141	ASSESSORS	8,155	Unanimously voted
	141	ASSESSORS SALARY, WAGES	58,606	Unanimously voted
	145-146	TREASURER-COLLECTOR	16,878	Unanimously voted
	145-146	TREASURER-COLLEC. SALARY, WAGES	60,337	Unanimously voted
	150	TOWN ADMIN	18,700	Unanimously voted
	150	TOWN ADMIN SALARY, WAGES	88,787	Unanimously voted
	151	LEGAL	11,000	Unanimously voted
	159	INFORMATION TECHNOLOGY	29,980	Unanimously voted
	161	TOWN CLERK	13,850	Unanimously voted
	161	TOWN CLERK SALARY, WAGES	34,513	Unanimously voted
	162-163	REGISTRARS AND ELECTIONS	8,950	Unanimously voted
	170 SERIES	ConCom, Pl. Brd., ZBA, Ag. Com, Open Space	9,056	Unanimously voted
	190	PERSONNEL COMMITTEE	200	Unanimously voted
	192	BUILDING MAINTENANCE	56,100	Unanimously voted
	192	BUILDING MAINTENANCE WAGES	17,833	Unanimously voted
	193	TOWN INSURANCE	73,000	Unanimously voted
	210	POLICE	18,150	Unanimously voted
	210	POLICE SALARY, WAGES	110,922	Unanimously voted
	220	FIRE	36,945	Unanimously voted
	220	FIRE SALARY, WAGES	30,693	Unanimously voted
	231	AMBULANCE	25,000	Unanimously voted
	290 SERIES	DOG & TREE WARDENS, EMERG. MAN.	7,535	Unanimously voted
	422	HIGHWAY	256,000	Unanimously voted
	422	HIGHWAY SALARY, WAGES	260,781	Unanimously voted
	423	WINTER ROADS	105,000	Unanimously voted
	423	WINTER ROADS WAGES	19,830	Unanimously voted
	512	BOARD OF HEALTH (BOH)	139,968	Unanimously voted
	512	BOH SALARY, WAGES	60,469	Unanimously voted
	540 SERIES	HUMAN SERVICES (COA, VETERANS)	13,718	Unanimously voted
	630	PARKS, RECREATION, TRAILS	8,000	Unanimously voted
	691	HISTORICAL COMMISSION	400	Unanimously voted
	751	DEBT SERVICE	33,441	Unanimously voted
	752	SHORT TERM INTEREST	1	Unanimously voted
	830	FRCOG (town nurse under Board of Health)	51,992	Unanimously voted
	900	EMPLOYEE COSTS	668,468	Unanimously voted
	<b>GRAND TOTALS:</b>			<b>6,037,472</b>
B.	300A	GRAM SCH OPERATING	1,868,752	Unanimously voted
	300B	GRAM SCH TRANSPORT	83,520	Unanimously voted
C.	892A	FRONTIER REG OPERATING	1,478,594	Voted
	892B	FRONTIER TRANSPORTATION	54,729	Voted
D.	320	TECHNICAL SCHOOLS	151,468	Unanimously voted

*\*recommended by the Select Board and Finance Committee*

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**ARTICLE 3:** Unanimously voted that the Town **approve capital borrowing** by the Frontier Regional School District as voted by the Frontier Regional School District Committee, for \$1,826,664 to pay the costs of the District's capital improvements program, including (i) the payment of \$630,000 to pay costs of designing, and constructing a new track, including all related oversight, and (ii) \$1,196,664 to pay costs of various other capital improvements, including HVAC upgrades, upgrades in the LMC, carpet replacement, parking lot repaving and repairs of related parking structures, roof repairs and costs of oversight associated with each of the foregoing projects.

**ARTICLE 4:** Voted that the Town transfer \$200,000 from the Capital Stabilization account to the General Fund for the **purchase of a replacement truck** for the Town's 1998 Volvo Autocar, said Volvo to be used as trade in. *(Two-thirds vote declared by Moderator on a hand count.)*

**ARTICLE 5:** Voted that the Town transfer \$650,000 from the Highway Garage Stabilization Account to the General Fund to **design and build a cold-storage (unheated) Highway building**, including developing bid documents as necessary, preparing the site, and constructing the building. *(Two-thirds vote declared by Moderator.)*

**ARTICLE 6:** Voted that the Town transfer \$60,000 from the Highway Garage Stabilization account to the General Fund to **design a Highway maintenance facility and partially prepare the site**, including obtaining a formal estimated construction cost and developing bid documents. *(Two-thirds vote declared by Moderator.)*

**ARTICLE 7:** Voted that the Town transfer \$150,000 to the **Capital Stabilization Account**, \$120,000 of that from the General Stabilization Account, and \$30,000 of that from free cash. *(Two-thirds vote declared by Moderator.)*

**ARTICLE 8:** Voted that the Town transfer \$100,000 from free cash to the **Highway Garage Stabilization Account**. *(Two-thirds vote declared by Moderator.)*

**ARTICLE 9:** Voted that the Town transfer \$55,710 from the Capital Stabilization account to the General Fund for the purchase of **six new self-contained breathing apparatuses**. *(Two-thirds vote declared by Moderator.)*

**ARTICLE 10:** Voted that the Town transfer \$45,000 from free cash to the General Fund for a **new mini-excavator**.

**ARTICLE 11:** Unanimously voted that the Town transfer \$22,664 from the Ambulance Department Receipts Reserved account to the Fiscal Year 2020 **operating budget of the Ambulance Department**.

**ARTICLE 12:** Unanimously voted that the Town transfer \$22,000 from free cash to the General Fund to **replace a compactor at the Transfer Station**.

**ARTICLE 13:** Unanimously voted that the Town transfer \$20,000 from free cash to the **Other Post-Employment Benefits Fund**.

**ARTICLE 14:** Voted that the Town transfer \$20,000 from free cash to the General Fund for a **new grant match account**.

**ARTICLE 15:** Passed over the article replace a one-ton pickup truck.

**ARTICLE 16:** Passed over the article to replace a compact loader.

**ARTICLE 17:** Voted that the Town transfer \$15,000 from free cash to the General Fund for the **design of a lift for the Town Hall**.

**ARTICLE 18:** Voted that the Town transfer \$12,000 from free cash to the General Fund for a **new account to pay expenses for audits** of Town finances, Conway Grammar School finances, and any other audit.

**ARTICLE 19:** Voted that the Town amend Article 13 of the May 14, 2018 annual Town Meeting by transferring from free cash to the General Fund **an additional \$6,000 for the replacement of the 2012 Kubota tractor**.

**ARTICLE 20:** Unanimously voted that the Town transfer \$5,000 from the Assessors' Overlay Surplus account to the General Fund for the next **recertification of Town property values**.

**ARTICLE 21:** Unanimously voted that the Town transfer \$5,000 from the Assessor's Overlay Surplus account to the General Fund for the **conversion of the Assessors' Computer software system**, \$4,200 of that to the Assessors' Fiscal Year 2020 Salary and Wages line and \$800 of that to the Assessors' Fiscal Year 2020 operating expenses.

**ARTICLE 22:** Unanimously voted that the Town transfer \$2,576 from free cash to the General Fund for **library expenses**.

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**ARTICLE 23:** Unanimously voted that the Town authorize the Treasurer to spend \$15,000 from the **Medicaid Revolving Fund**.

**ARTICLE 24:** Voted that the Town appropriate or to reserve for later appropriation monies from the **Community Preservation Fund** as recommended by the Community Preservation Committee as set forth herein, the following amounts for community preservation purposes, with each item considered a separate appropriation:

- A. To appropriate \$4,332.93 from FY 2020 Annual Revenues for Administration of the Community Preservation Committee; and
- B. To provide Reserves from FY 2020 Annual Reserves
  - \$8,665.87 to the Community Preservation Historical Resources Reserve;
  - \$8,665.87 to the Community Preservation Community Housing Reserve;
  - \$8,665.87 to the Community Preservation Open Space Reserve; and
  - \$56,328.16 to the Community Preservation Budgeted Reserve.

**ARTICLE 25:** Unanimously voted that the Town adopt M.G.L. Chapter 44, Sections 53G for **obtaining funds from applicants for the hiring of consultants**; and chapter 44, section 53G1/2 for **the deposit of payments** of cash, bonds, negotiable securities, sureties, or other financial guarantees to secure the performance of any obligation by an applicant as a condition of a license, permit or other approval or authorization for the Planning Board, Zoning Board of Appeals, Board of Selectmen, etc.

**ARTICLE 26:** Voted that the Town will amend its vote on Article 4 of the September 24, 2018 special Town Meeting to **set its short-term rentals tax at 6%**, as follows:

ARTICLE 4: The Town voted to adopt M.G.L. Part I, Title IX, Chapter 64G, Section 3A and 830 CMR 64G.3A.1, **Local Option Room Occupancy Excise**, as amended, for short-term (under 90 days annually) rentals, and an Occupancy Excise on short-term rentals in excess of 90 days annually of 6%, but that no excise shall be imposed if the total amount of the rent is less than fifteen dollars (\$15.00).

**ARTICLE 27:** Unanimously voted that the Town will **amend its General Bylaws** under “Town Officers, Boards, and Committees” to include a new Section 9, as follows:

**Section 9: Personnel Bylaw** - There shall be a three (3) member Personnel Committee pursuant to authority contained in M.G.L. Chapter 41, Section 108. The purpose of the Personnel Committee Bylaw is to establish a permanent Personnel Committee (Committee) to serve in an advisory capacity to the Selectboard (Board) and other appropriate Town committees and personnel.

- 1) The committee shall be composed of the following persons:
  - a) one (1) Conway residents appointed by the Town Moderator as voting members for a term of three (3) years; (*Amended- Annual Meeting - 11 May 2015*)
  - b) one (1) Conway resident, appointed by the Selectboard as a voting member for a term of three (3) years;
  - c) one (1) Conway resident, serving on or appointed by the Finance Committee as a voting member for a term of three (3) years;
  - d) A majority of the voting members of the committee shall constitute a quorum;
  - e) Members shall serve without compensation and shall serve until their successors are appointed and sworn in;
  - f) All voting members appointed must not be a current employee or elected official for a period of three (3) years prior to serving on the personnel committee.
- 2) The roles and responsibilities of the Personnel Committee will be in the areas of personnel matters and personnel policy for the Town of Conway, which will include the following for all Town employees:
  - a) revision of Conway personnel handbook outlining policies including, but not limited to, hiring and firing, attendance, benefits, classification, compensation, discrimination, employee discipline, employee safety, grievances, harassment, privacy policies, substance abuse, termination, worker compensation, working hours, workplace civility;
  - b) assist in administering and interpretation of the personnel handbook;
  - c) assist in administering and interpreting various personnel requests from Town department heads, including but not limited to sections a) and b) above;
  - d) serve as a resource to the Selectboard for the resolution of complaints and grievances, with the exception of school personnel as per M.G.L. Chapter 40, Section 21B;
- 3) Hiring and firing decisions, as well as updates to any policy changes will be made by the Conway Selectboard, after reviewing any recommendations that may be made by the Personnel Committee, when requested by the Select Board.
- 4) The Committee shall act in an advisory capacity to the Town Meeting and shall prepare a written report on all warrant articles involving personnel matters as requested by the Board.
- 5) The Committee shall make an annual report, in writing, to the Board on or before January 15 of each year to be included in the town report.

**ARTICLE 28:** Voted that the Town accept the provisions of M.G.L. Ch. 32B, Section 20, as amended, establishing an Other Post-Employment Benefits Trust Fund, and **designates the Treasurer, Town Administrator, and representative of the Board of Selectmen custodians of the Fund as its Trustees.**

**ARTICLE 29:** Voted that the Town **authorize the Selectboard to enter into a ten (10) year contract** with the option for a five (5) year extension, commencing on July 1, 2020 with the qualified vendor selected by Mass DEP through a competitive bid process for recycling processing services for the Town, subject to the Select Board's determination that the contract is in the best interests of the Town and subject to Town Meeting approval in the Spring of 2020 for funding for these services.

**ARTICLE 30:** Voted that the Town will **adopt the following resolution:**

Be it resolved that the Town of Conway, hereby adopt this resolution in support of HD.2968 and SD. 1495 "Providing for the creation of a Special Commission to the Seal and Motto of the Commonwealth" and request that Representative Natalie Blais and Senator Jo Comerford continue their advocacy and support for this Resolve in the General Court.

**ARTICLE 31:** Voted that the Town will **adopt the following resolution:**

### **A RESOLUTION**

#### **Calling for the US to Join the Treaty on the Prohibition of Nuclear Weapons**

WHEREAS, nuclear weapons cannot be used without catastrophic humanitarian consequences that violate every principle of international law and human morality; and

WHEREAS, the continued existence of these weapons poses an intolerable risk to human survival, since they can be detonated by accident as well as by design; and

WHEREAS, the United States, together with Britain, France, Russia and China, signed and ratified a legally binding commitment more than 50 years ago to negotiate "in good faith" and "at an early date" the total elimination of their nuclear arsenals; and

WHEREAS, the International Court of Justice ruled, in their 1996 Advisory Opinion on the Legality of Nuclear Weapons, that the legally binding commitment to negotiate means "bringing those negotiations to a successful conclusion;" and

WHEREAS, in the year 2000 the United States, together with Britain, France, Russia and China gave an "unequivocal undertaking" to 187 other nations that they would fulfill their commitment to accomplish the total elimination of their nuclear arsenals; and

WHEREAS, in July 2017, 122 nations adopted the Treaty on the Prohibition of Nuclear Weapons, making it illegal under international law to develop, test, produce, possess, stockpile, transfer, use, or threaten to use nuclear weapons<sup>1</sup>; and

WHEREAS, once this Treaty enters in force, it will be illegal in all countries who are party to this Treaty to assist, encourage or induce, in any way, anyone to engage in any activity prohibited by the Treaty; and

WHEREAS, more and more countries will continue to sign and ratify this Treaty, including sooner or later many key allies of the United States; and

WHEREAS, this means that the United States will find it increasingly difficult to develop, manufacture, deploy or justify its continued dependence on nuclear weapons.

NOW THEREFORE BE IT RESOLVED that we the residents of Conway, Massachusetts call on the Select Board to take all necessary steps to align Conway with the U.N. Treaty on the Prohibition of Nuclear Weapons.

NOW THEREFORE BE IT RESOLVED that the town of Conway, Massachusetts calls upon our federal leaders to sign the Treaty on the Prohibition of Nuclear Weapons and to invite the other nuclear armed nations to do likewise, leading to an agreed multilateral pathway for the elimination of all nuclear weapons worldwide.

BE IT FURTHER RESOLVED that the town of Conway calls upon the Commonwealth of Massachusetts to align with the Treaty on the Prohibition of Nuclear Weapons by setting up, as a first step, a Citizens Commission to look into the implications of doing so, as per bills HD.3477 and SD.1688, currently before the State Legislature.

BE IT FURTHER RESOLVED that the Select Board of Conway, Massachusetts calls upon our federal leaders and our nation to take immediate steps in the meantime to reduce the threat posed by the continued existence of these weapons and to prevent the possibility of nuclear war taking place by accident, miscalculation or design, by:

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<sup>1</sup><http://www.icanw.org/treaty-on-the-prohibition-of-nuclear-weapons/>

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- renouncing the option of using nuclear weapons first;
- ending the president’s sole, unchecked authority to launch a nuclear attack;
- taking US nuclear weapons off hair-trigger alert;
- cancelling the plan to replace its entire arsenal with enhanced weapons; and
- leading a global effort to reduce tensions, particularly with Russia, through dialogue, diplomacy and other confidence-building measures.

BE IT FURTHER RESOLVED that the town clerk shall cause a copy of this resolution to be sent to State Representative Natalie Blais, State Senator Adam Hinds, U.S. Congressperson Richard Neal, U.S. Senator Elizabeth Warren, U.S. Senator Ed Markey, and President Donald J. Trump.

**ARTICLE 32: Voted that the Town will adopt the following resolution:**

*Whereas* the Town of Conway and its residents are vulnerable to increasingly destructive weather patterns including hurricanes, tornados, floods and drought, as well as the increased likelihood of wildfires and new pests and diseases which will threaten the health of residents, our domestic animals, crops, wildlife including pollinators and the integrity of the land itself,

*Whereas* Conway residents are vulnerable to medical emergencies because the Town lacks funds to fully accredit our ambulance and our EMTs so that certain kinds of common emergency treatments such as epipens can be administered as needed; and

*Whereas* the Town of Conway does not have and is unlikely ever to have sufficient revenues from real estate taxes alone to meet such emergencies;

*Now be it resolved* that we, the residents of Conway, will encourage the establishment of a Friends of Conway Trust, run by residents, whose mission will be to seek funds and other resources to allow the Town and its residents to prepare for these sorts of foreseeable emergencies in a timely and pragmatic way.

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At 10:50 p.m., the meeting adjourned until Thursday, 16 May 2019, to the Town Hall between the hours of 11:00 a.m. and 7:00 p.m., to bring in their votes for:

- One Selectman for three years;
- One Assessor for three years;
- One member of the Board of Health for three years;
- One member of the Board of Health for two years;
- One member of the Board of Health for one year;
- One member of the local School Committee for three years;
- One member of the local School Committee for two years;
- One member of the Frontier Regional School District School Committee for three years;
- One member of the Planning Board for three years;
- One member of the Planning Board for two years;
- One Town Clerk for three years;
- Three Constables, each for three years; and
- One Moderator for one year.

A true record of the Meeting,  
Attest:

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Laurie L. Lucier, Town Clerk

