

Town of Wendell
Selectboard Meeting Minutes
October 18, 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; Treasurer Carolyn Manley; Road Commissioner Phil Delorey, Town Clerk Anna Wetherby; Tom Mangan, Shawn Jarrett, Jean Forward, Bob Lafrance, Sara Chute Hsiang, Daniel Salls

I. Roll Call/Call to Order

With Laurie DiDonato and Gillian Budine present, the meeting was called to order at 7:01 p.m. Paul joined the meeting at 7:09 p.m.

II. Announcements

There were no announcements.

III. Public Comment

There were no public comments.

IV. Selectboard Updates and Comments

Gillian said she has joined the Screening Committee for a new superintendent for Union 28, so she is appearing as a Union 28 administrative employee, so she wanted to make it clear that she was attending the meeting in the role of school employee, not a Town employee. She asked if anyone thought there was a conflict of interest.

Member Paul Doud joined the meeting via zoom around 7:12 p.m.

Discussion

- As a new member of the screening committee for a new superintendent for Union 28, Gillian is now a Union 28 administrative employee as well as Vice Chair of the Selectboard.
 - a. Gillian will check to confirm there's no conflict of interest.

V. Selectboard Meeting and Warrant Schedule Review

The Selectboard reviewed the schedule of meetings and warrants, which won't line up until December.

VI. Town Coordinator Report. Glenn Johnson-Mussad

Water Testing and Reporting for Coliform Bacteria

Glenn is continuing to look for a permanent water testing vendor.

- The Wendell Country Store’s vendor is the only one that responded to his search.
 - a. Glenn had set up a meeting with them but couldn’t attend because he was ill, so he’ll reschedule.
- The rep from temporary vendor, Housatonic Basin Sampling and Testing, showed Glenn the operation and said he’d give Wendell a quote for testing and water operating but hasn’t done so yet.
 - a. The rep encouraged Wendell to find someone on staff to do it.

Town Coordinator Assistant Position

A description of the job to assist the coordinator 8 hours per month was included in the Oct. 4 Meeting Documents folder but wasn’t put on the agenda. It’ll be included on the Dec. 6 meeting agenda.

- The primary aim is to get someone with digital skills, although there might be a preference for in-person work.
- The assistant might also help the coordinator with the increased workload associated with the new website.

Discussion

The Selectboard voted on extra money for this position in the spring, using the same accounting line as the clerk’s, so Carolyn recommended that the board authorize its name and creation with a vote.

Laurie said the Selectboard would do that at the next meeting.

VII. Consent Agenda

- A. Approve minutes of October 4, 2023, meeting
- B. Appoint Robert Leet to Council on Aging

The Selectboard agreed to separate out Items A and B.

Approval of Oct. 4 Minutes

Laurie moved to approve the Selectboard meeting minutes of Oct. 4, 2023. Gillian seconded.

Discussion

The following three amendments to the Oct. 4 minutes were proposed after some discussion:

1. Under Number VII, Project Coordinator Report, Item 3, Landfill Capping, change the dollar number in the phrase “uncommitted funds of \$5,888” from \$5,888 to \$3,188.
2. Under Number XI, Resolving Past Years’ Policing Funds, to clarify that Wendell is proposing to Leverett that its deficit in the FY 2024 budget be cancelled, the existing motion should be replaced with the following wording:
 - a. “Laurie moved to propose to Leverett that any excess remaining from the payments the Town of Wendell made to Leverett based on the Leverett-Wendell policing agreement for FY 2021 through FY 2023 will be used to cover Wendell’s deficit in the FY 2024 budget, such that Wendell will be considered paid in full. Gillian seconded.”
3. Under number IX, WRATS Redeemables Policy, in the Discussion section, to clarify Gillian’s statement, change “Gillian said she supports the idea of recycling; the issue is the cost to the municipality of separating out the returnables.” to “Gillian said she supports the idea of recycling. She felt that the issue is separating out the money involved with the returnables and the role of the municipality: keeping those tasks separate.”

Laurie moved to approve the minutes with the above three amendments included. No further discussion.

The motion was approved unanimously.

Appointment of Robert Leet to the Council on Aging

Laurie moved to approve Robert Leet to the Council on Aging. Gillian seconded. No discussion.

The motion was approved unanimously.

VIII. WRATS Redeemables. Shawn Jarrett

Shawn reported on her takeaways from meetings with Franklin County Solid Waste Management District (FCSWMD) Executive Director Jan Ameen and with the Road Commission.

Redeemables Program at the Town of Northfield

- At the FCSWMD meeting, Jan gave information on the redeemables program the Northfield Transfer Station runs.
- Shawn visited Northfield's program and thinks their redeemables operation might work well for Wendell. Northfield does the following:
 - a. Runs the program from an 8 ft x 10 ft. shed.
 - b. Uses one primary volunteer, who gets help when he needs it when transporting returnables.
 - c. The primary volunteer has a trailer that he loads up once a month.
 - d. He checks the bags once or twice a week. If they're full, staff at the Northfield Transfer Station will tie them up and put them behind the shed until they're ready for transport.
- Shawn thinks Wendell's redeemables operation could be run in a similar way, with between two and four volunteers.

Road Commission Conditions for a Redeemables Operation

Shawn reported that the Road Commission is okay with a redeemables operation in Wendell, as long as:

- The volunteers manage the redemption activity. The redeemables group in Wendell agrees to this.
- Volunteers must confine redemption activity to the hours that the WRATS is open (Tuesdays and Saturdays). Question: Do volunteers working outside of those hours need to be insured? Shawn said she received conflicting information about this.
- Redemption activity can't be in the WRATS shed. The Wendell redeemables group had six ideas about alternate locations, and one coincides with what the Road Commission is interested in.
- No Town employee can participate in redemption activity without the approval of the Town's personnel director.

Discussion

Tom Mangan said the Road Commission's condition that no Town employee can volunteer in the redeemables operation unless the personnel director approves is illegal, since that employee would be volunteering offsite for the Good Neighbors Food Pantry, not the Town.

- Town Clerk Anna Wetherby observed that the state, not the Road Commission, has clear rules about municipal employees not volunteering at the same work site where they are working, even if it's not during normal hours.
- Laurie observed that the Selectboard was asked to consider granting Special Municipal Employee status to the position of WRATS assistant, which would allow that person to file for a conflict-of-interest exemption.
 - a. After looking at the Massachusetts law on granting Special Municipal Employee status, Laurie thinks the WRATS assistant position would be eligible.
 - b. Gillian would like a confirmation from the state that the position is eligible.
 - c. At the request of the Ethics Commission, Carolyn emailed them today with details of the WRATS assistant position and asked for a ruling on whether that position is eligible to be granted Special Municipal Employee status (whether work is performed within working hours or outside of them).

The Selectboard hopes to get a ruling from the Ethics Commission in time to put this issue on the agenda for the next meeting.

IX. Website Launch and Process for Designating Website as Official Posting Place. Gillian

Launch

The website is up. There's a form online for people to give feedback about it. Another form allows people to submit their requests to have the meeting posted on the website.

Official Posting Place Process

The board outside the Town Office building will remain the official posting place until a process for transferring official posting status to the website is worked out.

- The Website Committee, Gillian, and Glenn met last night to figure out some of the details of that process.
 - a. They agreed that anything to be posted should be available 48 hours before the official posting time.
 - b. Because permission can't be granted to access just one area, to keep the process manageable, website training and access should be limited to a few people. It was agreed that such training and access should be offered to Board of Health Clerk Sarah Robertson, Anna, Town Clerk Ashley Penna, and Library Director Miriam Warner.
- Two people are leaving the Website Committee. Either they will need to be replaced, or another system will need to be put in place, like an IT clerk who's responsible for posting.

Discussion

- Website Committee Chair Robbie Heller intends to continue as the primary poster, even when he's on vacation.
- The Massachusetts Attorney General's office approves any changes to the Town's official website posting place.
- The AG's office told Anna that when the Website Committee the steps involved in website posting and who will be responsible, ask for approval, and it should be granted in about six weeks.
- Town residents gave permission for the website to be the official posting place at the last Town meeting, so the Selectboard doesn't need to vote on that again.
- Suggestion: Robbie could enter the posting as a draft event and Anna could approve it and publish it (or send it back for questions).

- Glenn could print out the website postings twice a week and put them on the physical bulletin board. If a Saturday posting is needed, Anna said she could ask her assistant to post it.
- Anna volunteered to co-lead training board and committee members to navigate around the new website.
- Glenn was encouraged that people were able to effectively use the link he emailed to people explaining how to submit events.

X. Change to Accounting Software Agreement. Glenn

The Franklin Regional Council of Governments (FRCOG) advised the Selectboard in an Oct. 4 letter that its accounting software vendor Zobrio is changing its agreement with FRCOG.

- As a result, instead of paying \$750 a year to participate in FRCOG’s accounting software program, after June 2024, all towns in the program would have to pay for individual licenses that would cost thousands more per year.
- Zobrio provided estimates of its new charges for each town:
 - a. \$9,583 for an annual MIP site license
 - b. \$7,350 for a one-time implementation, conversion, and training
 - c. \$3,150 for annual software cloud hosting
- FRCOG staff is used to working with this software, so they may choose to remain with Zobrio.
- Director of Regional Services Bob Dean intends to meet with his staff about what they’d prefer. He also intends to see if the state’s Division of Local Services might have some funds to help with the transition.
- If enough towns leave the FRCOG accounting program because of this, the program may not survive.
- Gillian observed some towns have already withdrawn from the FRCOG accounting program this year.
- Glenn said that the program is understaffed; there’s a need to hire an additional staff person to provide supervision to the existing accountants and to fill in when someone is sick.
- Suggestions:
 - a. To get more time to adjust, explore extending the current software through 2025.
 - b. Explore getting FRCOG to manage an accounting program that uses another vendor, on behalf of the towns still in the program. This would involve assessing Wendell’s needs for software for things like taxes and assessors.
 - c. Talk to other towns about what they’re doing, including what the conversion looks like.
- The Selectboard agreed to submit the Community Compact Grant application for financial services best practices, but to hold off on the one for regionalization shared services, in case Wendell needs it for this accounting software issue.

Carolyn will ask Tom Scanlon, the auditor, for advice about what Wendell needs in terms of municipal accounting software and which vendors offer it.

Gillian is attending the FRCOG quarterly meeting tomorrow and will bring back any relevant info she gets.

The issue will be put on the agenda for the Money Managers meeting and the next Selectboard meeting.

XI. Swift River School - Declaration of Water Emergency. Glenn

A letter from the Massachusetts Department of Environmental Protection declared a State of Water Emergency at the Swift River School (SRS) as of Oct. 4. The letter was sent following the discovery that particles from the system put in place to remediate PFAS water contamination at the school had clogged several sinks and kitchen appliances.

- The school has been having to use bottled water for drinking and cooking for years.
- Remediation has been rocky; even washing dishes is hard.
- The grant money the school got to fix the issue has been used up.

Glenn will send the update on the PFAS remediation project he got from SRS Principal Kelley Sullivan to the Selectboard.

Glenn will invite Vice President Peter Valinski from Tighe & Bond, the design and environmental consulting services company in charge of the PFAS remediation project, to come to the next meeting and give the Selectboard an update on its status.

XII. Contract with FCRHA to Administer the Housing Rehab Program. Glenn

A contract to have the Franklin County Regional Housing and Redevelopment Authority administer a Wendell-Charlemont housing rehabilitation project under the Community Development Block Grant program was presented to the Selectboard for its approval.

Laurie moved to approve the contract as presented. Gillian seconded. No discussion.

The motion passed unanimously.

XIII. Items Not Anticipated

Clarification of Zoning Bylaws

A memo from Planning Board Chair Molly Doody asks the Selectboard to grant the board permission to solicit an advisory opinion from Town Counsel on the correct interpretation of a sentence in Section F of the Town's Zoning Bylaws. Highlights from the memo:

- The building inspector has asserted that after a permit has been issued for one of the proposed lots, a period of seven years must elapse before he can issue a building permit for the second lot unless the parties pursue permitting under the Open Space or Conservation Development Provisions of the town bylaws.
- Daniel Salls, the land surveyor Sara Chute Hsiang and Bob have engaged, interprets the bylaw differently. His contention is that proposed Lot 1, a new lot divided from a lot in existence after December 15, 2010, would be eligible for a building permit for a primary dwelling.

Discussion

- This decision will also help guide the board in rendering approvals or denials for subdivided lots that may come before the board in the future.

The Selectboard approved Molly's request to contact Town Counsel.

Town Counsel's Turnaround Time

- Treasurer Carolyn Manley has been waiting since June to hear back on the personnel policy and on the Gate Lane issue.
- Glenn received two enthusiastic endorsements for Attorney Donna McNicol, who works as Town Counsel for other municipalities in the region.
- Glenn will look into when Wendell's contract is up with KP Law.

Massachusetts Interlocal Insurance Association. Glenn

MIIA wants to present an overview to several towns on the services they offer, which include insurance and legal services. Glenn will accept for Wendell, and Selectboard members can attend if they're available.

Mini Grant

There are mini grants up to \$10,000 for safety and facilities management projects.

The Selectboard asked Glenn to complete the one-paragraph mini grant application for a generator at the Town Highway Garage.

Special Town Meeting

- Requests that will need an STM vote:
 - a. Transition Stone Cut Off Rd. to private ownership.
 - b. Reimburse the Highway Department for Mormon Hollow Road.

XIV. Adjournment

Laurie moved to adjourn the meeting at 8:52 p.m. Gillian Seconded. No discussion.

The motion passed unanimously.

Documents

Wendell FFY 22-23 PSC Draft Clearance Letter, Oct. 12

FY22.23 CDBG Wendell Charlemont Professional Services Contract, (\$295,8,90), Oct. 17

Selectboard Posting and Agenda, Oct. 18

Dept. of Environmental Protection - Swift River School Wendell, Oct. 11

Bickford (Kevin) Letter, Town of Orange, Oct. 10

Selectboard Meeting Minutes, Oct. 4

Franklin Regional Council of Governments Letter About Accounting Software, Oct. 4