

**Selectboard  
Meeting Minutes  
June 14, 2023  
Town Offices  
Hybrid Session via Zoom  
4:00 pm**

The open session of the Selectboard of the Town of Whately was called to order on June 14, 2023, at 4:05 pm. Present were Selectboard members Fred Baron, Julie Waggoner and Joyce Palmer-Fortune via Zoom. Town Administrator Brian Domina and Administrative Assistant Amy Lavallee were also present. Police Chief James Sevigne was present, Town Hall Steward Neal Abraham was present via Zoom. Town residents Cynthia Allen, Kevin Schnell, Katherine & Ben (no last name given), and Rob Lebon were also present.

**1. Board Reorganization: To discuss and vote to elect a Chairperson, Vice Chairperson and Clerk of the Selectboard**

The Board discussed the need for the Board to reorganize due to the recent election. It was also discussed that due to Joyce's current out of country status and re-election that she could not be a voting member of the Selectboard until she is sworn in in person. It was also discussed that the newly elected Moderator could not perform any Moderator duties until he is sworn in in person as well. The Secretary of State's Office states that swearing in of an elected official must be done in person and can no longer be done remotely.

Julie motioned to elect Fred Baron as Chair, Julie as Vice-Chair, and Joyce as Clerk. Fred seconded. All in favor. Fred-yes, Julie-yes, Joyce-abstain.

**2. Meeting Minutes: Review and vote whether to approve the meeting minutes from May 30, 2023**

Julie made a motion to accept the minutes from May 30, 2023. Fred seconded. All in favor. Fred-yes, Julie-yes, Joyce-abstain.

**3. Vendor & Payroll Warrants: Review past vendor and payroll warrants**

No Comments

**4. Public Comment: Listen to comments from the public related to items not listed on the agenda**

None

## **5. Scheduled Appointments:**

### **a. Amy Schrader (Treasurer/Collector) to discuss a request for the Town to use CLFRF monies to purchase cash management software**

Amy S. discussed with the Selectboard the request for \$6,000 in CLFRF funds to purchase cash management software to replace the current system used for financial transactions and cash management. The Board agreed to table this item until the next meeting so that Amy can provide more material for the Board to consider, including final pricing, before the Board makes a decision.

## **6. COVID19: COVID19 rapid tests are available at the Town Offices, Library and Police Station**

## **7. Old Business:**

### **a. To discuss receipt of a letter received on May 31, 2023, from Colette and Chris Olanyk requesting that a dangerous/nuisance dog hearing be scheduled**

The Selectboard discussed a letter received on May 31, 2023, from residents Colette and Chris Olanyk concerning resident, Denise Donahue and her dog. The Board acknowledged receipt of the letter. After a brief discussion regarding a date and time for a hearing the Board agreed to schedule a dangerous/nuisance dog hearing on June 28, 2023, at 5:30 pm. This will allow sufficient time to send out the public hearing notices to the affected parties.

Julie made a motion to hold a dangerous/nuisance dog hearing on June 28, 2023, at 5:30 pm at the Whately Town Offices, 4 Sandy Lane, Whately, MA and via Zoom. Fred seconded. All in favor. Fred-yes, Julie-yes, Joyce-abstain.

### **b. To discuss and vote whether to approve a proposal/contract from Alliance Clean Energy Solar for the installation of a solar array with battery storage at the Town Offices (Municipal Vulnerability Preparedness Grant)**

Brian asked that the Board table this item because the contract negotiations are still on-going.

### **c. To discuss the pink staining on the Town Hall storm windows and determine next steps**

Brian informed the Board that the manufacturer states the staining is from degradation of the low-E film on the windows. The manufacturer is not sure why it is happening -if it is from an error during installation or from the coating being defective. Brian will consult with Town Counsel to figure out the next steps.

## **8. New Business**

### **a. To discuss guidelines for the public comment period of the meeting in light of a recent Supreme Judicial Court ruling (*Barron v. Kolenda*, SJC No. 13284) on civility in public meetings**

Brian informed the Board that a recent court case has ruled that residents speaking during the public comment portion of meetings cannot be censured or silenced for the content of the speech, even if it is rude and insulting. Fred suggests that perhaps Boards and Committees should set a time limit rule for public comment, for example giving people a 5-minute time limit for their comments or if there is a large group limiting it to 2 minutes per person to make sure everyone has a chance to speak.

Fred made a motion to set a standing rule that public comments be limited to 5 minutes per person during public comment or on an Agenda item. Julie seconded. All in favor. Fred-yes, Julie-yes, Joyce-abstain.

### **b. To discuss and vote on whether to appoint Kristjan Viise and Zachary Liebenow as Full-Time Police Officers effective on July 1, 2023, as recommended by Chief Sevigne**

Julie made a motion to approve the appointments of Kristjan Viise and Zachary Liebenow to full time police officers. Fred seconded. All in favor. Fred-yes, Julie-yes, Joyce-abstain.

### **c. To discuss and vote whether to sign letters in support of the rural school aid bills and in support of the South County Senior Center's Service Incentive Grant applications**

Fred made a motion to sign letters of support for the rural school aid bills and South County Senior Center service incentive grant. Julie seconded. All in favor. Fred-yes, Julie-yes, Joyce-abstain.

**\*\*\*\*POWER OUTTAGE DUE TO STORM AT 4:57 PM. POWER BACK ON AT 5:02 PM\*\*\*\*\* ZOOM CONNECTION RESTORED**

### **d. To award the FY24 fuel bid for diesel and # 2 fuel oil to Kieras Oil, Inc**

Brian discussed that Kieras Oil won the bid for diesel and #2 fuel oil at rack price plus 22¢/gallon. For comparison purposes the best price going through the regional bid would have been rack price plus 39¢/gallon.

Fred made a motion to award the FY24 fuel bid to Kieras Oil at rack price plus 22¢/gallon for low sulfur diesel fuel and #2 fuel oil. Julie seconded. All in favor. Fred-yes, Julie-yes, Joyce-abstain.

### **e. To review the "draft" FY24 Selectboard appointment list**

The Board agreed to table this discussion until the next meeting when the list is finalized.

## **9. Selectboard Liaison Updates: Timely updates from the Selectboard members serving on other boards and committees**

Fred discussed that Fire Chief John Hannum is retiring on June 16, 2023. He thanked him for his service to the town throughout his years. He also discussed that he met with Brian and Keith to get the new highway garage plans moving forward. They are looking at possibly installing a pre-engineered building so when funds are available, they will have a shovel-ready plan available.

Julie discussed that she spoke with the Town of Williamsburg's arborist and tree warden regarding their tree cutting policies. She stated that Williamsburg hasn't done much because they don't have the budget for it. She also discussed the possibility of having a committee for tree management in the town.

Joyce discussed that the Senior Center Board of Oversight received a grant which will help support classes for seniors and that they are having a transportation meeting with PVTA and FRTA to see how they can better serve the senior community.

## **10. Town Administrator Updates: (Items likely to be discussed)**

**Zip Code discussion scheduled for June 29, 2023, at 6:00 pm.**

**Fire Chief retirement and transition-** Brian discussed that with the retirement of Chief Hannum the new chief will be JP Kennedy who will be sworn in on June 20, 2023.

**Excess overlay request-** Brian discussed that the Board of Assessors have an account that \$30,000 is put into every year with a current balance of over \$200,000. They are exploring possibly releasing that money back to the town to be appropriated elsewhere.

**CPA application for Herlihy (Recreation Commission)** - The recreation Department submitted an off-cycle CPA application for fencing and tree/shrub planting.

## **11. Items Not Anticipated**

None

## **12. Adjourn**

Motion to adjourn at 5:19. Motion Seconded. Meeting adjourned.

**Next Meetings: June 27, 2023 @ 4:00 PM and TBD**

## **Documents:**

*Meeting Minutes, May 30, 2023*

Vendor and Payroll Warrants, WP23-26

Letter from Amy Schrader to Selectboard, *Re: Zobrio Cash Management Software*, June 13, 2023  
Letter from Dara Laplante to Selectboard, *Zobrio Cash Management Software*, June 12, 2023  
Letter from Colette and Chris Olanyk to Selectboard, May 31, 2023  
Email from Helena to Joyce, June 5, 2023  
Email from Cynthia Allen to Brian Domina, *Denise Donahue and Dog*, June 12, 2023  
*Nuisance and Dangerous Dogs*, KP Law  
Pictures of Town Hall windows  
Letter from James Sevigne to Selectboard, *Employment Recommendations*, June 6, 2023  
Letter from Selectboard to Joint Committee on Education Members, June 13, 2023  
Letter from Selectboard to Massachusetts Association Councils on Aging Grant Review Team, June 13, 2023  
*Attachment A-Price Form*, Kieras Oil, June 6, 2023  
Zobrio-ZCM Overview 03.09.2023  
ZCM Problem Solving 5.15.2017  
Letter from Zachary Liebenow  
Letter from Kristjan Viise