

**BOARD OF SELECTMEN MEETING
MONDAY, FEBRUARY 22, 2021 6:00 P.M.
TOWN OFFICE BUILDING, SELECTMEN'S MEETING ROOM
240 SPRINGFIELD STREET, WILBRAHAM, MA
MINUTES**

This meeting is conducted in compliance with Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20 (attached) signed on March 12, 2020.

PRESENT BY PHONE: Chairman Robert W. Russell and Administrative Assistant to the Board of Selectmen and the Town Administrator – Heather Kmelius. The meeting was called to order at 6:04 PM.

PHYSICALLY PRESENT: Selectmen Robert J. Boilard, Selectmen Carolyn F. Brennan, and Town Administrator Nick Breault.

Chairman Russell stated the following: "As Chairman of the Board of Selectmen I hereby announce the Board of Selectmen will hold an executive session for the following purposes: Per M.G.L. c. 30A, § 21(a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel - Health Agent, Public Health Nurse; and per M.G.L. c. 30A, § 21(a) (3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares--UPSEU Local 424M, NEPBA Local 120, IAFF Local 1847, IUOE Local 98; and per M.G.L. c. 30A, § 21(a) (6) to discuss to consider the purchase, exchange, lease or value of real property--186V Tinkham Road; a quorum of the Finance Committee is anticipated to attend this Executive Session meeting, and as the Chairman I so declare and that the Board of Selectmen shall reconvene in open session."

Selectmen Boilard so moved the motion hold an executive session for the following purposes: Per M.G.L. c. 30A, § 21(a) (2) to conduct strategy sessions in preparation for negotiations with nonunion personnel - Health Agent, Public Health Nurse; and per M.G.L. c. 30A, § 21(a) (3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares--UPSEU Local 424M, NEPBA Local 120, IAFF Local 1847, IUOE Local 98; and per M.G.L. c. 30A, § 21(a) (6) to discuss to consider the purchase, exchange, lease or value of real property--186V Tinkham Road; a quorum of the Finance Committee is anticipated to attend this Executive Session meeting, and the Chairman so declares and that the Board of Selectmen shall reconvene in open session. Selectman Brennan seconded the motion. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

Following the conclusion of the Executive Session, the Board reconvened in Open Session at 7:04 PM.

PLEDGE OF ALLEGIANCE

Chairman Russell asked all to join the Selectmen in saying the Pledge of Allegiance. He then stated the following "In accordance with Mass. General Law Chapter 30(A), section 20, I announce that this meeting of the Board of Selectmen is being recorded by Wilbraham Public Access and the Board of Selectmen's Office and the "Go To Meeting" system; and ask if there is anyone present who is also recording this meeting". Chairman Russell confirmed that no one was recording the meeting.

The Chairman announced that this meeting is conducted in compliance with Massachusetts Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20 signed on March 12, 2020. Most participants of this meeting are attending electronically and he asked all individuals to please identify themselves each time that they speak and to please remain on "mute" if you are not speaking.

APPOINTMENTS WITH THE BOARD

7:00pm Fire Chief Andrews; Jill Conselino, Public Health Nurse; Lorri McCool, Health Director – COVID-19 Coronavirus update, Vaccine Clinic update

Fire Chief Andrews reported that all of his staff is healthy and vaccinated. The Town Vaccine clinic run on February 11th was successful in vaccinating 104 people. The Town plans to run the clinic this Thursday again but he is not sure how the State will proceed moving forward with vaccine distribution. Public Health Nurse (PHN) Jill Conselino stated that Local Board of Health (LBOH) did receive clinic supplies this week and the State has indicated that 1st doses will be focused for delivery at larger State sites. The Town is in the "Yellow" with 2.3% positive Covid cases. There are 24 active cases now consisting of 4 HWRS community members, and 10 HWRS household members, one long term facility case, and two antigen positive tests. There have been 1,118 total confirmed Covid cases in Wilbraham to date and 51 probable cases. The State's Phase II opened to ages 65 and up for vaccinations and all accompanying caretakers can also be vaccinated at larger sites. Health Agent Lorri McCool stated that vaccination registrations systems are overwhelmed due to volume. The Police and Dispatch Departments reported that they are status quo. The new hire police staff is on board and they are also all vaccinated. Chairman Russell shared positive comments about Town's clinic.

Materials Referenced: Letter from State Secretary Marylou Sudders to Local Health Colleagues dated 2.17.2021.

7:10pm Public Hearing (Continuation from 2/8/2021) – Massachusetts Electric Company dba NATIONAL GRID, Petition for Pole and Wire locations – Boston Road - #30288496

Chairman Russell stated that this hearing is a continuation from February 8, 2021 at 7:10pm as more information was needed. It was reported that the project was determined to not be on Town property.

The public hearing was reopened by Chairman Russell at 7:15pm for the purposes of accepting the request to withdraw the petition. There were no comments from the Board or the audience. The public hearing was closed at 7:16pm.

MOTION (Boilard, Brennan): Move to accept the request from the petitioner to withdraw the petition and close the public hearing. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

Materials Referenced: Email correspondence 2.18.2021 from Lisa Ayres of National Grid to Admin Asst. H. Kmelius.

7:12pm M. Rozolsky - Interview for Historical Commission

Mr. Michael Rozolsky was present by phone to interview for a Historical Commission position. Mr. Rozolsky introduced himself as a 37 year Town resident and gave an overview of work and professional experiences. He is interested in learning about the Town and looks forward to working on projects. He has also spoken with Historical Commission Chair Diane Testa and is prepared for the committee commitment. There is one vacancy officially open on this committee and there is a possible upcoming vacancy anticipated.

MOTION (Boilard, Brennan): Move to appoint Michael Rozolsky to the Historical Commission for a term beginning February 22, 2021 through June 30, 2022. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

Materials Referenced: Citizen Participation Volunteer Form forms received by the Selectmen's office received from M. Rozolsky on 2.3.2021 and P. Ablondi on 2.16.2021.

7:15pm B. Litz, Parks & Recreation Director - Technology & Efficiency Fund Request

Assistant Parks and Recreation Director Erin Carroll was present by phone. The Parks and Recreation Department is asking for \$169.48 to purchase a scanning device for beach "check ins" this summer at Spec Pond. Belchertown has a similar system implemented. The Parks and Recreation Department will fund the purchase of the scan cards for beach visitors.

MOTION (Boilard, Brennan): Move to recommend the approval of the request of Bryan Litz, Parks and Recreation Director, for \$169.48 from the Technology Efficiency Fund for the purchase of a barcode scanner for Spec Pond beach use, and to forward said recommendation for approval to the Finance Committee for final consideration. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

Materials Referenced: Technology and Efficiency Fund request form dated 2.18.2021 submitted to the BoS office from Parks and Recreation Director Litz.

7:20pm M. Ducey, Finance Committee Chairman – FY22 Budget discussion - A quorum of the Finance Committee is anticipated to attend this Open Session meeting.

Finance Committee members present for this discussion include: Sue Bunnell, Chairman Marc Ducey, Kevin Hanks, Kevin Corridan (No quorum present). Finance Committee Chairman Ducey stated that the Finance Committee has been meeting with Department Heads and starting to approve budgets. He stated that the budget is \$133,000 under the 2 ½ levy limit now, including new salaries for the Public Health Nurse and the Health Agent. Currently the budget does not include additional dispatch or firefighter positions that were requested. HWRSD is looking for an additional \$320,000 this year. Finance Committee has a few suggestions for funding HWRSD's request. Free cash has been managed well over the years and Peter Dufresne, Susan Bunnell and Kevin Hanks have focused on free cash direction this year. This appointment ended at 7:29pm.

Materials Referenced: Excel spreadsheets titled "FY'22 BUDGET WORKBOOK" and "SVRHT FY22 Final Rates 5% (BCE 0%)".

OPEN SESSION (for topics not reasonably anticipated 48 hours in advance of meeting, such as :)

Town Administrator's Report

TA Breault discussed the proposed Cooley Drive Extension subdivision documents available for review in BoS office. He highlighted a letter that the Police Department received acknowledging excellent service by officers on a recent call. Lastly, he asked that the Board try to arrange a group photo to be presented in the Annual Town Report.

Materials Referenced: Revised Cooley Dr Extension Subdivision plans received in the BoS office, Email correspondence dated 2.18.2021 from a resident to Police Chief Zollo, Police staff and TA Breault.

Board of Selectmen Updates

Chairman Russell announced that he will not be running again for re-election in May 2021. He thanked the Town and staff and looks forward to spending time with his family.

Citizens Open Forum

Resident Broderick thanked Chairman Russell for his service to the Town. He asked about the Town's vaccine clinic and he will follow up with the Public Health Nurse for details.

OLD BUSINESS

Right of First Refusal (ROFR): 186V Tinkham Road

TA Breault stated that the Town is waiting on the seller's attorney's response to the letter sent from Town Counsel Reilly regarding this matter. No update is available at this time.

FY22 Budget

No discussion as this was covered in earlier discussion with the Finance Committee this evening.

2021 ATM Warrant

TA Breault stated that Annual Town Meeting articles are due March 12, 2021. The CPC applications submitted for FY22 are in the e-folders for review including one filed for 186V Tinkham. The Board needs to consider other warrant articles such as adding a local meals tax, making Town Clerk an appointed position versus elected, etc. The Fire Chief and DPW Director have submitted proposed warrant articles for review.

Draft BOS 2020 Annual Report

No update available at this time.

NEW BUSINESS

Hampden County Retirement Board Audit

TA Breault reported PERAC released the audit report of the HCRRB for the period of 1/1/2014-12/31/2017, dated 2/16/2021 that was received recently. The report includes highly uncomplimentary information about management issues including procurement, website software, payment for Board attorneys, bank service charges management, travel expense issues, documentation, etc. TA Breault met with officials from Hampden, East Longmeadow, Longmeadow, and Assistant Town Administrator of Budget and Finance/Collector/Treasurer Tom Sullivan about this today. They decided to share this report with interested parties and would like to send a letter to Hampden County Board and suggest that a meeting with other member entities be held. There has been an 8% decrease year over year for decades and explanations are needed.

Materials Referenced: Hampden County Regional Contributory Retirement System Audit Report January 1, 2014 – December 31, 2017 received from PERAC by the Selectmen's office. Email correspondence from Chairman Russell to TA Breault dated 2.18.21.

Materials Referenced:

Consideration of hire – WPA Program Coordinator (part time)

Selectman Boilard confirmed that this is a replacement hire.

MOTION (Boilard, Brennan): Move to approve the hire of Noelia Ortiz for the part time position of Program Coordinator at Wilbraham Public Access Television pending the satisfactory completion of a Criminal Offender Records Inquiry and effective on a date determined by the Executive Director of WPA. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

Materials Referenced: Online Job application from Noelia Ortiz received by HR dated 1.11.2021 and email correspondence from HR Coord. H. Dane to TA Breault and Admin. Assistant H. Kmelius dated 2.22.2021.

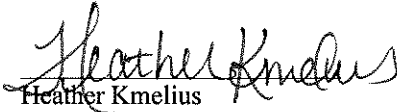
LICENSING AND OTHER APPROVALS


None.

MEETING MINUTES

None.

Having no further business, Selectman Boilard made a motion to adjourn the meeting and Selectman Brennan seconded the motion. The Board unanimously voted in a roll call vote (Chairman Russell – yes, Selectman Boilard – yes, Selectmen Brennan-yes) to adjourn at 7:43 PM.


Heather Kmelius
Administrative Assistant to the BoS/TA


Robert W. Russell, Chairman


Robert J. Boilard, Vice Chairman


Carolyn F. Brennan, Clerk



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

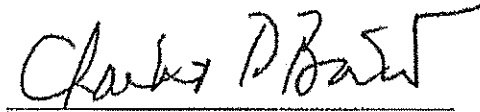
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 8:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in cursive script, reading "Charles D. Baker". The signature is written in dark ink and is positioned above a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts