

BOARD OF SELECTMEN
TOWN OF CONWAY, MA
MINUTES
October 31, 2011

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

Present: Victor C. Trombley, John O'Rourke

Others present: Tom Spiro

Appointments

7:30 Brian and Nancy Ann Kuzmeskus – Drainage at Brian's House; Bob Baker, Peter Jeswald. Chuck spoke about the history of this issue. He reported that a meeting had taken place with John Pekarski, his sisters Estelle Yokubaitis and Helen Magee, Bob Baker, Peter Jeswald, Tom Spiro, Chuck Trombley, Jim Moore and John O'Rourke on site. Peter noted that Brian's land may not qualify as a wetland but that Peter had measured the area and said that it was large enough and included soils and vegetation to be classified as a wetland. This meant that the area could not be changed such as construction or drainage as it was a protected resource area. He noted that a wetlands specialist must officially classify that this site is actually a wetland before any work could be done there. Chuck said that Pekarski agreed that it could be drained slightly but not completely. Both neighbors must agree to this. Chuck addressed the notion that the road had been raised over time by regular maintenance. Bob stated that the road had not been raised very much at all but didn't know exactly how much. John said he thought that the Pekarskis were being reasonable on their position, and had come a long way in softening in this matter. Chuck encouraged the Kuzmeskus' to work in this vain. Peter restated that if this is qualified as a wetland, a culvert can still be installed to assist in road maintenance. He said that a wetland specialist would have to be hired if Brian wanted to drain or fill in the area. Brian noted that he was pleased that John Pekarski was willing to compromise and wanted to take a bit of time to discuss this compromised solution, and indicated that he would be happy if some of this land was drained. Chuck asked Brian to call back with any decisions he and Nancy make. Bob asked the Board to make an agreement signed by both landowners. Bob would determine the depth that the culvert pipe must be to strike a balance between an amount of drainage and total dryness.

Meeting items

- Warrants were approved and signed.
- The Board voted to have Chuck sign a statement for the MA Department of Agriculture to confirm the purchase of 7 acres on Shelburne Falls Road that will be entered into the APR Program.
- The final Weston & Sampson invoice for the Bardwells Ferry Road Slope Failure project was approved by the Board.
- The Board approved the new format requirements outlined in a memorandum for the Annual Report. Departments and committees will be asked to follow this new format.
- The Board approved and signed a letter notifying the Cohens that the Town will no longer plow the discontinued road, known as Poplar Hill Road, that serves as their driveway.
- There was a discussion about the Massachusetts School Building Authority (MSBA) and loan options regarding the remainder of debt incurred from repair work at the Conway Grammar School. The Board agreed that the short-term loan should be extended but for the shortest amount of time possible based on the fact that the Town may receive the MSBA award shortly, but not before the deadline to pay the current short-term loan.
- The Board voted to allow the Franklin County Housing Authority to move ahead on the application of Annmarie Brooks for a septic system loan at 23 Boyden Road.
- There was a discussion about the snowfall on October 29, 2011 and if any complaints had been made regarding plowing. There were none.
- Chief Ouimette spoke to the Board and described the report he wrote regarding the rented vehicle that was damaged by Highway Department personnel. Ken stated that he personally felt that while the driver may have had the credentials to drive this vehicle, it appeared that he may not have had the proper experience. The Board thanked him for his input.

Mail and Other Items

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- Mail items were reviewed.

Next meeting will be 10/31/2011

9:00 PM Motion to adjourn meeting was made by Jim, seconded by John, all in favor.