

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

**Convened:** 7:00 pm

**Present:** Hugh Mackay, Carl Seppala, Selectboard; Kathy Neal, Town Coordinator; Joe Cuneo, Fire Chief; Stacy Senflug, Town Clerk; Kathy Soule-Regine, Tax Collector; Jen Potee, Board of Health; Tom Thomann; Marny Ashburne; Tim White; Doug Tanner; Kathy Fritch; Bob Fritch; Susan Cloutier; Joe Larson; Rob Watkins; Nancy Slator, *New Salem News*;

**Selectboard Reviewed & Signed the Following:**

- Payroll & Vendor Warrants

**Discussion Items**

***Noise Complaint Update on Roosters at 34 Blackinton Road (Right to Farm By-Law)***

Tom reported that they've been keeping the loudest two roosters under special circumstance. This has included keeping a bantam rooster inside at night. Bob noted that one rooster has been muffled. You can still hear him on occasion. Another rooster appears to be as loud as ever. They both appear active at night due to wildlife that passes through. Kathy Fritch interjected to say that there appeared no action to place collars on them for crowing. Tom responded by reiterating the steps taken to quiet the birds. Hugh asserted that while he is not an expert on chickens, it appears that the animals really need space. This is not the kind of farming to be done on small lots. Kathy Fritch spoke up about the noise at night again. It is frustrating and nerve wrecking. It's impacting her health. Bob insisted that one of the roosters shrieks. Kathy Fritch concurred with her husband. Bob then reported he was recording the sound and could provide clips. Tom reminded those present that he is still awaiting a building permit to install his shed. Hugh offered to assist them in procuring a permit. Tom responded he will continue to do what he's said he will and he has consulted with legal counsel and is confident he can do what he is doing. Hugh asked about contact with the town suggesting several officials who could possibly help. Kathy Neal agreed to assist. Tom reminded that New Salem is a Right to Farm community. Hugh acknowledged that, but asserted that this does not extend to being a nuisance. Tom responded that there is no violation under the towns by-laws. Nuisance is a civil tort action. This is a Right to Farm town. Kathy Fritch asked if the crow collars were even on the birds. Tom responded that they were. Rob noted he's on another road and he can hear them in the day and night. Tom responded his immediate neighbors aren't complaining. It's these neighbors who are behind him off a way. Kathy Fritch responded the coop is right on the property line. Bob asked for an immediate resolution to the problem. Carl asserted that there is nothing new here. We left off with steps being taken to abate the noise and documentation of actions. Tom asserted that data has been submitted to the Town Clerk. Stacy responded that the only information she had received was a request for a permit. She doesn't handle those and she responded by providing the contact information for the Building Inspector. Bob asked if any public body could act on this sooner. Hugh responded there may be other routes like zoning. Of course court is another. Kathy Fritch noted that for the record she is not anti farming or against chickens. Bob agreed, but asserted he too has spoken to counsel. He will sue. For the record, a lawsuit against the town is unlikely to be sustained given the towns Right to Farm status.

***Town Building issues – Town Hall Annex, Stowell Building, & Highway Building***

Kathy reported on some specs she received for the floor. But she noted a few things related to it that need to be done. Carl noted a few of the conversations he's had with the Highway Chief. The need is highly relevant. The building really wasn't completed. Hugh suggested a little engineering may be needed. The cost will likely exceed \$10,000. Carl concurred submitted a bid should be done. Hugh suggested a firm to talk to first. Kathy agreed to contact them. There was a question of some movement of earth by Highway Dept. Hugh felt strongly that we can't be filling up town trucks and moving dirt. And they'd need heavy equipment on their own and that's also an issue. Carl concurred suggesting that it could pose some liability for the town. Kathy Neal then turned to the Stowell Building. It's had a serious water leak in the bathroom. It went down into the Police Station. The building is presently without water. They've identified the problem and repairs will be needed. Hugh recalled

that the Police Station always suffers. Kathy Neal then turned to the Town Hall Annex. There was a skunk and the smell has been bad. We've got a wildlife expert to help remove the skunk. He's caught one so far, but there may be more. Hugh asked about removing the smell. Kathy Neal responded part of the problem is the basement which has a dirt floor. The basement is the strongest area. As is the area around the front door. Windows have been left open and all attempts made. Kathy Soule-Regine suggested another person who might be able to help with the smell. She further suggested the town purchase air purifiers. We could use ARPA funds.

Stacy suggested they could be purchased. Joe reminded that the town credit card has to be used carefully as the town cannot pay sales tax. He noted his department has an Amazon account that invoices and he'd be happy to help. Stacy reminded that we can't leave the windows open in their present state. She asked that it be explored to leave the top portions open to allow air flow. Still she noted objects appear to be retaining the smell to some extent. Kathy Soule-Regine agreed that the window idea is a good one, but we'd need to ensure they're still secured so no wildlife can get through. Never mind humans, we have bears. Stacy suggested using fans as well. It was agreed to work on the problem. Joe noted there are some professional companies that do this and offered his help to the extent he could. Stacy then asked about the mold in the Town Hall basement. Hugh suggested the election could be held in the Fire Station. Stacy suggested the Library's Community Room. She didn't think the Fire Station would be suitable. Joe submitted the Fire Station isn't handicap accessible to the extent necessary for this function. Hugh reminded the Library Board of Trustees would have the say on the Library as a space. Stacy felt confident that it would work and that the Library would be amendable. Susan asked about the Library's accessibility. Hugh responded they are accessible. Stacy submitted that the Library is more accessible than the other options. Even the Town Hall basement. Kathy Soule-Regine noted that the Annex's walkway needs to be redone and to have a railing.

#### ***Review & Action on Bids for Fire Department Heating System***

Hugh reported we put this out to bid and not one bidder. Joe concurred, it was unfortunate. He turned to the state contract and its approved vendors. Some are relatively local. He wasn't sure how this works if we can just pick one or otherwise. Hugh outlined some of the processes and how to use this fall back. There was a question of going out to bid again. Joe felt the time too short. It made much more sense to him to follow the fall back of the state contract list. Carl asked if there is a shortcut. Hugh responded we could declare an emergency and go out and procure. But this might not pass the test under MGL Chapter 30B. Hugh suggested consultation be made with the Commonwealth. There's a hotline. Joe agreed to call.

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

Seeing no one from the Board of Health, the Selectboard dispensed with the item.

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

Carl suggested the Highway Garage floor and the filtration systems as well as Swift River Elementary's PFAS filtration system. All of those items. Hugh agreed that the school is the priority. The Highway Garage is also a priority in this mind.

#### ***Minutes***

The Selectboard considered the minutes for August 24, 2022 and September 6, 2022. The Selectboard noted it had not seen the August 24, 2022, minutes. Kathy responded that she had thought she'd sent them, but sadly must have been wrong. The Selectboard determined to table the matter but to still approve the September 6, 2022 minutes.

A motion was made by Hugh to accept the September 6, 2022, minutes as written. The motion was seconded by Carl and passed by majority vote.

A motion to adjourn at 8:20 pm was made by Carl. The motion was seconded by Hugh and passed by majority vote.

Respectfully Submitted  
Jakob K. Voelker, Selectboard Clerk