

**Town of *New Salem* Selectboard
Meeting Minutes
May 31, 2022
Town Hall, New Salem, MA 01355**

Convened: 7:00 pm

Present: Hugh Mackay, Randy Gordon, Carl Seppala, Selectboard; Kathy Neal, Town Coordinator; Joe Cuneo, Fire Chief; Amy Fagin, Zoning Board of Appeals

Selectboard Reviewed & Signed the Following:

- Payroll & Vendor Warrants

Discussion Items

Solicitation Request

Kathy reported that the paperwork for this wasn't completed by the applicant and he isn't present. It was decided to dispense with this topic.

Review of Annual Town Meeting Warrant

Joe started by noting for the record that he understands the Annual Town Meeting Warrant contains no funding for repair or replacement of the fire truck that needs work. He is concerned that we aren't funding the repair to this pumper. It's at least \$25,000 in repair work. The tires need replacing as well. There are plans to use what's left from this fiscal year for the tires. But that \$25,000 is in the air. He stated he couldn't in good conscious to not attend to this repair. He understood that Finance Committee wanted to wait another year. But we will never sell the vehicle or dispose of it for the value of the repair. Hugh asked what the longevity of the repair would be. Joe responded that we just don't know. Even if we do the repair the truck will be out of service for at least two weeks. The pumper also will not pass its annual test. Hugh asked when the test is scheduled. Joe responded it's usually in July or August. Hugh asked about the tires being financed in FY22, specifically what the cost is. Joe responded it's \$2,500 and it will deplete the maintenance part of the Fire Dept.'s budget. Carl asked how old the pumper is. Joe responded it's 37 years old. He noted that the recommended life span of such a truck is 25 years. We also bought this truck used from a town in Vermont. So it's more than served its life. Hugh asked what year we purchased it. Joe responded 2006. Hugh asked what the new cost would be. Joe responded it would be about \$150,000 conservatively. Carl noted that communications from Finance Committee was that they want to wait for another loan to be paid off. It's a loan for a tanker truck. Randy reminded those of the debt service. We need to know what the sum is as voters will ask at the ATM. They always want to know what's been paid off and what's still going. Carl concurred that this is good information to have for the meeting. Joe reminded that the town used to have a Capital Improvements Committee vetted these requests. But that's fallen by the way side and is mostly done by the Finance Committee now. He then asked what the plan is. Hugh asked about mutual aid. Joe elaborated that mutual aid conceptually would help us. But the idea is that mutual aid is mutual and if we cannot provide aid ourselves that undermines the relationship.

Joe also elaborated on other functions of the truck aside from just being a pumper. This includes equipment stored in it and the ability to help carry firefighters. Joe then briefly turned to a project for Fire Dept. Which could be tied into the ARPA funded project for the Fire Stations generator. Hugh reminded the generator is on our list for ARPA. To date it's the only major project under consideration. There's been talk of Broadband and Board of Health has procured some walkway platforms for the Transfer Station. Joe suggested that since the warrant is supplying funds for the heating system, and since it is propane, we could allow those funds to be approved and it could be that we could use ARPA funding and roll it in with the generator and the funds from the warrant could go unspent and be reallocated at a later town meeting. Carl reminded that ARPA funding is still subject to Chapter 30B procurement requirements. Joe conceded that this is true, but it could constitute an emergency repair. Carl clarified as to the existing generator. Joe elaborated that the existing one is small and not commercial grade. Randy expressed concern regarding the pumper noting that when it was discussed in the past it was not just \$150,000. The upper end of the range was \$600,000. As for projects for the Fire Station, he wanted to make sure that we bid to multiple places. We've done too many contracts within the community in

town. Joe responded it has to go out to bid and follow procurement. That wasn't a worry to him. Randy felt it important, as a matter of opinion, to support the project for ARPA funding. Joe noted part of the cost variability for a new pumper is based on specifications and whether we go with used or brand new. They aren't going to get any less expensive. There's also an issue with finding one. Discussion then turned to the motions. Kathy provided some motions done up for the ATM Warrant Articles. Randy noted that sometimes the motion is simple, sometimes it requires specific language. Hugh asked who reads the motions. Randy responded the Town Moderator reads the motions, then he asks for opinions from Finance Committee and the Selectboard, then the members of the two bodies move the motion and its seconded and so on.

Usually the actual members who make the motions simply rotates among the two bodies members. Carl reminded that for some of these articles he'll have to recuse himself. The Selectboard then went through the articles. Article 4 is the operating budget. This brought up questions about how New Salem's budget is structured. The budget lines are broader than in some other towns which may have more specificity. Randy suggested consulting with the Finance Committee. Article 7 is a professional services fund. Carl asked the purpose of this article. Randy responded it funds memberships for organizations. Article 23 covers siding repairs for the Library. Hugh noted that's what Library has asked for and they've vetted it. Articles 32, 33, and 39. These are all for stabilizations. He asked how many the town has and why it's several. Randy elaborated that New Salem likes to have various earmarks such as Vehicle Stabilization, Capital Stabilization, and Stabilization. It's all pooled together and invested properly along with the towns trusts. But it's partitioning for a variety of purposes. There appeared to be a numbering issue in the warrant. The last articles concern short term rentals. Carl felt that these articles may need to be referred back to a public body. Likely Planning Board. As the article is written, it would only impact people who live in the town who do short term rentals. His concern was that it wasn't applicable to a person who might live in Orange but rent a property they own in New Salem. Then the following article puts an excise tax on it without it being clear that the tax would also apply. He also noted that Board of Health already does inspections for such rentals in town. Randy briefly went over the history of short term rentals in town.

In theory inspections are done, but if the landlord denies that they are renting at all, they can avoid that process. Carl still had concerns about that out of town piece of it. He wanted that to be explained better. Otherwise he didn't see how he could support that article. Amy clarified that the stipulation is common and is meant to prevent large companies from coming in and buying homes to rent. It would essentially require that short term rentals be owned by residents. Anything else would require a waiver. Carl had some concerns with the wording and whether the town can prevent the renting of homes in this manner without requiring owner occupation. Amy conceded that many communities use owner occupation, but not all. Kathy noted the potential for issues with trusts. Homes owned by trusts could potentially have an issue as the owners might not qualify as a resident. Amy didn't think that truly a problem. She outlined the purposes of this explaining why it should be regulated and the point of the article. Carl asked that Town Counsel be consulted. As it is written he could not support the article. Randy noted that this can be left to be Zoning Board to defend and for the Planning Board which may also answer questions. Hugh suggested the Selectboard take no position. Individual members can then express their own opinion. Carl was not comfortable with taking no position on a town by-law. It was agreed to consult Town Counsel and to consider his attendance at the town meeting should it be adjudged necessary. Still, it was decided the Board wasn't in favor as there was no unity on the question and much concern about various provisions. As for the article for the excise tax for short term rentals, this was uncontroversial and referenced statute. Discussion then shifted to the last article which is a resolution on a millionaire's tax. Randy suggested the Selectboard take no position.

Board of Health Update

There being no Board of Health members present, the Selectboard dispensed with the topic.

ARPA Funds Discussion

Randy asked his colleagues on the Selectboard whether they were ready to make a decision on funding the Fire Dept.'s generator project. Carl had some misgivings since we haven't seen a list. He expressed a desire to see a list of items. There appears to be more here than just the generator and the project may readily be reimagined to include the heating matter. Randy expressed understanding with that position. But the Selectboard has been patient and few have come forward. So many projects in town just can't be paid for from the ARPA funds as we only received a few hundred thousand. But we can perhaps use the funds wisely to fix various small things. This discussion has gone on for a year and nobody has asked. Police Dept. had no projects and only expressed interest

in premium pay. Other departments just don't seem to have responded. Kathy concurred reminding this has been on the Selectboard's agenda for months carrying forward. So far only Broadband has shown interest as well as Fire Dept. and Board of Health. Randy reminded we have spent some money, some on Board of Health's needs and some on the new town website. Hugh noted that the generator project is about \$65,000 at estimate, but it's from six months ago. So that cost might be higher. The heating project is around \$21,000. But whether we could cap it at \$86,000 is an open question. Joe noted if there's an overage, well solving that would depend on the amount over. If it's small, he could swing it from his budget. If it's larger he might not be able to and in that event perhaps what the Selectboard should do is pad the amount. Say commit \$90,000. Kathy reminded that the town does have options. We could always call a Special Town Meeting and use capital stabilization if need be.

Carl felt that the \$21,000 should remain from the warrant. He was not in favor of using ARPA funding on that. He felt that it was separate. But he was not opposed to the generator. He would like to see new bids prior to authorizing the expenditure of funds. He felt a difference exists. The heating system must be done and Article 19 on the ATM Warrant if it passes will allow that to be done immediately. He also felt it prudent that we keep some of our ARPA funds held aside in the event we need them for Swift Rivers Elementary's PFAS problem. Kathy reminded we allocated \$20,000 at a STM last fall for PFAS and we also have an earmark from the Commonwealth to cover some of that cost as well. Randy acknowledged Carl's points, but feared that we cannot wait. The PFAS issue has its own separate funding sourcing. Carl asked if we should consider funding the repair for the pump from ARPA funding. Randy responded that it appears we'd be better off buying a newer used truck rather than paying the \$25,000 in repair that solely buys time and that just can't be done with our ARPA funds. We only have a little over \$300,000 in ARPA funds. He felt it most prudent to deal with what we can here and now. Hugh reminded those present he is in the middle of this. He conceded that Fire Dept.'s projects are worthwhile. But the \$21,000 is in the operating budget. So he felt it better to keep a commitment for the generator at this meeting. Carl agreed to that on the understanding that we will obtain updated quotes and that proper bidding be followed. It was so agreed.

A motion was made by Randy to authorize up to \$65,000 in ARPA funds for the Fire Stations generator project. The motion was seconded by Carl and passed without objection.

Old Academy Building

Hugh reported that he's still waiting on some plans for the building before any further work can happen.

One Day Liquor License for 1794 Meetinghouse Event

Kathy reported on this topic. The Meetinghouse will be holding an event on June 11, 2022, and are requesting a one-day liquor license. Hugh noted that New Salem Preserves is the entity that will sell various products. Kathy reminded this was done last year several times. There was some discussion regarding the date and time and any possible cross issues with the events planned for remembering Dorothy Johnson. Kathy elaborated that while the two events are on the same day, they are hours apart.

A motion was made by Carl to approve the one-day liquor license. The motion was seconded by Randy and passed without objection.

Minutes

The Selectboard reviewed the minutes for May 16 & 24, 2022. The Selectboard saw no reason not to accept them as written and determined to do so. One set is from the regular meeting held and the other is from a special meeting held.

A motion was made by Randy to approve the minutes of May 16 & 24, 2022 as written. Carl seconded the motion and it passed unanimously.

A motion to adjourn at 8:45 pm was made by Randy. The motion was seconded by Wayne and passed without objection.

Respectfully Submitted
Jakob K. Voelker, Selectboard Clerk