

TOWN OF PEACHAM
Selectboard Meeting Minutes
Wednesday, March 16, 2022 at 7:00pm
This meeting was conducted via Zoom

In attendance: Peter Craig, Selectboard Chair, Richard Browne, Selectboard Member, Alfred Dedam, Selectboard Member, Jeremy Withers, Road Foreman, Thomas Galinat, Town Clerk/Treasurer, Rusty Barber, DRB Chair, Rick Scholes, DRB Member, Marylynn Magnus, DRB member, John Reiss, Bob Hansen, Zoning Administrator, Dave Stauffer, Harry Vann, Laurie Kozar, Neil Monteith, Janie Carle

1. Call to order

- a. The meeting was called to order by Peter Craig at 7:00pm.

2. Additions to the agenda

- a. ARPA

- i. Browne stated that the ARPA committee wanted to do a town wide mailing. **Richard Browne moved to approve the ARPA committee mailing from the Town Office postage line, seconded by Alfred Dedam, all in favor, so moved.**

- b. Mask Mandate

- a. **Richard Browne moved to rescind the mask mandate effective March 17th at 8:00am, seconded by Alfred Dedam, all in favor, so moved.**

- c. Signing TAN

- i Galinat asked the board to sign the TAN, he said they did not use it last year. **Richard Browne moved to sign the the Tax Anticipation Note, seconded by Alfred Dedam, all in favor, so moved.**

- ii. Galinat said the board has to appoint a signer, historically it has been the treasurer. **Richard Brown moved the town treasurer be the signer for the tax anticipation note account, seconded by Alfred Dedam, all in favor, so moved.**

- d. Review and approval of the Mowing Contract

- i. Galinat said that due to covid, we have to either sign with the work crew or hire it out privately. The work crew would like to only take on Peacham, as their sole contract for 2022. Dedam asked what is the savings. Craig said it would save a considerable amount of money. Dedam asked who are workers. Galinat said they are convicted of non-violent crimes serving work crew in leu of jail time.

Craig said mandatory community service. Dedam raised concerns about safety and longevity of the program. Dedam asked about Worcester Cemetery. Galinat said it is an “as needed” cemetery similar to the Groton Town Line Cemetery and the Old Cemetery. Galinat furthered that other areas are in the contract but currently being handled by volunteers but they are in there in the event they need attention. John Reis asked if volunteers are covered by insurance. The board said they are not looking for volunteers. **Richard Browne moved to approve this contract with the removal of Worcester Cemetery, seconded by Alfred Dedam, all in favor, so moved.**

i. Galinat brought the second contract for “as needed” work, or additional requests. **Richard Browne moved to approve the second contract, seconded by Alfred Dedam, all in favor, so moved.**

e. Local Emergency Management Plan

a. Neil said he is completing the long form of the plan. He will send the link for the selectboard to take the ICS course, which is required for the state to sign off on the plan.

f. Farm Support Fund

a. Neil Monteith said applications are in the town office and online for residents to apply. He said you have to be a farmer to apply.

3. Highway Department update

a. Jeremy Withers has declared the start of Mud Season. He also said that paving prices have increased and is waiting to finalized the numbers for the grant for paving East Peacham Road.

b. Richard Browne asked Withers if a land owner wants to cut a tree in the Right of Way that’s only going to fall in the road, does the Road Foreman need notification prior to cutting it. Withers said it would be helpful, Browne asked Thomas Galinat to put something online to let Withers know of trees being cut in the Right of Way. John Reis was in agreeance.

c. Withers said he me with Consolidated Communications about laying conduit for Fiber in the Right of Way in existing easements. Withers said there were no big issues. Harry Vann asked why Consolidated is running Fiber. Withers said it was the next step to get highspeed internet to more customers.

d. Laurie Kozar asked if Withers reviewed what Shauna (from AOT). Withers spoke with Shauna (from AOT) about who is responsible for road run-off.

Withers reported that the Town is not responsible for road run-off. Withers Continued that when the road is shimmed and overlaid this year, the issues will likely be resolved.

4. ARPA reporting-Thomas Galinat

a. Thomas Galinat spoke that the town could report ARPA funds as loss revenue or as a calculated loss. He furthered to say all entities receiving less than \$10,000,000 in received ARPA funds can report as “loss revenue”. He cautioned that in the event of a hard audit, the Selectboard should spend ARPA funds on items they would normally ask the voters to spend money on. **Richard Browne moved to declare the ARPA funds as “Loss Revenue”, seconded by Alfred Dedam, all in favor, so moved.**

5. Review DRB findings-Katherine Siner

a. Katherine Siner was unable to attend but sent an email to the Selectboard explaining her concerns. She had questions/comments in her email for the selectboard, paraphrased below with respective comments from public discussion only:

i. Is there an opportunity to apply for a permit each year vs each event?
a. There were no comments on this question.

ii. There have been no permits given in the past for public events, only an event by event decision by the selectboard.

a. Scholes, Browne, and Craig all spoke indirectly to this, to the effect of agreeance with Siner’s comment. All other public events ask permission annually for a single annual event. Scholes did separate that all annual events are either public or private non-profit, while Siner’s is private commercial.

iii. Can Siner have written permission to use the Town’s field by the Historical Association? Siner plans on about 5 weddings a summer.

a. Rick Scholes said that the field in question is being hayed by the neighbor and farmer. To have events all summer would impact the farmer and may not be feasible. He furthered that the DRB just require Siner to have written permission from the Town and Church, the DRB did not specify the location for that permission.

iiii. Can the end time of the event be reviewed from the DRB decision.

a. Craig spoke on the challenges of having a 9:30pm stop time since other public events go past 9:30pm. Rusty Barber spoke to clarify that this is

commercial events in a residential area of the village. He spoke that this will have ramifications on the quality of life in the village. He spoke that the DRB tried to balance that quality of life with the needs of the applicant, this is a commercial operation, where the zoning bylaws do not have a place for these types of activities. Rusty spoke that if she wants to change any aspects to the decision, Siner will have to reapply and have another hearing. There is not the ability to meet with the DRB to just make a change. Richard Browne asked if the end time is in the Zoning Bylaws. Rick Scholes said that the DRB must maintain the character of Peacham, with noise and lights. There is nothing about a specific time. Scholes said that the Selectboard has no authority in this matter, she can appeal to the environmental court or put in a new application. Craig said that PAM fest goes beyond 9:30, Scholes said that the selectboard approves PAM fest, this is a DRB decision.

b. Scholes said that the Town Plan and Bylaws do not mesh, despite the intent that they both change at the same time. Alfred Dedam asked if the changes to the Town Plan were relevant to this situation. Scholes said yes, that's part of the issue and was a large part of the DRB's discussion. Barber stated that the planning commission needs to be involved in this. John Reis said that the bylaw and town plan do not to be in sync, Scholes said they don't have to be, but they should.

6. Town Gym release of liability waiver

a. The board discussed Rachael Moragues' proposed waiver. Alfred Dedam asked if this is for everyone or just the event organizer and is there a term of the waiver. Galinat said only for non-town sponsored events. Galinat suggested that with post COVID lockdown of the gym, this was a good opportunity to track waivers and keys. Dedam said he wants to keep accessibility while protecting the town. Galinat suggested that waivers be signed by key holders and carries the risk for the event they host. Richard Browne said that he wants the facility to be used, but doesn't want to get to the point where we don't know who was there when and who has keys. Browne wasn't sure how to waive liability to individuals vs event leaders. Dedam asked about scheduling. Browne said he should talk with Moragues about what the process is, he feels it's still a work in progress. Browne asked that gym users to sign the existing waiver, good for one year, until we get a more established process. The board asked Dedam to work with Moragues to establish the process but ultimately the board at large is responsible.

7. Trees/firewood-Dave Stauffer

a. Dave Stauffer asked the selectboard to mark the trees to be removed from the right of way. He asked that the Tree Board put the ash tree inventory and village

shade tree plan on the website. Laurie Kozar said the plans were already online. The inventory is with the current tree board. The inventory is 270 hours of volunteer work. Laurie suggested that residents interested in Ash Trees to visit Urban and Community Forestry. Stauffer suggested it should be on the Town's website, Kozar said she would send the links. Neil Monteith suggested residents visit the ANR Atlas. John Reiss asked if the biological answer to the ash borer has been released yet. Stauffer said there are four different types of wasps to combat the ash borer. Reiss wants to know if Peacham could get some of these wasps to spread around town. He would appreciate if someone could look into this.

b. Stauffer said he has been processing firewood for residents in need. It is free and available at the Town Garage. Discussion ensued on how to mark trees in the Town's ROW. Monteith reminded everyone that trees in the right of way belong to the land owner, and needs the land owner's permission before giving it away. Kozar asked about how to apply or get information on the free firewood program. Stauffer said he will put a sign on the boards and he has permission to put a pile to the left of the sand piles at the town garage. Kozar asked if this was the tree board's utilization strategy, Stauffer said if the land owner gives permission to take the wood, he can do what he wants with it. He said he's not selling it, he's giving it away for free to people in need.

8. Selectboard Appointments

a. CUD alternate

i. **Richard Browne moved to appoint Harry Vann as the CUD alternate for a term of one year, seconded by Alfred Dedam, all in favor, so moved.**

b. Planning Commission

i. Peter Craig said he would reach out to the planning commission for a recommendation.

c. Keeper of the Pound

i. Until there is a new keeper found this will fall on the Second Constable, the board is going to try to work with Barnet to find someone for both towns.

d. Service Officer

i. Richard Browne is waiting to hear back.

e. Tree Board Chair

i. The appointed chair is no longer willing. Richard Browne is going to a tree board meeting to try to find another volunteer.

9. Approve minutes

a. March 2, 2022

i. Richard Browne moved to approve the minutes as written, seconded by Alfred Dedam, all in favor, so moved.

10. Review and approve bills

a. Richard Browne moved to approve the two payrolls and one AP as presented, seconded by Alfred Dedam, all in favor, so moved.

11. Review correspondence

a. The only correspondence is from NEMRC offering an auditing service. Browne asked Galinat if that was something he thought was valuable. Galinat said the current monthly systems are tight, however an annual or every three-year audit may be more beneficial, in which case that service should come from an accounting firm and not a software developer. Browne asked when the next audit was due. Galinat said there is no audit due, only when ordered by selectboard. The last audit was done in 2011 based on the assumption of fraud. Galinat said the cashless dump was the final action from the audit, that it took 10 years to complete the recommendation. He furthered the most important part of an audit is not the audit itself but actions following the audit. Browne suggested the board ask the town auditors if we needed an audit. Galinat suggested a plan for saving for an audit so the selectboard would not be hindered in their decision to have an audit based on the lack of funding.

12. Adjourn

a. Richard Browne moved to adjourn at 9:02pm, seconded by Alfred Dedam, all in favor, so moved.

Not included in these minutes are the chat box from the zoom meeting. These written public comments as well as a copy of the recording are available by request to the Town Office.

These minutes were approved at the April 6th, 2022 meeting.

Thomas Galinat