

**Town of *New Salem* Selectboard
Meeting Minutes
April 19, 2022
Held Virtually via Zoom**

Convened: 7:00 pm

Present: Randy Gordon, Wayne Hachey, Hugh Mackay, Selectboard; Kathy Neal, Town Coordinator; Stacy Senflug, Town Clerk; Eric Hamm, Board of Assessors; Jen Potee, Board of Health; David Cramer, Planning Board; Marny Ashburne; Jeanne Clayton

Selectboard Reviewed & Signed the Following:

- Payroll & Vendor Warrants

Discussion Items

Animal Control By-Law Proposed by Franklin County ACO

Kathy started by briefly reporting on her conversations with Jean Derderian regarding the existing by-law. She then went over the various provisions of the by-law and the changes that would be requested by the new ACO. She felt we could pick out what's unique to New Salem and just pass it by the program. There was a question about whether this is ready now, or should wait. Randy felt this to be rushed considering the past time the town has put into this. Some may question why we spent so much time last time on this only to change it. Kathy agreed to talk to the ACO and obtain more detail on what precisely needs to be changed. Randy submitted that the county programs seems more orderly and structured. Unless we really need to rush he wasn't inclined to push it forward at this stage.

Question on RRG (Assessors)

Kathy reported that Brendan Kuntz had requested to be included. Eric responded that this question is really something for the Board of Assessors. Kathy noted she told Brendan that but he insisted on being on the agenda for the Selectboard. The question apparently has to do with the company hired by the Assessors for the purposes of assisting it in the required assessment of all homes in town. It is normal for Assessors to hire such agents to assist in the process. Eric outlined how he would answer Brendan's questions. He was willing to do so, but submitted it should be done at an Assessors meeting. Since Brendan was not in attendance of the meeting, it was so agreed. Randy noted this appears to be aimed at the process the Assessors used to hire the firm.

Review of Selectboard report for the 2021 Annual Town Report

Randy went over this report. Every year the town is required to generate an Annual Town Report. These are retrospective and look at the past year, hence why the 2021 ATR is printed in spring of 2022. He then went over the written report. The Town Coordinator wrote the report for the Selectboard. Generally speaking, it's a bit of summary of the Selectboard's work. It was agreed to approve the report as no member had any concerns or additions.

Stone Hill Rd. – DCR Response

Wayne reported that he's spoken with Dan Clark at DCR with questions about the culvert on Stone Hill Rd. This resulted in some research being done by DCR as to the history of the road among other things. Wayne then went over some of the details relating to DCR's property in the area. DCR is claiming no responsibility for the road. DCR concedes all research indicates no abutting property owners hold fee over the road. It is not a town road. It appears it would take significant action far above the towns authority (likely action by the General Court) to make this a public road. In the meantime, DCR will not maintain the parts abutting their land there. Wayne noted that this will actually harm their interests as it would inhibit their ability to use their property or log it. He felt sorry for those who live off the road. They don't appear to have active easements on the road and there are complicated issues around that. Hugh submitted this at least clarifies DCR's position.

Update on New Website

Hugh reported that the new website is live. He then reported on requests to departments to provide contact information and to provide employees for updating parts of the website. He is updating things on his own as quickly as he can. Hugh noted that Jake is familiar with the platform and has volunteered his service. Still he does need departments to step up and assist. He asked his fellow Selectboard members for ideas on how to encourage participation. Eric interjected to say he hadn't received anything for Assessors. He stated he would love to have training on the website so that he can post information on the website. It was agreed he would send his contact information. In the meantime, Hugh returned to the idea of getting update information and content for the website. He noted that he could use some updates to the contacts as what Kathy has from Nancy doesn't appear to be fully up to date. He truly felt it important to have participation. Stacy submitted that it might be best to focus on chairs. Hugh responded he has done so. Stacy responded she may be able to help with more up to date contact information. She couldn't make any promises. She then asked if Hugh would remain the main website wide administrator or if that might be assigned to someone else. Hugh responded that this is a question. He didn't mind at this point, but felt there should be others. Another thing he noted for everyone is that we will need to update our domain in due time. So there are lots of things to consider in relation to this. This is going to require some attention. Kathy volunteered to assist with tracking some of the things like the domain renewal and the like. Wayne asked how expensive the annual cost of this is going forward for the domain name. Hugh responded it's not a lot, about \$31 for two years. Randy then asked a few questions which Hugh answered. Mostly concerning forms and documents. Hugh responded that he has many things, but not everything. If we can obtain more robust participation, we should be able to put more up.

There were then some questions about the calendar feature and how it works. Hugh briefly went over that noting some features like searchability. Eric asked if the town has issued any town emails. Hugh responded that he recommends it, but the town hasn't done it as of yet. He's broached the subject, but it hasn't yet gained traction. He also felt it would be better if we had a web based cloud service for that. We need to be archiving email as it's a public record. The risk for people using personal emails is that their emails could be included in a public records request. Eric agreed with the concerns and submitted this should be the next project. Hugh agreed, but felt the town website needs to be attended to. Randy noted that if we are seriously going to consider issuing official town emails we need to do some research. We'll need to know precisely how many emails will need to be issued. It could get pricey if we have to issue emails to every single committee member and volunteer. So we need to consider some elements and some of the various options. This will also need to be costed out and put in a budget. Kathy agreed to do some research and to include an update on a later agenda. Stacy then interjected to note she's requested an agenda item for making the website the towns official posting location. There was a question about still having a physical location. Stacy wasn't in favor of that option. Randy felt it important to maintain an accessible physical copy. But he was not opposed to have a digital posting as well. It was agreed to place the item on the next meeting's agenda. Kathy recalled that the AG's office has to be notified. Stacy confirmed this saying that the AG is included. She was certain that the town website alone can be the posting location. A number of towns have done just that. We have internet access available for everyone in town. She felt it worth pursuing. She also outlined how doing this on the towns website would be better. Having to do the posting physically is very limiting. She can't always guarantee that she can post agendas quickly for some people. Having the digital option would alleviate that. Hugh finished by asking that if people have anything ready to post right away that they send it to him. He also encouraged folks to do the training.

DEP Consent Order & Swift River School

Randy reported on the consent order. Wendell has already signed it. It's basically a requirement that we put forward a plan and commit to it. Kathy noted we don't have much choice in signing this. DEP makes it clear that they might take action otherwise. Jen interjected to say that our engineer working on this opposes us signing this just yet. We need to hold a meeting with DEP. He's concerned that this situation may be different than originally thought. He's working to meet with Tighe & Bond (an engineering firm) to develop a response to DEP. So it's up to the Selectboard whether we should sign this now. But that's the present advice. Wayne was uncertain about signing this since he's so close to the end of his term and is not running for re-election. Hugh asked why the engineer is concerned about this being signed now. Jen elaborated that the engineer has some concerns about what DEP is seeking to compel. This brings us to a whole different level than we have been at present. This has been a challenging process for all involved. In all likelihood the cost for this eventual solution will be more than we anticipated. Wayne agreed with that assessment. Jen submitted that she will follow up with the engineer and asked for a few more days before this is signed. That said, there is no place on the school property to drill any more wells as the area is all ledge. So the engineer is sticking to the plan of checking the well casing. Wayne

reminded that there are options across the street. Jen conceded that, but felt we should still check the well casing. Hugh asked what would happen if we don't comply to what has been laid out. If DEP doesn't agree with our plan, what would happen? Jen responded that they would have to approve whatever we do. Still, we have a chance at this stage to propose what we want to do rather than whatever DEP wants to do. Hugh's only reservations concerned action by DEP if we don't agree. Jen conceded that concern as being valid. Marny asked what would be done with the water once pumped out of the well if the well is pumped down. Wayne responded it would be dumped outback in all likelihood. He wished it otherwise, but in all practicality. Jen interjected to say that this is all on hold given the consent order. She promised to follow up with more information once more is known. Randy suggested that if this is to be signed before May 4, the Selectboard should likely authorize it at this meeting. He suggested doing so with a contingency. Kathy reminded that there is potential penalty mentioned in the letter. Wayne inquired about the potential for an extension. Kathy responded they're done with that. They see this as going on for a year and they are not happy that a resolution hasn't been achieved.

A motion was made by Hugh to authorize the signing of the consent decree provided by DEP with their plan of action, pending the submission otherwise of a plan by the town that would be approvable by DEP. The motion was seconded by Randy and passed by majority vote with Wayne abstaining.

Mosquito Spraying Opt-Out

Randy noted that we went through the process last year to opt out. All the towns in the area said they wanted to opt out and the Commonwealth denied all of them. Despite all the hoop jumping and the paperwork done, they just issued a blanket no. Kathy promised that the process has gotten easier. But she conceded that the Commonwealth might do the same again this year. Hugh noted that they don't give us much time to respond with a plan either. Randy submitted we could adapt the plan from last year and suggested Kathy get in contact with Zara Dowling. Whether or not it'll be approved is another matter. A lot of what has to be done is common sense based. Eliminating standing water in things like tires, etc. There was then some discussion regarding correspondence from Senator Comerford's office. The Senator was dismayed and concerned by the blanket denial last year as well. Best we can do is try.

Board of Health Update

Jen updated on Board of Health. There isn't much to report on that side. Wearing her Public Health Nurse hat, well things aren't going great with COVID in the sense that numbers are going up. Still we are sharing with a contact tracer based in Orange. She didn't have a specific number of cases for the town, but we certainly have a handful at present.

ARPA Funds Discussion

Randy noted that there isn't really anything new for this. Kathy agreed submitting that beyond what we've had to date there really haven't been anything else. Broadband may be putting its request on hold as they may qualify for a grant for some of it. This could change the contours of what they might request from ARPA funding.

Old Academy Building

Hugh reported that he has a meeting setup that will likely occur by or before the next meeting.

Date of Next Meeting (due to the Annual Town Election)

Kathy asked the Selectboard if it still wants to hold its next meeting on the normal date. Stacy noted the ATE runs from 11:45 am to 8 pm. This prompted a question about Wayne's participation. It is permissible, but it may be advisable to simply wait until after. Kathy suggested May 3. In that event, Wayne noted, this would be his last meeting. Stacy noted that Wayne holds office until his successor is sworn and qualified. So he could attend assuming the successor isn't sworn in. It was agreed to hold the next meeting on May 3.

Minutes

The Selectboard reviewed the minutes for April 4, 2022. Kathy recommended one correction. In the first topic discussing the Annual Town Meeting date, a date was repeated in error. She suggested changing the minutes to reflect the correct date. It was so agreed.

A motion was made by Hugh to approve the minutes of April 4, 2022 as amended. Wayne seconded the motion and it passed unanimously.

A motion to adjourn at 8:15 pm was made by Wayne. The motion was seconded by Hugh and passed without objection.

Respectfully Submitted
Jakob K. Hamm, Selectboard Clerk