

BOARD OF SELECTMEN
TOWN OF CONWAY, MA
MINUTES
December 19, 2011

Meeting Open: The Select Board meeting was called to ordered at 7:00 PM

Present: Victor C. Trombley, Jim Moore, John O'Rourke

Others present: Tom Spiro

Appointments

7:00 Franklin Land Trust – Conservation Restriction on property owned by Roger and Joanne Clapp on Main Poland Road and described as Map 413, Lots 75, 76.01 & 79 on the Property Map of the Town of Conway that total 36+/- acres. In attendance were Joanne Clapp, Roger Clapp, Mary Lynn Sabourin, Director of Development and Emily Boss, Land Protection Specialist (Franklin Land Trust (FLT)), David Barten and Mike Kurkulonis (Planning Board (PB)).

The Planning Board was in attendance as Mr. Clapp asked them review and sign a new plot plan that outlined the Conservation Restriction they intend to place on their land. The new plot plan included an exclusion of the building envelop. Jim interjected his concern regarding the beaver dam on Main Poland Road. He was told that a site visit had already been done to determine if this was an issue and that it seemed as though it was not. Mike asked the Clapps if the abutters had any concerns about this restriction being placed on their land, and they said that there were none. The Planning Board approved the plot plan for the Conservation Restriction and signed each copy.

Discussion then focused on approval of the Conservation Restriction (CR) that was proposed as a donation to the Franklin Land Trust (FLT). Emily noted that there were many natural resources associated with this land that made the land valuable for conservation purposes. She also noted that this parcel would tie into existing open space and wildlife habitat lands that assist the larger scale protection plan. The Clapps mentioned that the pond near their house would have a dry hydrant installed, which met with approval from the Board. The Select Board approved this Conservation Restriction and signed the associated paperwork regarding the Clapp property. This paperwork was then notarized.

7:30 Town ball field drainage study project - Deb McGranaghan, Dave Beaudet & Craig Warner (Park, Recreation & Trails Committee (PRT)), Daniel R. Lawrence, P.E., Project Manager / Senior Associate, Weston & Sampson, Inc..

Deb spoke about the ongoing drainage project. She noted that the Committee had planned to use money from a previous 2005 warrant article that had not been used and the most recent allotment from the 2011 warrant article of \$5,000.00 to pay for additional engineering expenses. The availability of money from the 2005 article was questioned. The Committee agreed to research if the money had been spent. Dave spoke about surveys needed and a possible relocation of the playing field and potentially other aspects of the park. Dan noted that the drainage issue had affected housing near the field as well. He spoke about potential solutions and effects of and to other abutting lands and structures. He recommended that an engineering inventory be preformed, and then gave everyone renderings of other locations as examples of his previous survey work. He also recommended including the memorial park to promote the support of veterans for the project.

John said that he had wanted to incorporate the work on the Town Ball Field into a larger Town Center flood prevention plan and access funding through a MEMA Hazard Mitigation grant. John also noted that the FRCOG's fluvial geomorphological study could be incorporated into an overall flood and serve as important support for a MEMA Hazard Mitigation grant application. John had asked Joe Strzegowski to help with this application.

John then mentioned that the Select Board was looking at purchasing the Barber and Farrick properties located on Academy Hill Road. This was in addition to the Batchelder property next to the South River that the Town had made an offer to buy.

Deb asked if the Drainage study was still timely with regard to the grant and John said that the improvements could be incorporated into this grant. The purpose was to make sure that all space was being used to its greatest potential.

Craig suggested that the land next to the United Congregational Church on Whately Road be purchased for parking and access to the field.

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Dan gave the Board a proposal of work with an associated cost, and felt that it was indeed possible to pull the plan together with funding for the Annual Town meeting. Dan mentioned that a survey should be done soon before the ground is covered with snow.

Chuck noted that this plan will be looked at by the Select Board over the next month to move this project forward towards approval at the next Town meeting. Dan noted that an informational meeting and special Town meeting might be warranted, and could be held in February. It was noted that there is a need to have Historical and Conservation Commissions involved to form a stakeholders group.

John added that there was potential for new state legislation that would allow CPA funds to be spent on existing recreation land. Dan recommended that a narrative be written to explain what is being done at all recreation lands in Conway.

Craig asked if the Highway Department could plow the Town Ball Field parking lot for access to the ice skating rink and help maintain the rink. The Select Board agreed that the Highway Department could assist in these areas and that the PR&T Committee should coordinate with Highway Superintendent, Bob Baker. He also asked if there was space available in the sheep barn to store the ice rink framing in the off season. He was told to check with Bob Baker on that question.

Meeting items

- The minutes for 11/21/11, 11/28/11, 12/5/11 and 12/12/11 were reviewed or approved.
- Dan Lawrence was asked about the invoice sent regarding the final bill from Northern Construction Services. He said it was the final bill and included the retainage fee. He promised to send a Certificate of Final Completion on the South River Wall project, in addition to an O&M and as-built plans that had been requested by the NRCS to complete their records before reimbursement can be authorized.
- The Board approved both the final engineering and construction invoices for the South River Wall project.
- The Board authorized Chuck to sign the requested paperwork for MEMA with regard to Tropical Storm Irene.
- Chuck reported on his research regarding the Boyden rental agreement to farm the Town owned property located on the east side of Shelburne Falls Road approximately 300 feet north of Main Street. Chuck's attorney recommended that the Board sign the current draft rental agreement. His attorney would then send another version that is more appropriate with regard to liability issues for the Town. That version would be used in future years.
- The Board accepted the Batchelder acceptance of the offer by the Town of Conway of \$1,500.00 to purchase the property located on the south side of Main Street and the east side of the South River where the new South River Wall was recently completed. Attorney's fees of no more than \$350 for the transaction was approved by the Board. Tom will ask his attorney for a purchase and sale agreement. The Select Board has submitted an application to the Community Preservation Committee to fund this purchase.
- The Board of Selectmen of the Town of Erving wrote to the Town of Conway Board of Selectmen seeking support for Massachusetts House Bill No. 200.

The Bill is sponsored by Representative Robert M. Koczera of New Bedford, relative to further regulating the appointment of Presidential electors. The Bill has been referred to the Joint Committee on Election Laws.

The Bill is essentially requesting that the winner take all Electoral College Votes System be replaced with a system of Congressional District apportionment of Presidential electors. The effect of the Bill would be to give smaller Towns in Massachusetts a stronger voice in Presidential elections.

The Board of Selectmen agreed that Bill No. 200 would provide a stronger voice for the residents of the Town of Conway in Presidential elections. John agreed to write a letter of support for Bill No. 200 to our legislators..

- John gave a review and update on FEMA reimbursements for expenses due to Irene storm damage. The Board reviewed the chart created by John with exact figures. The Board asked for

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a meeting with Bob Baker to analyze what the actual reconciliation will be. Bob will be given John's figures to prepare his report.

- John praised the work of Lee Whitcomb, Chair, Board of Assessors, and Diane Poland, Chair, Open Space Committee on their land use study of property in the Town of Conway and said this would be a very important study for future planning for the Town. John suggested that Lee and Diane give a presentation of their study to the residents of Conway sponsored by the Select Board. This will be advertised to Town residents.
- The Board reviewed the final report on the RET grant.

Mail and Other Items

- Mail items were reviewed.

Next meeting will be 1/3/2012

8:20 PM Motion to adjourn meeting was made by Chuck, seconded by Jim, all in favor.