

Minutes of the Select Board Meeting, October 25, 2022

Patrick Williamson, Hilary Weeks, and Ben Gillett were present. The meeting was called to order at 7:00 p.m.

Tree Alliance

Representing the Tree Alliance, Judy Williams asked the Board's approval to plant a tree near the library in remembrance of Jim and Judy Feeley. She received permission from both the Highway Superintendent and the Buildings Committee Chair before approaching the Board. Hilary moved to approve the planting. The motion, seconded by Ben, was unanimously approved. The tree, a flowering dogwood, will be planted Saturday morning.

Conservation Commission

Conservation Commission member Jack Nelson read a statement citing state wetlands violations on the Bow Street property referenced as Assessors Lot 14. The property was transferred in December of 2021; It is believed work began in March of 2022 without permits. On May 9, 2022 it was noticed trees had been cut within the buffer zone of the stream. The owner was informed of the violation and stated he answers to a higher authority and didn't have to follow regulations. On May 12, 2022 the Conservation Commission issued an enforcement order. Several meetings were scheduled at which the property owner did not attend. Building Commissioner Charlene Biardi, after noticing an addition to the back of the barn and a driveway, issued an order to vacate. She has copies of the violation letters issued by the Board of Health, the Conservation Commission, and the Building Commissioner. The property owners are continuing to make improvements to the building without permits. Ellen Dupont, Board of Health Chair, noted the lack of potable water and septic system. The owner does not want to comply. Ben has visited the property on two occasions finding the barn to be clean and well taken care of. Ellen stated Housing Court rules and regulations are slated to change in April or May of next year. Charlene has issued an order to vacate and wants to bring the facts to Housing Court. She is asking the Board to approve taking the issue to Housing Court. Hilary stated the Board has consulted town counsel on the matter of writing a letter of enforcement. Hilary moved to approve to have KP Law draft the letter of enforcement. The motion, seconded by Ben, was unanimously

approved. Peter Lapointe suggested voting to approve the next step if the letter of enforcement is ignored. Patrick said the Board needs to understand the ramifications of the response before voting on the next step. Additional discussion centered around moving from a regulatory dispute into the realm of a court order. The Building Commissioner can bring this case to Housing Court. Hilary prefers to start small. Counsel will be asked to include a deadline in the letter of enforcement. It was noted the safety of the residents is at issue. Also asked was the question of what the state does in regard to enforcement since state codes are being violated. Peter Lapointe asked whether the Town can issue fines. In closing, Patrick stated Charlene, Ellen, and Jack will consult the lawyer in the drafting of an enforcement letter and to include a deadline for compliance in the letter.

Use of Propane Sound Cannon

Elizabeth Lambert, Grant Street, approached the Board seeking action to prohibit the use of a propane sound cannon at Wolf Tree Farm. She presented a report documenting use of the cannon for the past two years, action taken, and alternatives to the use of the cannon. She noted a mediation session conducted by the Agricultural Commission in February which seemed promising, but cannon use resumed this summer. She is seeking resolution and doesn't have faith in further mediation. Melissa Rustemeyer described the cannon sound as "nonstop". Building Commissioner Charlene Biairdi stated the Right-to-Farm By-Law doesn't allow farming practices that interfere with and are detrimental to the quality of life. Patrick entertained a motion to direct Charlene to issue a violation order and to include alternatives to Wolf Tree Farm. The motion, moved by Hilary and seconded by Ben, was unanimously approved.

Police: Post 1(Response to PPAWG)

Patrick read the Plainfield Police Department Recommendations Progress Report. Dalila Almquist questioned the evaluation process and what data is being used to make comparisons to which Patrick responded Chief Litchfield is working with the Select Board. He added there is no previous local data for comparison. Dalila asked about comparison with other towns. Responses are quantified and always progressing. Chris Cole noted the report was compiled in August. The chief attends every other meeting of the Board and Patrick hopes to have something on each of those agendas going forward. Challenges to weekly scheduled meetings include other departmental matters to which the chief must respond. A link to the report on the website was posted on the agenda and may be printed in the Plainfield Post.

Other Business

Whiting Street Fund officials Robert Persing and Ellen Baer recommend the fund

balance be donated to the Hilltown Elder Network, administered by the Hilltown CDC which provides in-home services to the elderly to help insure safe conditions for independent living. Several members of the Plainfield Mutual Support Network were present and would appreciate a portion of the funds. The Board directed them to Bob and Ellen.

The Board reviewed and approved of the guardrail replaced by Bartlett Consolidated LLC damaged in a motor vehicle accident. Highway Superintendent Walter Jennings will sign the release which will allow Bartlett to be paid by the motor vehicle operator's insurance company.

The September Police Log was received.

Correspondence

Highway Superintendent Walter Jennings wrote to inform the Board that the six grants he applied for this year were not awarded. He did note the Plainfield applications made it to the second round of the selection process.

The Board received a copy of a letter to Chief David Alvord acknowledging three firefighters who participated in the MIIA Emergency Vehicle Operations training. KP Law issued two eUpdates entitled "An act Relative to Equity in the Cannabis Industry Marijuana Reform - Part II" and "Supreme Judicial Court Finds Local Zoning Prohibition on Solar Energy Systems Unlawful". Judy Cole asked that these and future eUpdates be forwarded the Planning Board if applicable.

The EPA has issued a regulatory alert on Final Dewatering and Remediation General Permits.

Warrants were signed.

At 8:34 p.m. Patrick entertained a motion to go into Executive Session to discuss the reputation, character, physical condition or mental health of an individual; or to consider the discipline or dismissal of or to hear complaints or charges brought against a public officer, employee, staff member, or individual and not to reconvene in open session. The motion, moved by Hilary and seconded by Ben, was approved as follows: Hilary, yes; Ben, yes; Patrick, yes.

Respectfully submitted,

Paula J, King
Administrative Secretary