**COMMONWEALTH OF MASSACHUSETTS**

**TOWN OF CONWAY**



**SPECIAL TOWN MEETING WARRANT**

**DECEMBER 9, 2019**

**FRANKLIN, SS** To either of the Constables of the Town of Conway in said county, **GREETINGS.**In the name of the Commonwealth of Massachusetts you are hereby directed to warn the Inhabitants of said Town qualified to vote in elections and in Town affairs to meet at the Grammar School in said Town of Conway, Monday, the 9th day of December, 2019 at 7:30 p.m. to act on the following:

**ARTICLE 1:** To see if the Town will make the following amendments to the schedule of Town Clerk Fees as authorized by M.G.L. Chapter 262, Section 34, clauses 1-79, or take any action relative thereto:

|  |  |  |
| --- | --- | --- |
| CLAUSE | DESCRIPTION | FEE |
| (11) | For entering amendment of a record of the birth of a child born out of wedlock, subsequently legitimized………………………. | ~~$5.00~~ $10.00 |
| (13) | For furnishing certificate of birth…………………………………. | ~~$5.00~~ $10.00 |
| (13A) | For furnishing abstract copy of a record of birth………………... | ~~$2.00~~ $5.00 |
| (20) | For filing certificate of a person conducting business under any title other than his/her real name…………………………………. | ~~$10.00~~ $15.00 |
| (21) | For filing by a person conducting business under any title other than his/her real name of a statement of change of residence, or of discontinuance, retirement or withdrawal from, or change of location of such business…………………….. | ~~$5.00~~ $10.00 |
| (22) | For furnishing a certified copy of a certificate of a person conducting business under any title other than his/her real name or a statement by such person of his/her discontinuance, retirement or withdrawal from such business…………………... | ~~$5.00~~ $10.00 |
| (24) | For recording the name and address, the date and number of the certificate issued to a person registered for the practice of podiatry in the Commonwealth | ~~$10.00~~ $15.00 |
| (30) | For furnishing a certificate of death………………………………. | ~~$5.00~~ $10.00 |
| (30A) | For furnishing an abstract copy of the record of death…………. | ~~$2.00~~ $5.00 |
| (43) | For entering certificate of marriage filed by persons married out of the Commonwealth…………………………………………. | ~~$5.00~~ $10.00 |
| (44) | For issuing a certificate of marriage | ~~$5.00~~ $10.00 |
| (44A) | For furnishing an abstract copy of a record of marriage……… | ~~$2.00~~ $5.00 |
| (54) | For recording power of attorney | ~~$5.00~~ $10.00 |
| (57) | For recording certificate of registration granted to a person to engage in the practice of optometry, or issuing a certified copy thereof……………………………………………………………….. | ~~$10.00~~ $15.00 |
| (58) | For recording the name of the owner of a certificate of registration as a physician or osteopath in the Commonwealth. | ~~$10.00~~ $15.00 |
| (66) | For examining records or papers relating to birth, marriage, or death upon the application of any person, the actual expense thereof, but not less than…………………………………………… | ~~$5.00~~ $10.00 |

SUBMITTED BY: Town Clerk

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 2:** To see if the Town will amend dog license fees as follows, effective beginning with 2020 licenses, or take any action relative thereto:

~~Male /~~ Spay / Neuter: ~~$3.00~~ $5.00

Male / Female: ~~$6.00~~ $10.00

Kennel, 4 or fewer: ~~$10.00~~ $15.00

Kennel, up to 10: ~~$25.00~~ $35.00

Kennel, over 10: $50.00

SUBMITTED BY: Town Clerk

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

FINANCE COMMITTEE RECOMMENDATION:  *not available at the time of printing*

##### **ARTICLE 3:** To see if the Town will amend the bylaws relating to dogs as follows, or take any action relative thereto:

#### DOG LEASH LAW

**~~This bylaw requires~~** ~~the restraint of a~~Any dog within the Town of Conway shall be restrained by a chain or leash not exceeding eight feet in length, unless such dog is on the premises of the owner or keeper, or upon the premises of another person with permission of such other person. *(Adopted – May 1974)* If any dog owner or keeper is found to be out of compliance with the dog leash law, a fine ~~of no more than $20.00~~ shall be assessed in accordance the “Non-Criminal Disposition” section of the General Bylaws ~~shall be assessed in accordance with this Bylaw for the first offense, and $50.00 per offense thereafter~~.

#### DOG LICENSING DEADLINE AND FINES

**All dogs** ~~four (4)~~ six (6) months of age and older owned or kept in the Town of Conway must be licensed ~~by July 1 each year~~. Licenses expire on March 31st of each year. A fine of ~~ten dollars ($10.00)~~ fifteen dollars ($15.00), in addition to the regular licensing fee, shall be assessed for every dog a dog-owner fails to properly license, in accordance with M.G.L. Chapter 140, by July 1 of any year. Such fine shall be increased ~~to twenty-five dollars ($25.00)~~, in addition to the regular licensing fee, for every dog a dog-owner fails to properly license, in accordance with the “Non-Criminal Disposition” section of the General Bylaws and in accordance with M.G.L. Chapter 140, ~~and whose~~ for any dog that is still unlicensed at the time that a complaint is filed in Greenfield District Court against the dog-owner for keeping an unlicensed dog.

SUBMITTED BY: Town Clerk

BOARD OF SELECTMEN RECOMMENDATION: 2 - 1

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 4:** To see if the Town will adopt M.G.L. Chapter 59, §2A(a) and **change the effective date of assessment from January 1 to July 1, beginning July 1, 2020**, or take any other action relative thereto.

SUBMITTED BY: Board of Assessors

BOARD OF ASSESSORS RECOMMENDATION: *not available at the time of printing*

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 5:** To see if the Town will adopt M.G.L. Chapter 114, Section 27 to authorize the Board of Selectmen to **appoint a Board of Cemetery Commissioners for the Town of Conway**, or take any action relative thereto.

SUBMITTED BY: Town Administrator

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

**ARTICLE 6:** To see if the Town will adopt M.G.L. Chapter 48, Sec. 42, **establishing the position of Fire Chief as a “strong chief.”**

SUBMITTED BY: Fire Chief

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

**ARTICLE 7:** To see if the Town will 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, or take any other action relative thereto:

**Appropriations**

1. To appropriate $12,000 from the Community Preservation Open Space Fund to **create a pollinator field** on .57 acres of the Audubon meadow on the south side of State Route 116; and
2. To appropriate $45,000 from the Historic Preservation Reserve Fund for **repair of the Town Hall cupola and other Town Hall repairs**.

SUBMITTED BY: Community Preservation Committee

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

COMMUNTIY PRESERVATION COMMITTEE RECOMMENDATION: 4 - 0

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 8:** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide $5,200 to **increase the hours of the Assistant to the Town Administrator**, or take any action relative thereto.

SUBMITTED BY: Town Administrator

BOARD OF SELECTMEN RECOMMENDATION: 2 - 1

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 9:** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide $1,500 for **additional administrative assistant services** for boards, committees. and commissions, or take any action relative thereto.

SUBMITTED BY: Town Administrator

BOARD OF SELECTMEN RECOMMENDATION: 2 - 1

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 10:** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide $50,000 to **provide a 40% match for a state grant to construct a lift for the Town Hall**, or take any action relative thereto.

SUBMITTED BY: Town Administrator

BOARD OF SELECTMEN RECOMMENDATION: 2 - 1

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 11:** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide $4,000 for **legal assistance in negotiating a long-term contract** with Comcast for the provision of cable services.

SUBMITTED BY: Cable Advisory Committee

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 12:** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide $25,000 for **title examinations, surveys, and related work for one or more MassDOT bridge replacement projects** on North Poland Road.

SUBMITTED BY: Town Administrator

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 13:** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide $1,374.38 for **paying two bills from a prior year** (one for $1,326, for reverse 911 capability; one for $48.38, for ambulance supplies), or take any action relative thereto. (*Nine-tenths vote.*)

SUBMITTED BY: Town Administrator

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 14:** To see if the Town will raise and appropriate, transfer from available funds, or otherwise provide $988,000 for **a new Highway Department Maintenance Facility**, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided, however, that any bonds issued pursuant to this vote shall mature in not more than 20 years from their date of issue, excluding the term of any notes that may be issued in anticipation of the issuance of any such bonds, such borrowing to be contingent on the passage of a Proposition 2½ debt exclusion ballot question, or take any other action relative thereto. *(Two-thirds vote.)*

SUBMITTED BY: Highway Facility Committee

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*

**ARTICLE 15:** To see if the Town will transfer $50,000 from free cash to the general fund, and the remainder of the Highway Garage Stabilization account, $433,243.51, to the general fund, to partially fund **a new Highway Department Maintenance Facility**.­ (*Two-thirds vote.*)

SUBMITTED BY: Town Administrator

BOARD OF SELECTMEN RECOMMENDATION: 3 - 0

FINANCE COMMITTEE RECOMMENDATION: *not available at the time of printing*



The meeting will then adjourn until Thursday, December 12, 2019 to the Town Hall between the hours of 11:00 a.m. and 7:00 p.m., to vote on the following question:

Shall the Town borrow $988,000 for **a new Highway Department Maintenance Facility**, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided, however, that any bonds issued pursuant to this vote shall mature in not more than 20 years from their date of issue, excluding the term of any notes that may be issued in anticipation of the issuance of any such bonds?

And you are directed to serve this Warrant, by posting up attested copies thereof in two public places in said Town, seven days at least before the time of holding said meeting.

**THEREOF FAIL NOT** and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of meeting as aforesaid.

Given under our hands this 22nd day of November in the year of our Lord, two thousand nineteen.

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John O’Rourke, Chairman Ronald D. Hawkes, Constable

 November , 2019

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Robert A. Armstrong *Posted at:* Conway Post Office

 Baker’s Country Store

 \_\_\_\_\_\_\_\_\_\_\_\_ Town Hall

Phillip Kantor Town Office Building