

BOARD OF SELECTMEN  
TOWN OF CONWAY, MA  
MINUTES  
December 13, 2010

**Meeting Open: 7:00PM**

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

**Others present:**

**Appointments**

**7:00 Franklin Land Trust – Conservation Restriction**

Alain explained that the FLT works with landowners to preserve open space. Steven Taylor and the Taylor family have negotiated to donate a conservation restriction of 103 acres off Poland Road. This is in proximity to the Borton's land that is restricted as well. The restriction is to preserve and enhance wildlife habitat, scenic vistas and protect local water quality. Alain asked the Board for their approval. There were questions from the Board regarding possible loss of taxation income. Alain explained that the Town is not required to reduce the tax levy. Alain noted that the Town is free to determine the land assessment. She asked the Town had any specific requirements. The Board agreed to sign the conservation restriction, which will be executed tomorrow in front of a notary.

**7:30 Brian Kuzmeskus – drainage issue**

Brian explained that he wanted to pursue the issue of water draining from the Town road onto his property on Boyden road below Whitehorse Farm. He provided pictures that he felt proved that road repair by the Town had created a large increase in drainage of storm water overflow onto his land, and was ponding frequently. He noted that when repairs were made after storms, gravel was used and had built up over time adding to water flow on to his property. He asked for a culvert to be installed on Boyden Road to divert the draining waters away from his property. He said that Mr. Pierkarski's land was across the road from him, and acknowledged the culvert would have to drain onto that land. Mr. Pierkarski must be part of this solution. Chuck said that it was possible to hire an engineer to assess this matter but it was not clear where money could be taken from to cover the cost involved if this were to occur. Chuck will make a site visit with, and talk to Mr. Pierkarski. He also asked for a meeting next Monday with Brian and Bob Baker to resolve this situation. Brian left and Chuck suggested that the Town ask Weston & Sampson for engineering assistance as possibly working toward a town-wide assessment of culverts and drainage planning.

**meeting items**

- warrants were signed.
- A motion was made to authorize Maureen Chase, Chair of the Conway Board of Selectmen to sign the MSBA Project Funding Agreement for the Conway Grammar School Project on behalf of the Conway Board of Selectmen." All in favor, and motion carried.
- There was a discussion about the proposed extension of construction of the gabion wall along the South River. Chuck noted that he was not convinced that compaction and placement of soil could not be done at this time because of the weather, but he would agree to sign the change order along with the other Board members. Maureen was given authority to sign the change order that stipulated monetary liability and remaining construction tasks and schedule.
- The Board agreed to have Maureen sign the DEP grant agreement for the Board of Health. All in favor.
- The Board voted to sign a thank you letter to emergency personnel in other Towns for their help in the rescue performed over the Thanksgiving weekend. The draft will be revised and distributed.
- There was a discussion about the resignation of the Town Accountant, Amy Lane. This involved speaking of details about items in her letter of resignation. Chuck noted that his conversation with Amy indicated that the Treasurer, Elizabeth Braccia, had made her feel challenged around her work decisions, and that Elizabeth had purposely tried to put her professional reputation in doubt in light of her phone calls to the DOR. Maureen then explained what had happened with regard to the purchase of this vehicle. Chuck noted that the Board should not be responsible for micro-managing the personnel issues of the Town staff. Chuck stated that the Town was losing a great employee in Amy Lane and felt that there needed to be something done about the "common denominator" (the Treasurer) in most of the issues pertaining to personnel problems and conflicts with the Selectboard. Chuck added that he would not consider continuing on as Board member after the next election if this situation was not addressed. Tom gave his

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observations and opinions regarding this issue and noted that there was a lack of communication between departments. He also noted that no one on the Board should consider resigning because of this issue. Chuck made reference to the CPC and requests from the chair for clarification on their account. He said how he was aggravated by the necessity to be involved in great detail. Jim stated that he felt these instances were caused by personality conflicts between people. He noted that he was personally close to Elizabeth and may need to recuse himself from any further discussions around Elizabeth's conduct in communication with staff, vendors and other government entities. Tom suggested that the Board make their own agenda in preparation for speaking with Elizabeth. The Board directed Tom to call Elizabeth in for a meeting with her next week.

- It was determined that the Board of Health will be given a link to the web page for emergency issues. They will have to create their own page for the Town to link to. Tom said he will contact the current web master to make this happen.
- Chuck spoke about a meeting with Janet Chayes to settle accounting issues pertaining to her complaints. It was not certain about how this would be concluded based on the lack of a Town accountant. Maureen also advised the Board that Town counsel had recommended that all CPC activity stop until after a decision to officially establish the CPC is passed or denied at Special Town Meeting on January 31, 2011. The decision to speak with Janet about her account will be made then. Tom will contact Janet regarding the cessation of CPC activity this week.
- The Board decided that a letter will be sent to EOEEA regarding the Board's desire not to use Route 116 as a preferred materials transportation route for the Savoy Wind Power project supplies and equipment. The Board agreed that 116 is a very curvy, narrow road with a waterway on one side and steep ledges and hillsides on the other. It also has too many trees that would be damaged or destroyed by maneuvering the large trucks and over sized equipment through this area.

**Mail and Other Items**

- Mail items were reviewed.

**10:05 PM** Motion to adjourn meeting was made by Chuck, seconded by Maureen, all in favor.