

**Leyden Select Board Minutes**  
**Leyden Town Office Building**  
**Regular Session**  
**December 5, 2022**  
**6:00 pm**

**Select Board Members Present:** Katherine DiMatteo, Glenn Caffery, Bill Glabach

**Others Present:** Michele Giarusso, Liz Kidder, Mary Glabach, Beth Kudzeba

Bill called the meeting to order at 6:14pm. Selectboard read correspondence file and reviewed FY 23 warrants. Announcement from chair that the meeting was being recorded.

**Tax Classification Hearing:**

Bob DePalma, and Ken Spatcher, Assessors, presented Classification tax allocation and tax rate recapitulation for fiscal year 2023 documents were provided. Could be additional increases in evaluations due to timing. There is no need for a split tax rate because we don't have significant commercial properties. Recommendation is to stay with a single tax rate. Tax rate will be \$15.18 – 96 cents lower than last year. Leyden's low tax rate is due to fiscal responsibility and conservation efforts. Allowance for abatements and exemptions (overlay) is \$8785.74.

**Motion:** Glenn moves that Leyden adopted a single tax rate – type one for fiscal year 2023. Katherine seconded the motion. Unanimously approved.

**Motion:** November 21,2022 meeting minutes moved by Katherine as drafted. Glenn asked for modifications: correct spelling of Jim Palmeri's name. Also, deleting that Glenn would ensure that the Impala is running. Correction of Nan Rolstad's name. Glenn seconded minutes as amended. Approved unanimously.

**Motion:** November 28,2022 meeting minutes moved by Katherine as drafted. Glenn asked for modifications: last paragraph of first page, correct to "money has been set aside in a stabilization special fund that currently has \$45,000. Additional allocations will be made to that stabilization special fund for the Fire Department." Also attribute statement to Brian: "Brian estimates a gap of \$9,000". Seconded by Glenn with amendments. Approved unanimously.

**DISCUSSION**

**Update on Solar Planning process**

Glen presented the solar planning committee work. They are working with the Planning board to work on a bylaw. UMass project supports commercial solar projects. Leyden needs a solar bylaw to be designated as a Green Community. Two members of the planning board are on the solar planning committee. The goal for the committee is to look at infrastructure needed for solar projects that UMass has gathered. Draft of a bylaw by Liz Kidder – objective site criteria approach: any site in town could be eligible if the criteria that is set can be met. The criteria should be presented to the town to refine. Up to an acre does not need a special permit but needs site planning. Glenn will be speaking with the town of Wendell that just received town meeting approval for their solar bylaw

for their advice. My goal is to have a solar bylaw in place for the March special meeting. The Conservation Commission will be consulted after planning board review. Town Counsel will review towards the end of the process. Survey will go out in the next few months that will precede a presentation to town members.

Liz noted that she adopted the Shelburne bylaw for the initial draft, which was based on the State model, and put it in a draft for the solar planning committee. Over an acre would require a special permit – the limit on size can be set in the bylaws.

Glenn stated that the committee's aim is not to have a closet moratorium on solar projects but to design bylaws around the needs of the town and the interests of the citizens.

Katherine noted that the term "by right" is confusing and triggers negative reactions. Glenn answered that would be addressed in presentations and in the bylaws.

#### Review draft letters/policies

Review letter/survey to town employees/committee chairs regarding building security: Glenn presented a draft of a survey. Katherine asked about definitions for safe and unsafe. Glenn noted that it was purposeful to not lead the answers. The goal for the first part is to get quantitative information.

#### Review draft surplus Property Disposition Form:

Glenn presented a draft form. Glenn will contact Brian Pelletier and John Higgins since both had indicated that there was surplus property they wanted to declare. The form was developed to make it easier to identify the surplus property. Michele noted that the town hasn't been tracking property well, for instance computers, so the form is helpful with tracking by asking for item description and identification numbers.

Beth asked about equipment that is broken and doesn't work any longer. Such property would be returned to the town and on the form, it would be noted that it doesn't have value to be recycled or disposed of.

#### Review updated draft Solicitation bylaw:

Glenn gave background: Jim Palmeri, police chief, asked Leyden to come up with a bylaw since the town did not have any guidelines for him to use when approached for solicitations. The question is whether there needs to be a bylaw or a policy. Policies are generally internal and adaptable and bylaws more formal and more difficult to change. Glenn noted he used Ashfield's bylaw as a model – passed in 2019 and updated this year.

Michele asked about religious organizations. Glenn answered that the State addresses religious organizations and it is best to refer to the State law.

Bill asked if this was similar to Bernardston's bylaw to make it easier for the police chief. Glenn responded that it was consistent but not the same.

Mary asked if citizens are notified. Michele answered that there was not a way to do so. Glenn responded that the police chief approves submissions so we could think about a

way to give notice once a submission is approved. Certificates are required to be carried by the solicitor.

Katherine noted some points that were confusing and should be cleared up in the document: Distinction between religious organizations and charitable organizations; are religious organizations exempt; clarify who/from Professional Solicitor and Commercial Co-venturer are to provide information; and does the section on individual registration forms need to include representation of an organization. Glenn will consider Katherine's comments and research further into religious organizations. Glenn will redraft.

Review fire pond hydrant snow removal agreement for three landowners: Glenn presented a draft letter. Cynthia and David LeBlanc on West Leyden Road, David Morgan on Greenfield Road and Warren Facey on North County Road are the three citizens that have fire ponds and would receive the letter. The Highway Department would be responsible for clearing access to hydrants. Agreement that the draft letter was sufficient.

**Municipal Assistant Update:**

Snow and Sons contract was presented. It is a seasonal contract, and the rate is the same as this year. Katherine noted that the contract is for two of the three town locations that the company services. The property around the town offices is not included. Michele noted that the area around the offices is usually included in the Avery Field work. Select Board in agreement with the contract as presented by Snow and Sons.

Increase in insurance for highway grader because it had not been notified to the insurer previously.

Reply from Town Counsel:

- Expressed dissatisfaction with the Whip City contract and advises not to sign a 10-year contract ever. Jack Golden, MLP manager, will meet with Donna to go over the contract to discuss her concerns.
- Two town ambulance contract – did not have one readily available or is familiar with one.
- Do not have to go to home rule for change from election to appointment of town positions.

Walk through tours of other town safekeeping of files and information will be scheduled during one of the regularly scheduled Monday morning working meetings.

Tuesday, December 13 at 3pm at Bernardston Senior Center to have a roundtable discussion about regionalization with Scott Soares, USDA Rural Development State Director for Connecticut, Massachusetts, and Rhode Island. USDA does grants and loans. This is an exploratory meeting and discussion.

**Public Comments:**

Liz Kidder reported

- EMPG grant was submitted. One item was missing in the grant and there is 30 days to provide the information.
- Police task force for mutual agreement has been submitted to the two lawyers – one for Bernardston, one for Leyden. There are differences in response from the lawyers that will have to be worked out.
- Ambulance Service: Annual contract of up to \$10,000 for two-town ambulance service. Colrain Office of Medical Services plan would include Leyden. Colrain would have administrative responsibilities. There are still questions to resolve. The draft contract is coming in a few weeks and can compare with the agreement from Northfield.
- New member of Public Safety Committee – Deborah Vester – who has pointed out that VOIS does not work for emergency calls if the power goes down. Copper lines (land lines) are not available anymore from Verizon. Important issue for rural residents in the entire region that should be presented to our representatives.

**Motion:** Glenn moved to adjourn the meeting at 8:00pm. Katherine seconded. Approved unanimously.

Respectively submitted,  
Michele Giarusso  
Municipal Assistant