

New Salem Select Board Meeting
May 15, 2023

Present in person: Kathy Neal (KN, Town Coordinator), Zara Dowling (ZD, Select Board), Susan Cloutier (SC, Select Board Chair), Joe Cuneo, Carol Anne Fiske, John Bonafini

Present on Zoom: Lisa Finestone, Gabriele Voelker, Claire McGinnis, Marny Ashburne, Brian Casey, David Cramer, Kyle Dragon, Andrew Maurer, David Van Iderstine

The meeting was called to order by SC at 7:07pm.

SC opened the floor for public comment. No one commented.

One application was received for the position of Select Board Recording Clerk. SC moved and ZD seconded appointing Andrew Maurer to the position. Passed.

Town Coordinator KN discussed the town's plans to buy heating oil through FRCOG's Collective Purchasing Program. KN noted that the town saved money this year by choosing variable pricing (i.e. "Mark-up Over Rack Price" in FRCOG's terminology) over fixed pricing. The Select Board authorized KN to choose which pricing option the town will use and asked her to inform the Select Board when she does (moved by SC and seconded by ZD, passed).

The Select Board briefly discussed the recent all-boards meeting. SC noted it was a worthwhile meeting, and that it provided an opportunity to reflect on town processes and begin to consider any changes to be made or policies that may need to be clarified. Along these lines, the board determined it would be useful to have a section on the town website listing best practices regarding the MA Open Meeting Law and town recordkeeping, for the benefit of town committee members. The board also discussed the importance of following up with meeting attendees to remind them to forward committee concerns to the Select Board.

ACTION: KN will send out an email to all-board meeting attendees asking for any items their committees would like to bring before the Select Board.

The board and meeting attendees discussed submissions for the cover of the annual report and decided on a photo of the 1794 Meeting House at night with a moon in the sky, submitted by an unknown community member. Kathy will contact her to get her name.

The Select Board discussed Memorial Day plans, which will involve memorial services at several cemeteries in town. KN noted that the Historical Commission gets some money from the Eleanor Smith fund if members participate in a ceremony at Quabbin Park cemetery. Brian Casey confirmed that the Historical Commission will be participating in this event.

ACTION: SC will check who is participating in other events around town, check the planned order of events, and make sure everything is handled properly.

The Select Board opened a hearing about a complaint regarding chickens at 6 Old Main Street (moved by SC and seconded by ZD). Neither party to the complaint was present for the discussion.

Kyle Dragon, Animal Control Officer for Franklin County, gave an overview of the complaint. Sue Arnold is complaining that her neighbor's Jean Derderian and David Van Iderstine's chickens eat the flowers in her yard. The chickens have also been seen on the town common as per provided photos. Arnold has attempted to settle the matter directly with her neighbors without success. The chicken owners have asked the Select Board to consider the issue in relation to the town's right-to-farm bylaw.

Carol-Anne Fiske stated that she served on the Agricultural Commission when it created the right-to-farm bylaw. She noted that this specific complaint about the chickens was brought to them as early as 2008.

Fiske expressed her opinion that the bylaw doesn't protect the chicken owners in this case. She pointed out that in the language of the bylaw, the right to farm extends only to those employing "generally accepted agricultural practices" (GAAP). In relation to backyard poultry, the Massachusetts Department of Agricultural Resources defines GAAP as requiring a fenced area to contain the birds. The chicken owners have installed no such fence. Thus, in her opinion, this situation isn't protected by the right to farm. Dragon agreed that it seems the chicken owners are not abiding by GAAP.

Select Board members decided in favor of the complainant, concurring that the right-to-farm bylaw does not give chicken owners the right to allow their chickens to damage a neighbor's property. They discussed that some situations pertaining to poultry and livestock *are* covered by the current bylaw, such as noise complaints.

Dragon explained that the reason this matter was considered under the right-to-farm bylaw is that New Salem has no livestock bylaws that address the issue specifically. It was noted that other towns do have bylaws regarding backyard poultry flocks and other livestock. Select Board members agreed it would be wise for New Salem to begin to draft a similar bylaw.

ACTION: When the minutes are written up, both parties will be notified of the discussion that occurred.

ACTION: The Select Board will create a livestock bylaw for the town, with input from Kyle Dragon and Carol Anne Fiske.

SC moved to close the hearing at 7:53pm. ZD seconded. In closing the hearing, SC noted that it appears a fence may be going up on the chicken owners' property and that the matter may already be resolved.

Claire McGinnis from the Finance Committee discussed changes to the proposed budget for the upcoming fiscal year. The changes to the originally discussed budget are relatively minor. They include a decrease to the line for Swift River School, a decrease to the amount

originally proposed for police salaries, and an increase representing a best estimate for New Salem's share of the two-town agreement with Wendell for a full time Fire Chief.

Police Chief John Bonafini explained his request for an increase in the budget to accommodate two full-time police officers. Two full-time officers would provide coverage seven days a week and an increased capacity for community policing. Full time positions would offer benefits that would attract strong candidates.

The Select Board discussed the proposal and acknowledged the usefulness of two full-time officers. They also noted their strong approval of the Police Chief's work. At the same time, they discussed the financial difficulty of the proposal. SC noted that the town is already tapping free cash to balance the budget for the coming year, even without an increase in police salaries. Claire McGinnis of the Finance Committee noted that money will likely not be as tight in FY25 and suggested bringing the request back to the Select Board in a year.

ZD moved to leave the Police Department budget as-is, with funding for one full and one part time officer and one part time chief (SC seconded, passed). The Select Board encouraged the Police Chief to bring the request back for FY25. ZD suggested that there may also be other possible future arrangements, such as sharing a police position with another town, though the Police Chief is not aware of any other towns using such a system.

The Select Board discussed budgetary matters related to the Fire Department. In FY24 the Fire Chief position will effectively be converted to a full-time position supported equally by New Salem and Wendell. Though the position is already shared, New Salem does not currently pay any of the Fire Chief's benefits. In addition to the added expense of benefits, the new arrangement will mean that the Fire Chief's salary will increase slightly, and thus New Salem's half will increase slightly as well. ZD moved to increase the budgeted amount for Fire Department salaries by about \$1000, to \$61,500 (budget line 3860), in order to cover this increase in salary for the Fire Chief and assure that the rest of the Fire Department staff, whose salaries also come from the same budget line, are not affected. SC seconded, motion passed.

Fire Chief Joe Cuneo provided information about several budget requests for the Fire Department. He is requesting the use of \$45,000 of ARPA funds for a new hydraulic rescue tool ("jaws of life"). The board discussed their preference for using the remaining ARPA money for town building repairs that have been outstanding since at least 2009. ZD asked whether the \$45,000 could be put on this year's budget and subjected to a debt exclusion vote at the upcoming Town Meeting. Claire McGinnis of the Finance Committee indicated that the committee was not inclined to go this route. KN believes the town has about \$150,000 of ARPA funds remaining.

Fire Chief Cuneo also inquired whether \$12,270 could be used for the installation of a burglar alarm system at the fire station. He suggested this could be taken from the building maintenance line approved at the 2022 Town Meeting. Members of the Select Board suggested that there may be more pressing needs for the building maintenance money but agreed to revisit the issue at the next Select Board meeting with the third board member present.

Town Coordinator KN updated the Select Board about plumbing issues in the Town Hall.

A plumber will be coming next week to replace the town hall's well pump and water heater, so that the water can be turned back on. ZD motioned to use up to \$5,000 from the building maintenance fund to cover these expenses. SC seconded, motion passed.

The board also discussed the plumber's suggestion that the town could save money by turning off the Town Hall's water system when not needed. The breaker could be turned on as necessary, for example on the morning of a Town Meeting, and turned off afterward. KN said she would be willing to be responsible for this.

KN discussed several recent website requests, including a request from the Building Inspector to have a dedicated section on the website for forms and information related to the Building Department. The Select Board decided to undertake a search for a Technology Committee. Andrew Maurer suggested that, in addition to providing specific tech support like adding sections to the website, it would be useful for such a committee to draft general policies for town government use of technology. Andrew Maurer volunteered to be on the committee, and will contact Dan Grubbs to see if he is willing.

ACTION: ZD will put out an item in New Salem News and contact Mary Ellen Kennedy, who has been on the broadband committee, to see if she would be willing to serve as well.

ZD moved, SC seconded to accept the minutes from the previous Select Board meeting as amended.

The Select Board plans to hold a short meeting during the week of May 22-26.

SC moved, ZD seconded to close the meeting at 9:02pm.