



# Salisbury Board of Selectmen

Meeting Minutes  
Wednesday, October 7, 2020

**Approved**

Chair, Selectman John Herbert	Present
Selectman Jim Hoyt	Present
Selectman Brett Walker	Present
Town Administrator April Rollins	Present
Municipal Assistant Kimberley Edelman	Present

## **Public In Attendance:**

Several members of the public attended the meeting held indoors in the Town Hall. Attendees included Kathie Downes, Mary Heath, Jason Hood, Joe & Gayle Landry, Sharon & Bill MacDuffie Sr, David MacDuffie, Leann Wesoja, Marcia Murphy, Lisa Walker, Steven Walker, Jeff Nangle, Faith Partridge, Dora & David Rapalyea, Michael Sanborn, Gene Shaw, Dorothy Swenson, Jerry Williams, Jim Zink-Mailloux, Kelly Cote, Shelley Barrington, Harvey Peters, Karen Currier, Velma Emery and Eric Swendsen

## **1. Open Meeting**

Chair John Herbert opened the meeting at 6:00 p.m.

## **2. Appointments**

### **2.1 Selectman Vacancy**

Chair Herbert explained that Mr. Ken Ross-Raymond had recently resigned as a Selectman, creating a vacancy on the board. The vacancy was posted at several locations, including the Town post office and the Town office. Two people applied for the role: Mr. Brett Walker and Mr. Bill MacDuffie, Sr. A lot of input was received from the community, including two petitions. Additional pages of petition signatures were received tonight.

Chair Herbert explained that unfortunately the Board was not left with a decision. He reference a State law which said anyone who did business with the Town was not eligible to be a Selectman (RSA 95:1). Therefore, that ruled out Mr. MacDuffie Sr. Chair Herbert explained that according to the law, if Mr. MacDuffie Sr was interested in running in March, the Town could go to bid for the work done by MacDuffie Construction.

Chair Herbert noted there was no decision to make as there is only one candidate. He would like to fill the position so there will be a third member on the board. Chair Herbert said Mr. Walker had a good head for figures and was a professional person in finance and the board could use his help.

Chair Herbert made a **motion** to appoint Mr. Walker to the position of Selectman, to fill the position until March. Selectman Hoyt seconded the motion. Both were in favor. The motion passed.

Marcia Murphy asked if they were going to be able to provide any input. Chair Herbert noted that the decision was for the Selectmen to make and that citizens had provided their input at the last meeting plus submitted two petitions. The input was heard.

Kathy Downes asked how long had the Selectmen known about the State law. Chair Herbert said it had been about 10 days. He then shared a printed copy of RSA 95:1 with Mrs. Downes.

Mr. Walker was immediately sworn in by Salisbury Town Clerk, James Zink-Mailloux.

Mrs. Downes asked why the information about the RSA had not been posted on the website, adding that it would have been good for people to know before the meeting. Selectman Jim Hoyt noted that everything needed to be done in a public meeting. Chair Herbert reiterated the point about working in public view. He decided not to tell anyone. He added Mr. MacDuffie Sr had not been made aware of the RSA, adding a direct apology to Mr. MacDuffie Sr.

Ms. Dora Rapalyea stated that she felt it was unfair not to have informed Mr. MacDuffie Sr that he was not eligible, having him come to the meeting thinking he was eligible for the job. She added that had people known, someone else might have stepped up. Keeping it quiet was not the right thing to do. Several people expressed agreement.

Chair Herbert agreed with Ms. Rapalyea, but noted that the board could not work outside of the law, outside of a public meeting. He said they could not have posted it on the website nor said that they had received counsel.

Ms. Rapalyea suggested that maybe the process should be started over again. (Several people clapped.) Chair Herbert noted that was not going to happen, adding that the decision was for the Selectmen to make and there was nothing the citizens could do about it at that point. Chair Herbert noted that at a previous Selectmen's meeting, people in the room had been very clear that they wanted work done in a public meeting, nothing in private. He wanted to speak with Mr. MacDuffie Sr to let him know, but he was told he couldn't do that. He realized the decision wasn't popular, but it was only until March.

Michael Sanborn suggested leaving the position open, noting that people were angry. He said Chair Herbert and he had spoken about it at the bottom of Chair Herbert's driveway. Chair Herbert asked Mr. Sanborn to explain to Selectman Walker why he didn't want Selectman Walker in the position. Mr. Sanborn said he liked Mr. MacDuffie Sr, had known him a long time, and that Mr. MacDuffie Sr knew how the Town ran and every pothole in it. Mr. Sanborn felt that Selectman Walker had never been to a Selectmen's meeting. He felt Mr. MacDuffie Sr understood the Town. Mr. Sanborn asked Selectman Walker how many Selectmen's meetings he had been to. Selectman Walker replied that he had been to a few and noted that he had not seen Mr. Sanborn at many meetings. Mr. Sanborn countered that he wasn't running for Selectman.

Chair Herbert stated it was not a presidential debate, but a decision for the Selectmen to make. A decision had been made. Mr. Sanborn continued to argue the point, suggesting that Chair Herbert ask for a show of hands of how many people were happy. Chair Herbert reiterated that discussion had to be made in a public setting and the decision had been made.

Mr. Sanborn asked if it would be against the law to keep the seat open. Chair Herbert said that would not be against the law. Mr. Sanborn asked for a show of hands of who wanted to do that. Selectman Hoyt noted that the decision had been made and Selectman Walker had been sworn in. Chair Herbert reiterated that Selectman Walker had skills the board could use.

Mr. Sanborn was very upset. Chair Herbert asked him to turn it down. Mr. Sanborn said he would turn it up; he was angry.

A member of the public noted that it was the decision of the Selectmen, adding that it is only temporary. In March, an election for a new Selectman would take place.

Mary Heath asked if there was there anything secret about the conflict of interest law that made it so people couldn't have known before hand? Chair Herbert said they couldn't have announced it outside of a public meeting. He reiterated that people were very clear that they wanted everything done in public meetings, never in private. He wanted to tell Mr. MacDuffie Sr what was going on. He was told he couldn't do that. He realized the decision wasn't popular. Citizens could do what they wanted to in March. Selectman Walker would only serve until then.

Ms. Dorothy Swenson asked why was the law had not been posted before tonight? Chair Herbert said they couldn't according to the Town attorney.

Chair Herbert tried to move the meeting along.

Marcia Murphy asked if the law would be posted before Town Elections so that people running for office would know whether they were eligible. (A lot of cross-chatter ensued, making hearing difficult.)

Town Administrator April Rollins pointed out that Mr. Bill MacDuffie Jr was not the Road Agent. Michael Sanborn asked for clarification. Selectman Hoyt stated that a Selectman could not own a company that held a contract with the Town for over \$200. Mr. MacDuffie Sr owns MacDuffie Construction, which is used by Road Agent Bill MacDuffie, Jr.

Jason Hood asked if Mr. MacDuffie Sr quit the company, even changed his name, would he be able to run for Selectman. He added that he believed the answer was yes. If Mr. MacDuffie Sr did that, another meeting could be held in two weeks and the decision revisited. He felt there was a more proper way to do it.

Chair Herbert reiterated that the decision had been made. If Mr. MacDuffie Sr wanted to run in March, he would be qualified if the contract was put out to bid.

Dora Rapalyea stated that it was unfortunate that a decision had been made before the participants had been notified.

Mr. Sanborn agreed, stating it was drastic to notify him at the meeting. He felt Mr. MacDuffie Sr should be given two weeks. Michael Sanborn yelled out, screaming it was "bullshit" several times and asking to see that in the minutes. He added that it was unconstitutional.

(Several people left the hall as a lot of conversation took place among the public.)

Before leaving the room, Mr. Sanborn yelled out to Chair Herbert, "This ain't over. This ain't over. You'll see."

## 2.2 Planning Board Positions

Chairman Herbert noted that the Planning Board had met the Monday evening before. The Planning Board recommended appointments to be made.

Chairman Herbert made a **motion** to appoint Ms. Loretta Razin as a member of the Planning Board and Mr. Jeff Nangle and Mr. Bill MacDuffie Jr. as alternates. Selectman Hoyt seconded the motion. All were in favor. The motion passed.

(Some people returned to the hall.)

## 2.3 Select Board Representative Positions

Town Administrator Rollins asked Chair Herbert which Selectmen would be the representative on the Planning Board and the Budget Committee.

Chair Herbert noted that he would continue to be the "Ex Officio" Planning Board and Selectman Walker would be the "Ex Officio" on the Budget Committee.

A member of the public asked why the RSA referenced before didn't apply to Mr. MacDuffie Jr, as it wasn't specific about which Town office. Chair Herbert said the attorney's interpretation was that it didn't apply to Mr. MacDuffie Jr. Several people expressed surprise.

Mr. Sanborn asked Chair Herbert if that was how he really wanted to do it, adding that he had a chance to stand up and do what was right. Mr. Sanborn stated, "This is just started. Just started. Just goddamn started." Selectman Hoyt asked if that was a threat. Selectman Hoyt asked for Mr. Sanborn's remarks to be added to the minutes.

(Several people, including Mr. Sanborn, left the hall.)

## 3. Minutes

Chair Herbert made a **motion** to approve the minutes of the September 9 meeting and the September 18 non-public session. Selectman Hoyt seconded. All were in favor. The motion passed.

#### **4. Manifest & Consent**

The board signed the accounts payable and payroll register, the Town Clerk's election warrant, a veteran's tax exemption for Gerald & Gloria Silver, an intent to cut for the Army Corps of Engineers for which a bond had been received, and a cease and desist order.

Mary Heath asked what the cease and desist order was for. Town Administrator Rollins noted it was for a zoning violation at Black Bear Vineyard.

#### **5. Budget Reviews**

Chair Herbert noted there were several budgets being reviewed. The Selectmen would make recommendations to the Budget Committee, then the Budget Committee would move forward with it. The budget that was voted upon at Town Meeting was the budget the Budget Committee submits.

##### **5.1 Zoning & Planning**

Town Administrator Rollins stated that the budgets for the Zoning Board and the Planning Board are level funded per the boards' recommendations.

Chair Herbert made a **motion** to approved the Zoning and Planning proposed budgets which were level funded. Selectman Hoyt seconded. All were in favor. The motion passed.

(At this point, Mr. Michael Sanborn and a couple others returned to the hall.)

Mr. Sanborn asked, "What about Mary Heath, what about Roy Downes, what about all the other people who had worked for the town and those who had been Selectmen?"

A member of the public tried to calm Mr. Sanborn down while Chair Herbert asked Mr. Sanborn to not make him call the police. Mr. Sanborn expressed concern about doing the right thing and expressing his first amendment rights.

(Mr. Sanborn left the hall.)

Shelley Barrington said she didn't feel comfortable with Mr. Sanborn coming in and out. She felt he'd obviously been drinking and smelled of alcohol. Chair Herbert said he would call 911 if he came back in. He said Michael lived across the street from him and was a decent guy from a nice family, but obviously was not in control of himself.

##### **5.2 Building Inspector**

Chair Herbert returned focus to the Building Inspector's budget.

Town Administrator Rollins noted that the Building Inspector's department was going over budget due to the number of building permits pulled during the pandemic. However, since the Selectmen wanted to level fund it, that was what she put in the budget.

Chair Herbert asked about the fee amount. TA Rollins said the fees were paid out per permit. The Building Inspector didn't know if the rate of permits would continue. Selectman Walker recommended keeping the budget level funded.

A member of the public in the back noted that it was very difficult to hear the Selectmen.

Chair Herbert made a **motion** to approve the Building Inspector budget as presented. Selectman Hoyt seconded. All were in favor. The motion passed.

##### **5.3 Recreation**

Town Administrator Rollins noted that the Recreation budget was level funded.

Kathleen Doyle asked TA Rollins about \$2,000 of funding which needed to be added to the Warrant. TA Rollins said she would look into it.

Chair Herbert made a **motion** to approve the Recreation budget. Selectman Hoyt seconded. All were in favor. The motion passed.

#### 5.4 Town Clerk

Town Clerk Jim Zink-Mailloux spoke about the proposed budget. TC Zink-Mailloux noted that the Clerk Works software was already paid for. A couple lines of the budget increased, but overall, it was down by \$6,000.

Chair Herbert made a **motion** to approve the Town Clerk budget. Selectman Hoyt seconded. All were in favor. The motion passed.

#### 5.5 Tax Collector

Town Administrator Rollins noted that the Tax Collector budget looked like it was increased, but noted that the \$2,000 Avitar software costs for the TC Office were now reflected in the TC budget. Prior to that, the costs were reflected in the Financial Administration budget.

Chair Herbert made a **motion** to approve the Tax Collector budget as presented. Selectman Hoyt seconded. All were in favor. The motion passed.

#### 5.6 Conservation

Mr. Dave Kelly noted that the budget was level funded. Chair Herbert noted that none of the current budget had been expended yet.

Kathleen Doyle noted that something should have been expended by now. At least two people had attended a seminar. TA Rollins asked if they had paid out of pocket. She didn't remember seeing any paperwork and would investigate it further.

The proposed budget was \$500. Chair Herbert made a **motion** to approve the Conservation budget as presented. Selectman Hoyt seconded. All were in favor. The motion passed.

#### 5.7 Fire, Rescue, Forestry

TA Rollins noted that the budget for fire, rescue, forestry needed to be tabled until the Selectmen's meeting on November 4th.

#### 5.8 Cemetery

Mr. Rick Chandler noted that proposed budget was level funded at \$14,100.

Chair Herbert asked Mr. Chandler if there was anything the board should know about. Mr. Chandler replied that JJ did not have enough access to the Congregational cemetery to do the work that he needed to get done. There was no right of way that was applicable. It seemed like Swendsen's driveway was always blocked, and Mr. Walker's driveway as well. JJ had driven to Salisbury several times to only find that he couldn't get access.

Mr. Walker said he and Eric Swendsen were around much of the time, but JJ hadn't spoken to him. Eric Swendsen said his driveway was never blocked. He added that he knew there was a right of way to the cemetery and added that the cemetery was in atrocious repair and needed mowing.

Next month, JJ would be sending a bill.

TA Rollins asked that JJ submit a bill every couple of months. So far, only one had been received.

Chair Herbert made a **motion** to approve the Cemetery budget as presented. Selectman Hoyt seconded. All were in favor. The motion passed.

## **6. Department Updates - Transfer Station**

Mr. Jerry Williams said things were going very well. He noted that power would be hooked up by Saturday.

Chair Herbert asked Mr. Williams if he was certified yet, noting the importance. The course that Mr. Williams needs to take is online. Chair Herbert suggested he speak with TA Rollins if computer access was needed.

Chair Herbert also stressed that deposits need to be submitted to the office once per week. He added that the auditors were not happy about how revenue was handled at the transfer station.

A member of the public asked for clarification. Was the Transfer Station remaining open on Wednesdays? The answer was yes.

## **7. Guidance on Public Meeting Face Mask Requirements**

Selectman Hoyt noted that the Board needed to come up with a policy regarding the use of face masks during meetings. He noted that it couldn't be required for when the Town Hall was rented out to groups of less than 100. If a policy stated that masks were required for meetings, there would have to be an alternative.

Clarifying, Selectman Walker noted that RSA 41:11 allowed the Board of Selectmen to restrict access to the building. However, under the right to know law, the board could not restrict access to the meetings. Another format of the meeting would have to be offered, whether online or via telephone. So, if someone could not or would not wear a mask, another meeting format had to be made available.

Chair Herbert noted that masks had been requested in the office and at meetings, however, it was not enforced. Also, some people have medical reasons to not wear a mask.

A member of the public suggested that face shields could be an option.

Selectman Walker noted that according to a NH Municipal Association survey 70% of towns in NH were offering the option of remote meetings. Facebook Live could be used. The challenge would be reception. Also, the right to know law requires that the meeting be audible, sometimes a challenge even in the Town Hall.

Mr. Pete Ballou said that it was hard for him to hear in the Town Hall and that he had for the past five years suggested the use of sound equipment. And a remote meeting was not an option for him. He did not feel sound equipment would cost the Town a lot.

Selectman Walker noted that expanding information from the Town would be a good thing. A phone was all that was needed to call into a meeting. Most Towns offered that; a phone number to call into and listen to a meeting. At the current time, Salisbury didn't offer that.

Mr. Ballou asked how citizens would be able to let the Selectmen know they wanted to speak.

Ms. Kimberley Edelmann shared that she was the Chair of the Trustees of the Trust Funds in Warner, as well as a former Selectman, and held meetings via Zoom. She noted that when people phoned into a Zoom meeting by telephone, they are charged for the call. The phone numbers used by Zoom were not toll free and people had been surprised by their bills.

Chair Herbert noted that he had attended a lot of meetings via Zoom and that in Salisbury the Internet service was awful causing the session to cut in and out. The Town held one meeting about the Emergency Plan and he couldn't get in.

Mr. Ballou stressed that he was not the only one having difficulty hearing the meeting.

Selectman Walker noted that providing additional methods of meeting access was the thought.

Jason Hood asked if the board was interested in making masks required in public buildings, noting that the only people not wearing them at this meeting were the Selectmen. He also noted that making them mandatory would be

a step above the recommendations from the State government.

Selectman Hoyt noted that there was a post on the Town website that masks were required. That had not been brought to the Selectmen before it was posted.

Chair Herbert commented that he had removed his mask so he could be better heard.

Mary Heath agreed that there ought to be a sound system so that everyone could hear equally. She believed there was one.

TA Rollins noted that use of a sound system would require sanitizing every time someone spoke.

Selectman Hoyt had no problem with use of a sound system. TA Rollins believed there was a sound system in the building.

Selectman Walker didn't have a problem with recommended masks. However, he did not believe they could be required without offering an alternative way of attending the meeting.

Chair Herbert noted that there was no policy. That was what they were discussing. A citizen asked if that decision would be held at a public hearing. Chair Herbert believed it would have to be. He would look to see what other Towns have done.

Selectman Walker pointed out that Andover taped their meetings and transmitted them via a TV channel. It provided another option for those who could not attend a meeting or would not want to wear a mask at a meeting. Chair Herbert pointed out that that approach did not allow for participation.

Selectman Walker added that 52% of towns require masks in municipal offices.

Selectman Walker made a motion to remove the notice on the website that currently stated that the policy was that masks were required, as there was no such policy. Chair Herbert said a public hearing would be needed to make the policy.

A member of the public suggested that the wording be changed to say required, but not say it was a policy. Chair Herbert said it was different for a government, but it could be changed to say "appreciated" or "suggested".

Selectman Walker amended his **motion** to say that the post on the website be changed from saying "masks are required" to "masks are recommended at all indoor public meetings". Selectman Hoyt seconded and the motion carried.

Ms. Gayle Landry said she put the notice on the website. She had asked for guidance before doing so. It said masks were required at all inside meetings. Ms. Landry said she personally agreed with that since we were in the middle of a pandemic. However, since one of the Selectman did not believe in masks, it needed to be changed.

Selectman Hoyt said he had asked TA Rollins and Chair Herbert why had it been posted.

Ms. Landry asked Selectman Walker what he wanted the website to say. Chair Herbert said the motion had been to change it from "required" to "recommended" or "suggested".

Chairman Herbert said the motion had been made and seconded. All were in favor. The motion passed.

Selectman Hoyt said that he was not opposed to masks. However, the Town had to follow the law. An alternative way to access meetings would be required.

Marsha Murphy asked how that worked at elections. Selectman Hoyt noted that if citizens didn't want to wear a mask, there was an alternative way to vote outside of the building. Further, it was clarified by TC Zink-Mailloux that the moderator controlled the election and could provide a way for election workers to work outdoors.

Mary Heath asked if a Town Moderator had been identified yet. The answer was no.

Selectman Hoyt shared that he had been diagnosed with COPD. Wearing a mask for a long period of time could cause him to see white spots. It was hard for him to wear a mask for a long time.

## **8. County Treasurer**

Chair Herbert noted that the local candidate for County Treasurer was Mary Heath. She had been working for the county for 45 years.

## **9. Donation**

TA Rollins noted that Private Wealth Care of Concord had donated five wheeled office chairs and a desk for the Fire Department. Most of the existing FD chairs were covered in duct tape.

Chair Herbert made a **motion** to accept the donation of furniture from Private Wealth Care. Selectman Hoyt seconded. All in were favor. The motion passed.

It was noted that Ms. Dora Rapalyea worked there.

Chair Herbert asked TA Rollins to send a note of thanks.

## **10. Old Business**

### **10.1 Academy Halls Repairs**

Two bids had been received for repairs to the Academy Hall door which faces Rt 127. The first was from Platte & Sons for \$3,028, the other from LI Riel Construction for \$3,500.

Selectman Hoyt asked if the bids were for the prehung doors or just the doors. TA Rollins said it was for a prehung door. Selectman Hoyt wanted to see more details about the scope of the work.

Reviewing the bid, Chair Herbert read that it was an out-swing fiberglass unit. Selectman Hoyt said that would be a full door and that that answered his question.

Chair Herbert made a **motion** to accept Ralph Platte's bid for \$3,028. Selectman Hoyt read, "Replace rear door slab with a fiberglass slab and the side door with an out-swing." He said it was fine. Chair Herbert repeated the motion. Selectman Hoyt seconded. All were in favor. The motion passed.

Chair Herbert noted that it was required to have the door open out in case of fire. Currently, it opened inwards.

## **11. Selectmen's Report**

There was nothing to note.

## **12. Town Administrator's Report**

### **12.1 Town Report Cover**

TA Rollins noted that Town Report season was coming. With that, an idea was to hold a photo contest for the report cover.

Chair Herbert asked who would do that. Ms. Edelmann said she would do it. She would present the top selections to the board for their review and selection. Where possible, she would use runner up photos inside the report.

Chair Herbert said that sounded good. He shared that Kathie Downes had done the Town Reports for 15 years and was a good resource.

### **12.2 Town Report Dedication**

TA Rollins noted that the board needed to start thinking about who to dedicate the report to.

### **12.3 Citizen of the Year**

TA Rollins noted that since there was no Old Home Day in 2020, there was also no Citizen of the Year. She didn't know if the board would want to do that on their own or not. Usually it was voted upon.

Selectman Hoyt wondered if input could be gathered via the website. The top suggestions could be presented to the board. Alternatively, they could skip it in 2020. Chair Herbert liked the idea of skipping it.

Ms. Landry noted that Webster did not do a "Citizen of the Year" and instead went with a "Hero of the Year". She said she would talk with TA Rollins about it the next day.

### **12.4 Volunteer Appreciate Night**

TA Rollins recommended not holding the annual Volunteer Appreciate Night this year.

Chair Herbert agreed it was not wise to hold it in 2020. It would be too difficult to do with six foot social distancing.

### **12.5 Halloween Trick or Treat**

TA Rollins shared that inquiries had been coming in about hours for trick or treat.

Selectman Hoyt had no problem with having trick or treat in Town.

In the past, hours have been 5 to 8 pm. Chair Herbert made a **motion** to recommend 5 to 8 pm as the hours for trick or treat. Selectman Hoyt seconded the motion. All were in favor. The motion passed.

### **12.6 Holiday Baskets**

TA Rollins noted that each year, the Town works in conjunction with the Town of Boscawen and the school district in distribution of holiday baskets. In the past, Selectman Ross-Raymond was involved in that. She needed someone to step up for 2020.

The work involves collecting the goods and distribution. It is a one day job, always done on December 22nd.

Selectman Hoyt volunteered.

## **13. Public Comment**

Ms. Dora Rapalyea asked Selectman Walker if he would continue moderating the "Friends & Citizens of Salisbury" Facebook group. He replied that he would step down and let his wife moderate the group.

Ms. Rapalyea also noted that she didn't usually go to the transfer station, but she had that day. She found it rather messy. There was trash all over the place. She was taken back by that.

Ms. Rapalyea also commented that she observed that Selectman Walker seemed very prepared for the meeting.

Mr. Jerry Williams noted that with the dumpsters open and the turkey vultures and wind, trash did fly around that day. They would be cleaning up the next day.

Gene Shaw asked about the status of Internet service on North Road. Selectman Hoyt noted it had been an ongoing battle for years. Mr. Shaw asked when the CARE act would expire. TA Rollins said the companies themselves decided who would get the funds based on which areas were under served.

Selectman Hoyt noted that he had called the company many times. He had spoken with NH Senator Harold French, NH State Representative Ken Wells, even tried to get them to speak with the Governor. He had also reached out to Atlantic Broadband to see if they would come up from the other side. It was hard to get any movement.

TA Rollins said she had tried two weeks ago to get Scott Brooks (Manager, State Government Affairs at TDS Telecom) on the phone. She tried again the day before, calling both his work phone and cell phone, again without

success. She said she had no luck getting through to Jeff Nevins nor Jeff McIver II of Consolidated Communications. She called the customer service line and they sent him an instant message. She still hadn't heard back.

Kelly Cote suggested contacting Comcast. He had a contact name and number to share. He felt they may be more interested.

A member of the public believed TDS was going to provide service. TA Rollins wondered if there was any documentation that supported that. She didn't know who had said that, but she knew it was being looked at. She believed there was a cost analysis being done. She had not seen anything in writing saying TDS had any equipment on their lines.

Ms. Landry sought clarification regarding roles, noting that Chair Herbert was the ex officio on the Planning Board and Selectman Walker was the ex officio on the Budget Committee. She asked what committee Selectman Hoyt was on. Chair Herbert noted no other boards required ex officios.

Ms. Landry asked Selectman Hoyt exactly when he knew about the law about Mr. MacDuffie Sr. Selectman Hoyt said he couldn't give an exact date, but that it was shortly after the last Selectmen's meeting.

Ms. Landry addressed Chair Herbert next. She said she and he had worked together for over 30 years. She then said, "Shame on you."

Ms. Landry addressed Selectman Walker next, asking if he knew he was going to be appointed that night and noted that he was very prepared for the meeting with RSAs. Selectman Walker stated he did not know, but was prepared to have discussions.

Ms. Landry noted that she had now changed the wording on the website. She told Selectman Walker that she hoped if he had a problem with anything she did that he would go directly to her to discuss it. She didn't like going around people.

Chair Herbert reiterated that the board was prohibited from doing much. Ms. Landry said she was done and enough said. Chair Herbert continued to point out that at the previous meeting, several people said the board could not discuss anything outside of a meeting. He wanted to talk to Mr. MacDuffie Sr, but wasn't allowed to do that. Anything he wanted to do to alleviate the situation, he was told by the lawyers he couldn't do. He understood it was not the result people wanted.

Ms. Mary Heath said it seemed that once it was known about the RSA, it should have been included in the posting for the positions. The law itself. It should have been updated. She said the issue had divided the Town. She added that the board had reached a head and it has popped tonight.

Mr. Ballou asked if the law stated that someone needed to be appointed that night. Chair Herbert said he wanted someone with a financial background at the next Budget Committee meeting, that he felt it was foolish not to appoint Mr. Walker, and that it was only until March. Mr. Ballou said waiting might have saved a lot of hurt feelings and division. That was his personal opinion.

A member of the public noted that there were four weeks during which people could have stepped up had Mr. MacDuffie Sr not done so.

Ms. Faith Partridge said she would've stepped forward if she knew she was not running against Mr. MacDuffie Sr.

Ms. Heath said she knew of two other people who planned to run in March. Had they known that was the law, they would have put their names in.

Chair Herbert said he felt bad about not being able to talk to Mr. MacDuffie Sr, but he kept being told he could not do that.

#### **14. Adjournment**

Chair Herbert made a motion to adjourn. Selectman Hoyt seconded. All were in favor. The meeting adjourned at 7:29 pm.

**15. Next Meeting**

Wednesday, October 21, 2020 @ 6 p.m. upstairs at the Academy Hall.

Respectfully submitted,  
Kimberley Brown Edelmann  
Recording Secretary

*These meeting minutes were reviewed and accepted on October 21, 2020.*

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*Selectmen, Town of Salisbury*