

Town of Wendell
Selectboard Meeting Minutes
September 20, 2023, 7 p.m.
Hybrid Meeting: Selectboard Offices and by Zoom

Present:

President Laurie DiDonato, Vice Chair Gillian Budine, Member Paul Doud.

Also Present: Glenn Johnson-Mussad, Town Coordinator; Cynthia Bolling, Selectboard Clerk; Phil Delorey, Road Commissioner; National Grid Representative Steve Soucy; Brian McHugh, Director of Community Development, Franklin County Regional Housing and Redevelopment Authority; Tree Warden Cliff Dornbusch; Board of Health Chair Barbara Craddock; Board of Health Agent Wibby Swedberg; Stacy Scibelli, Seneca Smith, members of the public and press.

I. Roll Call/Call to Order

With all members present, the meeting was called to order at 7 p.m.

II. Public Comment

Wendell resident Seneca Smith was called on for her comment when she arrived later in the meeting, with the following issue:

- The Wendell Youth Group is hoping to hold a 5K run and walk on Saturday, November 4, down Wendell Depot Road and Farley Road, then back, for a food drive.
- What are the procedures?

Discussion

- The police should be notified, and bathrooms and parking need to be available.
- There are currently no conflicting events on that date.
- For help in further developing plans, the Selectboard suggested that Seneca contact Stephanie Parker and Jim Woodward on the Recreation Committee, the Fire Department, and Leverett Police Chief Scott Minckler.

To start, Gillian Budine will email Seneca the contact information for Chief Minckler.

III. Selectboard Updates and Comments

There were no selectboard updates.

IV. Selectboard Meeting and Warrant Schedule Review

The Selectboard reviewed the schedule.

V. Town Coordinator Report. Glenn Johnson-Mussad

Public Contracting Overview Course

- Glenn is finding the course useful and thanked the Selectboard for letting him take it.
- He passed the first test and will complete the last of the three courses in December.

Water Testing and Reporting for Coliform Bacteria

Today Housatonic Basin Sampling and Testing tested the water in the Town Offices for the first time in a year. The letter it sent the previous year advising the town it would cease testing got lost in the Town Coordinator changeover.

- The company performed the test at Glenn's request following a noncompliance letter Wendell received from the Massachusetts Department of Environmental Protection's Bureau of Water Resources – Drinking Water Program.
- Housatonic has agreed to be the interim tester until Glenn can find a permanent vendor.

Website Launch

Glenn shared his screen to present a preview of the new website, which is getting closer to launch.

- There will be a meeting page with a button for past and upcoming meetings.
- The individual meeting page will include separate tabs for the agenda, the agenda packet with the meeting documents, and contact information.

Discussion

- Individual meetings have to be created manually.
- There's a Share button so users can forward the contents of the page via email or social media.
- A monthly calendar of meetings can be viewed, but currently the format is not useful for most people, Glenn said.
- Gillian was interested in the following:
 - a. Seeing all meetings for all boards and committees in one place.
 - b. Putting a process in place to ensure that agendas and meeting documents get uploaded early enough.
- Laurie DiDonato and Gillian noted that having calendars for the Town Hall, kitchen, and Meeting Room, with one person in charge, would help avoid double booking a place.

VI. Approval of August 30, 2023, Selectboard Meeting Minutes

Gillian moved to approve the August 30, 2023, Selectboard meeting minutes. Paul seconded.

Discussion

Laurie asked that the minutes be amended by changing the words, "Morse Village Road and Locke Hill Road" to "Wendell Depot Road, upper Lockes Village Road, and Locke Hill Road."

The minutes were amended to include the new wording as written above.

The amended motion passed unanimously.

VII. Creditable Service for Prior Employment. Carolyn Manley, Treasurer

The Selectboard was asked to approve adding hours of prior employment service for current Wendell Highway Department employees Allen Frost, Kevin Bickford, and Scott Jarvenpaa.

- Carolyn received documentation of prior service from the employees' previous employers in the towns of New Salem, Warwick, and Orange, and provided a similar letter for one of them from Wendell.
- The Selectboard can award a maximum of five years of time served in other highway departments.
- If approved, Allen, Kevin, and Scott would be moved up on the vacation scale, and Kevin would be moved up on the vacation and retirement scale.

Discussion

- Kevin's Orange employer says his position was temporary, but the town doesn't specify the number of hours worked. And his Warwick employer doesn't say if his service was full time or part-time.
 - a. If he worked part time, how many hours would that be?
 - b. If the work was temporary (as in seasonal), the dates should be included.

Carolyn will ask Orange to send a letter for Kevin that answers these questions.

Laurie moved to approve time served for Scott Jarvenpaa for up to five years, which will be added to his vacation and retirement eligibility. Paul seconded. No discussion.

The motion was approved unanimously.

Laurie moved to approve time served for Allen Frost for up to five years, which will be added to his vacation and retirement eligibility. Paul seconded. No discussion.

The motion was approved unanimously.

VIII. Pole Hearing. National Grid Representative Steve Soucy.

National Grid and Verizon New England are petitioning the Selectboard to erect and maintain poles, wires, and connections along Jennison Road near Cooleyville Road, including a temporary pole for service while a house is being built at 196 Jennison Road, Wendell.

- The poles and wires will be strung along the path of existing overhead wires and then across the street.

Discussion

- Glenn emailed the abutters about the pole hearing but hasn't heard back from anyone.
- Weather permitting, the poles will go up in a few weeks or so.

Laurie moved to approve the petition as presented. Paul seconded. No discussion.

The motion was approved unanimously.

IX. Endorsement of Colonial's Public Comment on New Regulations for Municipal Aggregation. Laurie

A bill (H.3852) is currently before the state legislature regarding streamlining regulations for municipal power programs, as an alternative to new regulations being proposed by the Department of Public Utility (DPU).

- Colonial Power Group, which manages Wendell's bulk purchasing program for electricity, recommends that the Selectboard support this bill, which aims to redefine the regulations and make them simpler, empowering local leaders to have more control over their power programs.
- Colonial argues that without this new bill, the DPU's new regulations will make it harder for towns to start aggregation programs.
- The Draft Municipal Comments document in the meeting folder defines load aggregation programs, lists the major flaws in the current DPU regulations and proposes alternative procedures for handling municipal aggregation.

Discussion

- To further explain why Colonial believes the DPU's regulations need to be changed, Laurie read from the draft sign-on letter:
 - a. Without this new bill, "if every aggregation program desired to add the same, simple new offering (say, a discount to low-income customers from Community Shared Solar), the DPU would have to review and approve over 150 amendments," and therefore there would be an approval backlog and aggregations programs would be "unable to adapt to the needs of our communities or the market."

Laurie moved that the Selectboard agree to sign on to a letter in support of the advancement of H.3852, an act supporting electrical load aggregation programs. Gillian seconded.

Discussion

Paul abstained.

With Laurie and Gillian voting aye, the motion passed.

X. Community Development Block Grant (CDBG). Director of Community Development Brian McHugh, Franklin County Regional Housing and Redevelopment Authority

The Town was awarded a \$1.1 million block grant for fiscal year (FY) 2022-2023. The Franklin County housing authority prepared and submitted it to the Massachusetts Executive Office of Housing and Livable Communities in March on behalf of Charlemont and Wendell.

- The goal is to rehabilitate 16 houses, 10 in Wendell and six in Charlemont.
- There are always special conditions with these grants, Brian said. The state is asking for three:
 1. A budget amendment that adds program income into the grant program.
 - a. Loans that are paid back are considered program income. They're put into a revolving loan fund. Wendell's fund is currently at about \$28,000.
 - b. The amount of the total budget amendment is \$47,943.20 in program income, increasing the total grant award to \$1,143,833.20.
 2. Clarification of a \$3,900 line item for expenses.
 - a. It's an allowed expense for IT work and copier support.
 3. The Housing Authority promises to work with the weatherization and heating and repair program in the Pioneer Valley to identify clients who may qualify for the valley's no-cost weatherization program.
- The Housing Authority must also clear the environmental review process. It has submitted the documents.
- Once the special conditions and environmental review requirements are met, the Housing Authority will be able to sign a professional services contract with Wendell, allowing it to spend construction money.

Laurie moved to approve the response to the three special conditions as discussed, to be submitted to the Executive Office of Housing and Livable Communities. Gillian seconded. No discussion.

The motion was approved unanimously.

Glenn will print out the response on Wendell letterhead and send it to Kathryn McNelis at the Executive Office next week, with an email copy to Community Development Program Manager Sharon Pleasant at the Housing Authority, and one for Brian.

XI. Policing. Gillian

A. Services Agreement Amendment

The Advisory Committee met recently on Amendment One to the Inter-Municipal Agreement for Police Services between the towns of Leverett and Wendell.

A further Amendment Two was proposed to change the Selectboard member position for each town into one that could be filled either by a Selectboard or Finance Committee (FinCom) member. The proposal was not accepted.

- Amendment One clarifies that the committee's job is just to advise about the agreement and not about policing issues. In other words, the focus is solely on how the agreement is working, finances included.
- The Advisory Committee will meet four times a year.
- Each town could meet separately about other policing issues as they occur.
- Leverett has already signed the agreement.
- The total cost per year is \$77,316, which includes a handwritten increase.
- As the lead town, the Leverett Selectboard has incorporated the total police budget into its own budget and will bill Wendell for the Town's share.

Gillian moved to approve Amendment One to the Inter-Municipal Agreement for Police Services between the towns of Leverett and Wendell. Paul seconded. No discussion.

The motion was carried unanimously.

In addition to signing, Laurie will initial the handwritten change to the amendment regarding the cost increase.

B. Resolving Past Years' Policing Funds

This discussion occurred later in the meeting.

- The item is on the agenda because Leverett Town Administrator Marjorie McGinnis had wanted to determine what portion of policing funds left over from FY21, FY22, and FY23 should go to Wendell and what portion should go to Leverett.
- Right before the meeting, she sent Glenn an email suggesting that her questions have been cleared up.

Glenn will follow up with Margie to confirm that the issue has been resolved.

XII. Wood Bank Grant. Tree Warden Cliff Dornbusch

Wendell was awarded a \$10,000 Department of Conservation and Recreation (DCR) grant a few months ago to establish a wood bank under its Community Wood Bank Program.

- Wendell must use the money in the next month or so.
- Since the grant is set up to reimburse purchases after they're made, Cliff asked for guidance about purchasing procedures.
 - a. The way the grant is set up, receipts are submitted in whole to DCR. Then it returns the money to the Town.

Discussion

- Town Accountant Erin Degan will need a copy of the grant to determine what's allowable and what isn't. Treasurer Carolyn Manley and Glenn will also need copies.
- Carolyn manages the town credit card and will have to make the purchases in conjunction with Cliff.

- The letter Glenn got from DCR's Kristen Norwood asking if Wendell would be the grant's fiscal agent is for the Alliance for Green Heat, which is one of two different grants Cliff is still working on.
 - a. The Selectboard is willing for the Town to act as the fiscal agent for this grant.
- For the grant already awarded, Cliff intended to ask the Good Neighbors Food Pantry nonprofit to be in charge of allocating the wood to those who need it most, but there may be some legal impediments to having a nonmunicipal entity execute part of a municipal grant.
 - a. Carolyn needs to look at the language of the grant to clarify that.
- Cliff will draw up a wish list of things he'd like to purchase and then meet with Carolyn to discuss next steps.

Cliff will send the Selectboard the two other grant applications ahead of their submission as soon as he can.

Cliff will find out exactly when the money for this grant needs to be spent.

XIII. Board of Health Items. Board of Health Chair Barbara Craddock, Wibby Swedberg, Board of Health Agent
A. Request for Use of Town Counsel

The Board of Health (BOH) has been working with a Wendell resident living alone in an unsanitary house. They did an inspection and issued correction orders regarding toilets, the well, and septic system.

- The owner has complied with short-term orders but hasn't allowed monthly follow-up inspections.
- What's more concerning are a recent series of incidents where the owner demonstrated poor self-awareness, poor decision making, and put himself at risk of injury.
- The BOH has also contacted Protective Services to do an inspection.
- The BOH may have to get a court order to reinspect the house. In anticipation of that, the BOH is seeking permission to use the Town Counsel.

Discussion

- The BOH got involved after receiving a reliable complaint from a police officer about conditions in the house.
- The resident's personal safety and that of others is a concern: The other day neighbors called the fire department because smoke was coming out of the house.
- If it turns out that Protective Services can't do enough to ensure this person's safety, then the BOH feels it should act.
- Gillian suggested that the BOH get in touch with the Franklin County Sheriff's Office TRIAD Program, which aims to protect the safety and welfare of senior citizens.

The Selectboard gave Barbara the okay to get advice about next steps from KP Law Attorney Alexander Weisheit.

B. Opioid Funds Update

The Board of health and the North Quabbin Health Collaborative discussed pooling funds, but the town of Orange is not that excited about getting Wendell's \$524. (They're getting \$35,000.)

- According to the funding settlement program, if the municipality is getting less than \$35,000 a year, a report isn't required, but they do highly recommend it. Barbara hasn't submitted a report yet.
- There's no deadline to use the funds, but it's probably best to use them for opioid-related issues. Barbara has a list of eligible places she could send the money to.

Discussion

The funds could be shared with the Franklin Regional Council of Governments (FRCOG), which has a youth substance abuse prevention program, or with the Franklin County opioid task force.

The BOH will make a recommendation about where the money should go so the Selectboard can sign off on it.

XIV. WRATS Redeemables Policy. Laurie and Glenn

At the August 30 Selectboard meeting, Shawn Jarrett and Tom Mangan submitted public comments in favor of reinstating the Wendell Recycling and Transfer Station redemption program.

- At that time, they asked for a place on tonight's agenda.
- They're absent from tonight's Selectboard meeting, but they did attend the previous day's Road Commission meeting.

Discussion

Laurie observed that the group in favor of reinstating the program may now be thinking that further discussion should be held at a public forum rather than with the Road Commission or Selectboard.

Laurie will ask Shawn and Tom if they want to be placed on the Selectboard's next meeting agenda.

XV. Special Town Meeting Scheduling and Coordination. Laurie

The Selectboard reviewed the items that might need to be discussed at a Town Meeting, which had been tentatively scheduled for Saturday, October 21.

Discussion

- Glenn received an invoice from IT company Entre Technologies in August for work they did in May. He has asked Carolyn and Erin if payment requires a Special Town Meeting (STM) since it's American Rescue Plan Act money from a prior fiscal year. He hasn't received any other bills from a prior fiscal year.
- That's the only item he has that might require an STM.

Glenn will check with Carolyn and Erin, Town Clerk Anna Wetherby, and the FinCom to see if they have any issues that require a Special Town Meeting.

XVI. Accepting Solar Credits for Tax Payments. Laurie

Wendell resident Trevor Kearns wants to transfer his solar credits to the Town and use them to pay his taxes, or alternatively just donate them.

- Carolyn is researching whether this would be possible.

Discussion

- The Municipal Light Board, which handles Wendell's broadband infrastructure and has its own separate electricity bill, might be able to trade Trevor's solar credits for a deduction on his internet bill.
- Another alternative: Trevor could simply donate the credits to the school.

The Selectboard will revisit this after Carolyn researches the issue.

XVII. Items Not Anticipated. Glenn

Glenn asked the Selectboard to set up a procedure that would allow the Town Coordinator to retain the cleaning deposit for Town Hall rental in petty cash, making it easier for him to return it as cash afterward.

Laurie moved to allow the Town Coordinator to retain Town Hall cleaning deposits in petty cash, to be returned to the renter after the Town Hall is used. Gillian seconded.

Discussion

Glenn should keep a paper or digital log showing when the deposit is received and when it has been returned.

For the future, a procedure could be put in place to handle petty cash that would allow second-party oversight.

XVIII. Adjournment

Gillian moved to adjourn the meeting at 8:55 p.m. Paul seconded. No discussion.

The motion passed unanimously.

Documents

Colonial Power Group Bullet Summary – Department of Public Utilities (DPU) Proposal, Sept. 13

Community Development Block Grant (CDBG) Budget and Program Revision Form (pdf #202309202033), Sept. 21

CDBG, Wendell Signed Letter, Sept. 21

CDBG, Wendell Signed Form, Sept. 21

Division of Local Services (DLS) Alert, Allowable Municipal Expenditures, Sept. 3

Draft Email Language to Legislators Re DPU Guidelines, Sept. 13

Draft Municipal Comments Re DPU Guidelines, Sept. 13

Draft Sign-On Letter, Vitolo Bill, Sept. 14

Employment Letter for Frost (Allen), Wendell, Sept. 14

Employment Letter for Frost (Allen), Orange, Sept. 18

Employment Letter for Bickford (Kevin), Orange, Sept. 18

Employment Letter for Jarvenpaa (Scott), New Salem, Aug. 31

Employment Period for Bickford (Kevin), Warwick, Aug. 23

National Grid Pole Hearing Request, Sept. 5

National Grid Pole Petition, Aug. 7, Updated Sept. 19, 2023

National Grid Pole Petition, Signed by Selectboard, Sept. 21

Police Services Amendment Edited and Signed by Leverett, Sept. 19

Police Services Amendment, Signed, Sept. 20

Selectboard Meeting Minutes, Aug. 30

Selectboard Posting and Agenda, Sept. 20

Town of Wendell Memo, Road Commission Bottle Can Redemption Issue, Sept. 3

Town of Wendell Redeemable Policy Revised Aug. 30, 2023

Transcript from the Division of Local Services, Sept. 3

Wendell Response, FY22.23, to Special Conditions, Sept. 20

Wendell Response #1, FY22-23, to CDBG Program Budget and Program Revision Form, Sept. 5

Wendell Response #3, FY22.23, Community Action (Weatherization) Mass Save Release Form, Sept. 5

Wood Bank Challenge Grant Email from Cliff, Sept. 7

Wood Bank Grant Opportunity, Sept. 14