

**Town of *New Salem* Selectboard  
Meeting Minutes  
May 3, 2022  
Held Virtually via Zoom**

**Convened:** 7:00 pm

**Present:** Randy Gordon, Hugh Mackay, Carl Seppala, Selectboard; Kathy Neal, Town Coordinator; Stacy Senflug, Town Clerk; Kyle Dragon, Animal Control Officer; Claire McGinnis, Finance Committee; Wayne Hachey, Zoning Board of Appeals; Heidi Bohn, Planning Board; Marny Ashburn; Sharon Tracy; Heidi Bohn; Erin Williams

**Selectboard Reviewed & Signed the Following:**

- Payroll & Vendor Warrants
- Chapter 90 Paperwork

**Discussion Items**

***Animal Control By-Law Proposed by Franklin County ACO (Kyle Dragon)***

Randy started off by explaining that the town has parted with its long time Animal Control Officer and has gone with a regional organization which designated Kyle as the ACO. Kyle introduced himself again and explained that most towns in the programs have had outdated by-laws. So they created their own set of uniform by-laws which mirrors MGL and then to allow some individuality. Their main thing is having uniformity. He outlined how other communities in the regional program have done. Hugh noted that the town recently updated its by-law and it was approved by the AG. He asked if the town could keep parts of the by-law that it has or not. Kyle responded that the town absolutely could do that. Their template takes into consider local options. And they do keep track of the differences in each. But having a level of uniformity helps the ACO's. Randy asked if any changes would require Attorney General approval again. Kyle responded that it would require AG approval again. Randy submitted this might be too short notice for the upcoming Annual Town Meeting. Kyle understood this and was willing to wait until the next ATM or for a Special Town Meeting. He was more than happy to also provide some public working groups where residents can come and ask questions. Kathy suggested that to be a good idea noting the town could utilize its new website for publication and planning. Carl felt it important to compare what's proposed with what we have. Kyle was perfectly happy to help noting he could put together a comparison. The consensus was to work on this for a later town meeting. In the meantime, a comparison of the proposed and the existing along with any other relevant materials could be placed on the towns website to begin felicitating public comment. Randy then noted as a related matter some of the equipment for the prior ACO and consideration of disposal. Some of it being obvious surplus resulting from the town participating now in regional program. Some of it is rather used and wouldn't be readily adaptable for any other use. Hugh asked about valuation. Randy responded we'd sell it as surplus for a reasonable price. It appears at least one party would probably pay \$100. Hugh was acceptable to that considering the utility and the shape that they are in. Claire noted the Library has obtained permission for disposal of surplus. The town has a process and policy. It should be simple and determining whether a bid process is needed or not will be guided by that. There was a question posed to Kyle of the future utility of the equipment. Kyle responded that this material, particularly the kennel fencing, wouldn't be of use to him.

A motion was made by Carl to declare kennel fencing and related materials as surplus property and to authorize its disposal. The motion was seconded by Hugh and passed without objection.

***Discussion Regarding the Budget & ATM Articles with Finance Committee***

Randy reminded all that the Annual Town Meeting is scheduled for June 7. New Salem usually accomplishes its meeting in one evening. Claire then reported briefly on the Finance Committee's work relating to the budget. There is very little change this year. The most salient thing to do in her mind would be to address the main changes. Assessors revamped how their offices run with the retirement of their longtime assistant. There was also an increase in software costs for the Tax Collector and a one-time article funding for implementation. A lot of departments will also have increases in things like fuel. To that end since the matter is so unpredictable lately, the

Finance Committee has decided to beef up the Reserve Fund so that requests can be made. Carl noted that Swift River's transportation didn't need an increase. Claire responded by answering how that works for the town. They've included a level number just due to lack of information. They won't know until closer to ATM. Claire then explained a few things like the General Budget. There are also a few Free Cash articles which are handled by special article. She then went over some new increases relating to stabilization. They've moved those from another section of the budget and that may cause some confusion as it would make one area look like it's had a decrease and another a substantial increase. Claire then went over how the COLA is being implemented. Library is having some trouble replacing its Library Director and they need a salary increase to attract a candidate. That was accepted by Finance Committee so that will look higher. There was then some side discussion about costs relating to Swift Rivers assessment including some considerations for the Special Ed transportation costs. Wendell is likely bearing most of the brunt of Swift River this year. She then noted there was a substantial increase for Franklin County Tech due to enrollment changes. Mahar is also up. Carl interjected to say he has to not be included in Mahar discussions due to conflicts of interest.

Claire acknowledged that and returned to COLA's, the plan is 4 percent. She noted that CPI is running at 6 percent. This to her mind makes wage adjustment necessary. She then turned to capital items that are always special articles. The Library has a request for repairs and paint. Fire Dept. had several items, of which only two the Finance Committee supports. They did not support the request for a new fire truck. He had a request relating to a generator, and since that's under ARPA funding consideration, they rejected that too. Otherwise they supported the pagers and station heating system requested. She then turned to request by the Highway Chief for a F550 truck. Finance Committee also supported that. She also briefly covered articles for Swift River requested by the Principal. She then concluded. This is basically it, she noted there is time to consider this and suggested the Selectboard digest this and let them know if there are any questions as the Finance Committee could call a meeting to discuss them. Hugh had a few inquiries relating to the draft. One of the main ones relating to the Old Academy Building. Claire submitted his reference relates to a special article. Those aren't in the operating budget and they carry forward from year to year until extinguished or until a town meeting vote re-appropriates them. Randy then turned to petition articles and related deadlines. Claire dusted off her prior tenure as a Town Clerk to say that it's usually prior to the warrant being signed. She suggested consulting with Stacy the current Town Clerk. Kathy was certain that once the warrant closes its closed. Sharon conceded that some towns have different rules for these depending on whether they have by-laws. Thankfully Stacy then joined the meeting. She answered the question about the deadline for petition articles to be added for the town meeting reporting that her understanding is that it's at the discretion of the Selectboard as it is the one creating the warrant and deciding when it will sign the warrant in relation to warrant posting deadlines. So the Selectboard would set the deadline. She noted she's asked this question over the years and all information she's seen supports that conclusion. The Selectboard requested the Town Clerk, if willing, to check the current status. It was so agreed.

#### ***Proposed Warrant Article for the ATM (Resolution in Support of fair Share Amendment)***

Sharon put forward her understanding that the Selectboard can okay a resolution for a town meeting warrant. This would be separate from a petition where she'd need to obtain signatures. The Selectboard confirmed that yes, it holds the authority over what articles are added to the warrant outside of the petition process. Discussion then shifted to the Fair Share Amendment. This would make it so that people who have an income in excess of \$1 million a year would pay more in taxes which would generate about \$2 billion for the Commonwealth to invest in things like education. Neither Carl nor Hugh had objections to putting the resolution on the ATM Warrant. Randy asked what the level of support is from the Commonwealth. Sharon responded it'll go as a ballot question for the November election as this would be a constitutional amendment and therefore require such a ballot vote subsequent to action by the General Court. But this is a good way of showing support to the Commonwealth itself as to this matter. Hugh noted the more towns that support it, the greater likelihood that it will pass. Sharon thanked the Selectboard for its support of this resolution.

A motion was made by Hugh to accept the resolution for placement on the Annual Town Meeting Warrant. The motion was seconded by Carl and passed unanimously.

#### ***DEP Consent Order for Swift River Elementary School***

Kathy reported on the current status. It appears likely that we should go forward with the original plan presented at the Special Town Meeting last fall. It appears, at the recommendation of our Board of Health Agent that we should sign the consent order for DEP. Hugh provided some background for Carl's benefit. There is a PFAS problem at the elementary school. The two towns have been working with an engineer to resolve the matter. Last

discussion the towns engineer didn't think the town should sign the consent order just yet. But now it appears that action has to occur as DEP is looking as part of this to have a date for the solution to be implemented. Hugh at this point felt the most prudent action would be for the town to accept the consent order. Randy felt the same noting that DEP could fine us. Regardless, Randy suggested to those present that they consider attending a meeting organized by Wendell with both BOH Agent and the engineer for May 4. He also noted that Wendell has already signed its version of the consent order sent by DEP. It was agreed that Hugh would attend to ensure that a Selectboard member is present for New Salem. Carl noted he's interested, but wasn't entirely sure he could attend. Still he noted that he's not far from the affected area and is awaiting his own PFAS testing of his well.

#### ***Adoption of the Towns Website as the Official Method of Posting Notices by the Town***

Kathy noted this would be in accordance with 940 CMR 29.03. Randy went over the existing format for posting. It requires residents to go to a particular place in town and view a physical book. Stacy interjected to say the system we have now is antiquated. This won't change how we post things like town meeting warrants. Just routine committee meetings. This arguably will increase public accessibility to the information. Again, to know about meetings presently a voter has to travel from work or home to a building in Town Center. Further Stacy couldn't remember any residents who loved having to find out about meetings through the current method. There is also a portion of the public that want to know what's going on and whose meeting with who and many have expressed to her the opinion that having it on the website would be helpful. The website is also such that it can be used readily on a computer or a smartphone. She noted that some have suggested continuing to have a physical posting. It isn't required anymore and she didn't think it worth doing if we have the website as the posting location. Still, she didn't suggest we do this right away. The website is new and we're still adjusting to it. She felt this should be implemented in due time. Perhaps in a few weeks. There are still town officials who will need to maintain parts of the website who are getting their training done. Hugh agreed that a target date should be done. There are indeed still stragglers for the training. He also felt that it would be good to have a meeting with Stacy and with some other officials to establish some consistency in how some items are posted to the website. Randy asked if a town meeting vote is done or a vote by the Selectboard. Stacy responded it's the Selectboard. Then the towns inform the AG's office. Jake interjected to remind that documents posted should be in PDF.

He'd noticed that some minutes were being posted as word documents which could allow for them to be downloaded and potentially altered with the otherwise appearance of legitimacy. Erin then asked about the requirements behind postings wondering about the 48 hours and about minutes' requirements. Hugh responded that usually the minutes considered are those from the prior meeting. So this meeting on May 3 is considering the minutes from the Selectboard's last meeting which was April 19. Stacy responded that it is the responsibility of every public body to keep minutes. Those are public record and the town is to keep them available to anyone who asks for them. This is usually most efficiently done by posting to a town website. There is no legal obligation for them to be posted on the website, but most towns do request that all public bodies do this. In the past previous incarnations of the Selectboard have asked that copies be submitted to the Town Clerk's office. But that has been spotty at best in actual practice. The website is probably the best vehicle. Hugh then turned to elements of the website that work automatically in relation to this and how it helps to catalogue things. Stacy suggested that the town consider having some sort of follow up training. Perhaps those who adapt to this quickly could assist colleagues. Carl asked about the towns website and if it has training videos. Hugh responded it does. Claire agreed noting that they have a library of how to do things. It was agreed that there is a learning curve. Carl returned to the adopting of the website for this. He asked about the target date. Randy felt that the only obstacle is picking a date. He asked his fellow members for dates. Hugh suggested the end of June. So basically folks would be aimed at starting the new on the start of the new fiscal year. Randy then stressed that every public body should learn how to post their minutes. Stacy reminded that this will also help as there is so little room to store documents. She then clarified on who notifies the AG. Kathy responded there doesn't appear to be a formal rule on who does so she volunteered to do it.

A motion was made by Carl to adopt the town website as the official method of posting notices of the town as of July 1, 2022. The motion was seconded by Hugh and passed unanimously.

#### ***Approval of Scope of services with FRCOG for Master Plan***

Randy reported that we've applied and been approved for funding for services relating to the Master Plan. Kathy wasn't certain if we have to approve the scope of services or not. Hugh noted he's done this update before. This is what came back from FRCOG. He didn't think it prudent to move forward without it being discussed first. We did put this on the DLTA paperwork. We haven't done one of these since 2004. We're supposed to do them

every decade. The documents from FRCOG outline the process. The town will have to establish a Master Plan Committee. FRCOG would then work with the committee to review and work on a Master Plan document. Work for the document includes developing a vision for the community and identifying goals and objectives. Carl noted that one of the things we'll need to consider is the timeline. Hugh concurred submitting that FRCOG told him it's a 6-month process.

### ***Council on Aging Appointment***

Kathy reported that the COA has requested Jeanne Clayton be appointed. Randy asked if Jeanne has confirmed her interest. Carl asked about determining expirations for terms. Randy agreed noting that this is something the town needs to work on. He wasn't sure what the best method was for it. He briefly outlined what the town has done in the past. Hugh reminded there is a spreadsheet.

A motion was made by Hugh to accept the recommendation of the COA and appoint Jeanne Clayton to the Council on Aging. The motion was seconded by Carl and passed without objection.

### ***Board of Health Update***

No Board of Health members were present so the Selectboard dispensed with the item.

### ***ARPA Funds Discussion***

Randy recapped what's been discussed in the past. We've only spent a small portion, so far on Board of Health. We were going to spend some for Broadband, but the MLP Board requested the town delay this as there is a grant request pending that might cover the costs. Kathy interjected to say that the grant will probably cover some but not all of it. So they'll still be seeking ARPA funds in all likelihood. She also reminded that we were awarded some funds from the Commonwealth's own ARPA funding for Swift River's PFAS problem. About \$40,000. There is then the generator that the Fire Chief has requested for the Fire Station. That cost is around \$65,000. Randy suggested having a spending cap. He had some concerns that prices might have increased since the last time things were priced out. He also felt that the town needs to be careful about following proper legal procedures regarding procurement. We've had Inspector General investigations relating to our procurement. We haven't had any violations, but certainly we should be careful as the Commonwealth does check. It's also worth noting that the lowest bid isn't always the best bid and following proper procurement can ensure that the best bid is chosen instead of just the lowest price. Kathy reminded the ultimate due date for the town to spend the funds is in 2024. So we have time. Randy reminded that the rules were very specific in the past, but they've changed those a bit. Kathy agreed stating it's for government functions. Randy wondered if we could deploy some of the money for work on a few buildings. Like repairs to the Library or the Stowell Building. Carl suggested the Master Plan, if done fast enough, could include some of this and how the ARPA funds should be deployed. Hugh concurred with the notion. Perhaps, Carl submitted, this can be used as an incentive to drive the completion of the Master Plan. It was generally agreed. Still, Randy felt it time to make a decision on the Fire Dept. generator. Hugh noted that ordering generators right now is difficult. Availability thus has impacted prices. So it may be better to wait a little and get the procurement part right. Prices could be lower if availability improves.

### ***Old Academy Building***

Hugh reported on some meetings he held with some people including an architect. There will be a report on recommendations for the building. Hugh explained Wayne's concepts for what to do and those will be considered towards the recommendations. There are likely several steps or related projects that will need to be done to ultimately solve the issues. Hugh also had some concerns about windows in the building being left open. It should be ascertained who else is in the building aside from the tenants (Trustees of the New Salem Academy). Randy noted that there may be too many keys out. We've rekeyed in the past, but they proliferate again despite keys that say not to make copies. Plus, with our limited hours for offices, there are many legitimate needs for officials to have keys to various spaces. Hugh then turned back to his plan to obtain recommendations. Their mainly to provide us direction. We can then go out and do the proper process for going about projects. But we need expert advice on where to start and what to look at doing.

### ***Reorganization of the Board***

Randy elaborated on the process. It occurs after each Annual Town Election. The process involves picking the chair and determining who the liaisons would be to different departments. Randy announced he would not be interested in remaining as chair. Carl recommended and nominated Hugh as chair. Hugh accepted the nomination. He then asked if there is a list of thing to do and whether Randy could assist him with learning some things. Randy outlined some of the duties and obligations of the role both in relation to meetings as well as others assigned by the Commonwealth like responsibility for meeting agendas. Randy then noted that another thing to consider is losing Wayne means we've lost a lot of institutional knowledge. Randy then briefly turned to managing virtual meetings until the requirement to be in person returns. He has used his own account, but the town should probably procure one for the Selectboard as the one currently held is shared and only one public body can use it at a time. Discussion shifted to the liaisons. Hugh asked to have Police Dept. It was also agreed Randy would keep Fire Dept. Carl then accepted Highway Dept.

A motion was made by Carl to designate Hugh as chair. The motion was seconded by Randy and passed by majority vote with Hugh abstaining.

### ***Chapter 90 Project Request***

Kathy asked the Selectboard to sign off on the paperwork relating to Chapter 90 funding. It was so agreed.

### ***Minutes***

The Selectboard reviewed the minutes for April 18, 2022. Seeing no need for changes, it was agreed to approve the minutes as written. Carl then submitted he would abstain as he was not on the Selectboard at the meeting covered by these minutes.

A motion was made by Randy to approve the minutes of April 18, 2022 as written. Hugh seconded the motion and it passed by majority vote with Carl abstaining.

A motion to adjourn at 8:59 pm was made by Randy. The motion was seconded by Carl and passed without objection.

Respectfully Submitted  
Jakob K. Voelker, Selectboard Clerk