

BOARD OF SELECTMEN
TOWN OF CONWAY, MA
MINUTES
July 12, 2010

meeting open: 7:00PM

present: Maureen Chase, Victor C. Trombley, Jim Moore, Tom Spiro

others present: Daniel Schragger – Shelburne Falls Independent

Appointments

7:00 EECBG Grant – Beth Greenblatt

Beth explained how she had been hired by the FRCOG to consult with Towns throughout the state regarding the ESCO project with Siemens. She explained the details of how the project had been addressed and will be handled in the future. Beth explained how energy re-investment and performance contracting was supposed to work. She asked the Board to consider alternatives to a performance contract because of the resulting economics in the case of Conway. She also gave details about how DOER had been inconsistent, and also plan to disburse monies from the \$150,000.00 grant. Maureen asked who was paying Beth's company, Beacon, and Beth noted her company was being paid by the state through another DOER grant of \$25,000.00.

Tom interjected that the Town was not prepared to spend monies beyond the grant total. Beth noted alternatives outside of the performance contract. She mentioned the WMECO utilities program and general bidding as options to work with Siemens. She recommended that one of the alternatives be used. She had hoped the DOER would allow the Town to change their application, as would be necessary if not using performance contracting with Siemens. She offered to contact DOER and propose this change. She asked the Board to consider what types of things to ask DOER for in an amended application. Chuck told Beth that it would have been better if the Town had known about the need to ask for the last 25% of the grant before the audits were done, and noted that Siemens had not been very responsive in general. Beth noted that she will not be available for consultation if the Town does not go forward with a performance contract. Tom.... should this line read "Beth noted she will not be available for consultation if the Town goes forward etc. I think the "not" is in error?

Beth talked about the potential of mechanical upgrades and structural upgrades to Town buildings. Tom asked Beth to describe the probabilities of approval by DOER for their approval of a change in contract using Siemens versus moving forward independently. She did not give a figure. Maureen asked if the Town can get out of the Siemens contract and Beth noted that this was likely, and without any separation fees. She estimated total costs of \$355,000.00 for all work that Siemens had suggested. Most were optional upgrades. There was a discussion about financing. Beth then floated the idea of using the grant money for the grammar school repair project. She asked that the Board consider what type of implementation would apply at the school. There was further discussion about asking for DOER funding for the repair project. Beth said she would call DOER to have an informal conversation about this possibility. Beth will call Tom to report the results of this conversation.

8:00 CIPC – John Pitz

Aside from Maureen, John Pitz was the only existing member to attend the meeting. Maureen noted that since there were no other members present that there was no reason to discuss the planning aspects of the committee for the next year. John noted that he cannot attend meetings on a regular basis and that all Finance Committee members may share the task of membership to the CIPC. Maureen restated that the Conway Capital Improvement Committee was directed in the town passed article (which the finance committee help write) to have a member of the Finance Committee on the CCICP. Maureen stated that she felt this may be adequate and the Board agreed. John mentioned that he agreed that departments should be pressed for capital information regarding articles for the Town warrant. Maureen and John voiced the opinion that no warrant article that fell under the CCICP jurisdiction should be on the warrant if not submitted to the CCICP for review. It was agreed that the committee would meet in September. Maureen will send notice to the committee members and have the meeting posted. She also said she felt the committee should meet once a month and will set up a schedule and post that.

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8:30 Treasurer – Elizabeth Braccia

Elizabeth reported on various updates. She is moving forward on some tax title cases with the assistance of tax title legal concern. She said had been in touch with Woody Paparazzo regarding legal action against these people.

She noted the audit was ongoing and said that the audit was taking longer than expected. She was also concerned that she was working to a great extent with them directly and that Melanson & Heath could not have concluded their work without Tom Scanlon Jrs' firms review due to old accounting practices and the need for past accounting records. Chuck said that he had not gotten the impression that Kevin, of Melanson & Heath's audit firm, was going to complete the audit as soon as the work that Scanlon's office was doing was complete. Chuck stated he was satisfied with the Board's decision to utilize both firms so a complete audit would be done. Elizabeth reported that Tom and Kevin were in touch and discussing finishing Conway's audit.

Elizabeth spoke to the financial consultant about the vote to borrow money. She said that borrowing would be contingent upon the audit results. She thought she would have to do some short term borrowing to cover the school project expenses and that she would need two weeks notice to accomplish that, and also that available funds were now running short.

Elizabeth then spoke about the Festival of the Hills Committee. She was concerned about their status as a Town committee. She wondered if they should become a separate group and non profit. Chuck and Maureen explained some of the history of this group and agreed with Elizabeth that the committee should be a separate entity. Elizabeth had asked them to apply for 501(c)3 status. The Board agreed with Liz that the existing arrangement should be changed to make them an independent group. Tom will research the establishment of this committee and Board of Trustees.

Elizabeth then spoke about a memo that was sent out regarding policies of the Town Accountant. The memo stated that only the Town Accountant (Amy Lane) should give accounting information to staff and volunteers. Liz said she felt she should have the ability to give people basic information when asked and not have people have to wait to see or ask the accountant when Amy was not in the office. She gave details about how this memo came about. Chuck noted that Amy had been proactive about making herself available for help. Chuck expressed how he and the rest of the Board felt they should not have to manage these matters, or staff in resolving these types of matters. There was more discussion about the memo and office staff communication in general. Tom noted that this subject had already been discussed between staff members and he was under the impression that a solution had been reached to everyone's satisfaction. The Board made no decisions regarding this issue but expressed the need to everyone to work together for the Town's sake.

meeting items

- Warrants were signed.
- Minutes for 6/28/10 were approved as amended.
- The Board voted to have Maureen sign the Open Meeting Law acknowledgement form requested by the Town Clerk.
- Jim will complete the online Conflict of Interest questionnaire to comply with the new requirement.
- The Board decided to ask Bob Baker to review the insurance schedules for accuracy.
- The Board considered and discussed the new ordinance establishing a CPA Committee. They then approved and signed the ordinance.
- The Board discussed the draft contract for Baker's Country Store. Tom noted what had been discussed with the Ethics Commission. The Board approved the draft for use after the bid is sent out and if the contract is awarded to Baker's Country Store.
- The Board approved payment of the invoice from Bill Solomon for legal services for the Broadband Committee.
- The Board approved payment of an invoice for MMA annual dues.
- The Board approved and accepted an offer of extended Sunday hours for the serving of alcoholic beverages at the Conway Inn. Tom will follow up on the required steps.

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- Maureen said that the School Building Committee had reviewed change orders and had rejected various requests for time extensions. Without the fire alarm system, the Committee was well within the budget as of now. She also described other details and how RAC may have jumped to erroneous conclusions about their time extension requests. Jim noted he felt Tom Raschilla, project manager for RAC had been inappropriate at construction meetings by carrying on separate side conversations with his site manager at the construction meetings each Friday.

Mail and Other Items

- No mail

10:25 PM Motion to adjourn by Chuck, 2nd by Jim, all in favor.