

**BOARD OF SELECTMEN MEETING
MONDAY, MARCH 4, 2019
6:15 PM AT TOWN OFFICE BUILDING, SELECTMEN'S MEETING ROOM
240 SPRINGFIELD STREET, WILBRAHAM, MA
MINUTES**

PRESENT: Chairman Robert J. Boilard (presiding); Selectmen Susan C. Bunnell; Selectmen Robert W. Russell, Town Administrator Nick Breault and Heather Kmelius, Administrative Assistant to the Board of Selectmen and Town Administrator. The meeting was called to order at 6: 21 PM.

EXECUTIVE SESSION

Chairman Robert Boilard 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; and per M.G.L. c. 30A, § 21(a) (2) to conduct contract negotiations with nonunion personnel--Town Administrator; and per M.G.L. c. 30A, § 21(a) (6) to consider the purchase, exchange, lease or value of real property--Memorial School; whereas an open meeting may have a detrimental effect on the negotiating position of the Board of Selectmen, and as the Chairman I so declare, and that the Board of Selectmen shall reconvene in open session.

Selectmen Bunnell so moved to 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; and per M.G.L. c. 30A, § 21(a) (2) to conduct contract negotiations with nonunion personnel--Town Administrator; and per M.G.L. c. 30A, § 21(a) (6) to consider the purchase, exchange, lease or value of real property--Memorial School; whereas an open meeting may have a detrimental effect on the negotiating position of the Board of Selectmen, and the Chairman so declares and that the Board of Selectmen shall reconvene in open session. Roll call vote: (Chairman Boilard – yes, Selectmen Bunnell – yes, Selectmen Russell – yes).

Following the conclusion of Executive Session, the Board reconvened in Open Session at 7:08 PM.

PLEDGE OF ALLEGIANCE

Chairman Boilard asked all to join the Selectmen in saying the Pledge of Allegiance. He then announced, in accordance with Mass. General Law Chapter 30(A), section 20, that the Selectmen's meeting was being recorded by Wilbraham Public Access and the Selectmen's Office. Chairman Boilard asked if there was anyone present in the audience also recording the meeting tonight. No one responded and Chairman Boilard asked that the minutes reflect as such.

APPOINTMENTS WITH THE BOARD

7:00 P.M. Appointment: Sen. Lesser - Legislative Priorities

Senator Lesser and Michael Clark were present for a discussion with the Board. Chairman Boilard stated that he is pleased with the high level of communication from Sen. Lesser's office with the Board. Mr. Michael Clark gave an update regarding the state funding that is promised for Minnechaug Regional High School's Turf project. He reported that the school should be receiving the funds soon, likely in two distributions. Mr. Clark stated that he reached out to the appropriate departments who are facilitating the distribution of funds. Earmarks for other local communities are scheduled to follow a similar process. Selectmen Bunnell asked about Senator Lesser's priorities and specifically inquired about the status of the Mattress Recycling Bill. Senator Lesser stated that the single biggest policy issue for local communities besides the budget is the education funding debate as there are big equities at stake with competition for regional school districts. He noted the uniqueness and specific set of facts particular to HWRSD. The Board was encouraged to stay in contact with Senator's Office regarding the budget progress. Senator Lesser reported that all of the state government is in alignment about the education focus and he is hopeful for changes reflected as early as in the next fiscal year.

During the appointment, Joseph Hodgens from 22 News arrived and video recorded portions of this meeting.

Discussion ensued about topics of priority including sidewalk funding for the Boston Road corridor between the "Woods" residential complex and Boston Road, alleviation of congestion at the intersection of Stony Hill and Boston Road, and recreational project requests including the dredging of Spec Pond; paving and drainage in the parking lot at Spec Pond; and a proposed sidewalk connecting Post Office Park to Spec Pond. Town Administrator Nick Breault stated that resurfacing of Boston Road is expected in 2022. Senator Lesser stated that the State is supportive of projects encouraging walking and bike pedestrian travel and inquired whether this was part of a Complete Streets project. Selectmen Bunnell stated that Wilbraham is not a Complete Street Community. Selectmen Russell thanked Mr. Clark and Senator Lesser for their work to date and Senator Lesser shared that his office is always open for communication.

Materials Referenced: Document referenced "Notes for Meeting with Senator Lesser" prepared and submitted by TA Breault during the meeting.

7:20 P.M. Appointment: The Tap Room, 2823 Boston Road - J. Siniscalchi

Mr. John Siniscalchi, owner of The Tap Room, and Sergeant Lennon were present. Chairman Boilard noted that there has been a "Closed for Renovation" sign posted since the recent closing of the Tap Room. Mr. Siniscalchi stated that he is in the process of reorganizing the business. The business is looking for new help and ideas for the future. Mr. Siniscalchi stated that the floors need repair and most of the other planned renovations are repairs, not remodeling. Mr. Siniscalchi is planning to reopen the Tap Room in a few weeks. Sgt. Ed Lennon stated that he believes that legally they can close for six months, with a possible extension to be approved by the Board. Town Administrator noted that certain renovations require review by the Board. Chairman Boilard restated that the license liquor is the focus of the conversation and he would like to have Mr. Siniscalchi meet with the Board again in thirty days.

Materials Referenced: None.

7:25 P.M. Appointment: Building Inspector L. Trevallion, Proposed Building Department fee changes

Building Inspector Lance Trevallion was present to propose new building department fees. The Building Department would like to use a new vendor for its permitting program as the current vendor not offering any service. The new system will alleviate significant work from IT Director Nate DeLong in the permitting process. The new East Longmeadow based vendor's system will help collect funds and lead to future online permitting operations. The new platform charges a flat fee of \$10.00 per permit, with an agreed fee cap. BI Trevallion believes that the fee increase is overdue and makes the pricing comparable with other local communities' fees. He also noted that the Building and Plumbing Inspectors will continue to be paid the on the same basis as current. The Building Department paid approximately \$9,000 in fees to its current vendor and the cost for the new vendor proposed for next year will be similar. Our fees are low in new construction compared to other communities. The new vendor does not require any new hardware and the only \$2,000 data exchange fee to bring data forward will be covered by the IT Department's budget. Discussion ensued about permitting fees and variable permitting circumstances. BI Trevallion stated that fees are doubled if work is started without a permit. Mr. Trevallion hopes to have the new system in place sometime between May – July 2019. Resident Dave Sanders asked about online permitting options available in the future and confirmed that this change has nothing to do with implementation of the stretch code.

MOTION (Bunnell, Russell): Move to approve the Building Department fee changes as presented. Approved (3-0).

Materials Referenced: 2019 Permit Fee Comparison spreadsheet prepared by Building Commissioner Trevallion, Email correspondence from BI Trevallion to TA Breault and AA Kmelius dated 3.1.19, Proposed draft of fees for Building permits and Proposed draft of fees for Plumbing Gas and Electrical inspections prepared for the Board's review at this meeting by BI Trevallion and Email correspondence from BI Trevallion to TA Breault, IT Director DeLong and AA Kmelius dated 2.26.19.

7:30 P.M. Appointment: M. Fabbo – Commission on Disabilities and L. Trevallion – ADA Coordinator, Approval of COD Gift Account

Commission on Disabilities Chairman, Marylou Fabbo, and ADA Coordinator Lance Trevallion were present. Chairman Fabbo stated that several groups such as Boy Scouts have reached out to the Commission on Disabilities looking for cash contributions for projects enabling the disabled. Currently handicapped parking ticket fees are the only revenue source for this committee. The Committee would like the opportunity to do fundraisers and offer scholarships. Chairman Fabbo stated that state statutes allow their Committee to do so, once the Board approves the establishment of a gift account. The Board was supportive. Selectmen Bunnell confirmed that there are two openings on this Committee at this time and Chairman Fabbo confirmed that they have two interested candidates. The opportunity of having a 17 or 18 year old member as a resident to be member or associate member was discussed and explored in discussion.

MOTION (Bunnell, Russell): Move to approve the Commission on Disabilities to establish a Gift Account. Approved (3-0).

Materials Referenced: Email correspondence from Commission on Disabilities Chairman M. Fabbo submitted to TA Breault, AA Kmelius and BI Trevallion dated 2.28.19 and copy of Mass Gen Law Chp. 40 Sec. 8J for reference.

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

Town Administrator's Report

Town Administrator Nick Breault stated that Wheely-Funn Inc dba Interskate 91's Mr. Robert Gould has submitted proposed changes for the operational conditions of the roller skating rink. The Board will meet with Mr. Gould at its next meeting for consideration of the new proposed rink conditions on March 11, 2019. The Board's meeting schedule was discussed and Selectmen Bunnell stated that she will not be in attendance at the April 8, 2019 meeting. TA Breault also noted that the Board will not meet on April 15, 2019 due to the municipal holiday.

Materials Referenced: CONDITIONS TO ROLLER SKATING RINK LICENSE draft prepared by R. Gould via email, GM of Wheely-Funn Inc. dba Interskate 91.

Board of Selectmen Updates

Selectmen Bunnell attended Dr. Ruth Potee's presentation last week presented by the HWP4Y citing the valuable information and resources available at this organization's presentation. Selectmen Bunnell met with the Finance Committee last week, along with schools district representatives. She stated that the schools are asking for a 3.5% budget increase this year. An error was corrected in spreadsheet during the meeting and the Budget Sub-Committee is meeting tonight. The correction of the error has led to a positive \$77,000 change for Wilbraham in the budget request from the District.

Citizens Open Forum

Resident Dave Sanders, 925 Glendale Road, asked if State Representative Puppolo's plans to visit the Board similar to Senator Lesser's visit this evening. Selectmen Bunnell stated that earmarks requested by the Town are filed by State Representative Puppolo and she is in contact with him on a regular basis. Resident Dave Sanders noted that he noticed during the Finance Committee that the proposed school budget this year is not funding the MHRS maintenance fund. Discussion ensued about the use of free cash and the school's priorities for the next fiscal year.

OLD BUSINESS

Warrant Articles

Sergeant Ed Lennon was present to discuss two proposed by-laws for consideration at the 2019 Town Meeting, one by-law regarding Door to Door Solicitation and Canvassing by commercial vendors and another addressing Proposed Changes to General By-Law Section 610 – Section G specific to Pawnbrokers, Junk and Secondhand Dealers.

Drafts of both by-law proposals were presented. Sgt. Lennon gave an overview of the history of the Pawnbrokers, Junk and Secondhand Dealers by-law to date. Following the sale of a second hand store after the implementation of the original by-law, a new owner was having difficulty complying. The store has struggled as it often takes in low value jewelry in bulk causing overwhelming paperwork required with each piece of jewelry. The new by-law allows photographs of the bulk jewelry for proper documentation, rather than requiring documentation of each individual item.

Sgt. Lennon stated that there is no regulation of door to door solicitation and canvassing in Town. The Police Department encourages vendors to voluntarily register with the Police Department. The proposed by-law 607 must carefully adhere to the Attorney General's concerns around of infringement on 1st amendment rights. The proposed by law will allow commercial solicitors to get licensed at the Police Department and wear a visible license while canvassing. Discussion ensued about the future development of this by-law and noted that attention to the issue is important as it is the second biggest complaint from residents to the Police. Sgt. Lennon stated that there is a minimal license fee of \$25.00 and that legitimate vendors will not struggle with this by-law. Sgt. Lennon stated that the proposal would require review by Town Counsel.

Sgt. Lennon stated that alcohol and entertainment policies are also under review in draft form at this time and will be transmitted to TA Breault soon.

Town Administrator Nick Breault stated that the Town received a petitioned warrant article from the residents of Cadwell Drive regarding the Town's maintenance of private ways. Chairman Boilard inquired about the effects of the proposed change and asked how the lower percentage of neighbors agreeing would impact the town. Town Administrator Nick Breault further stated that the Planning Office has some street taking articles. TA Breault also inquired about articles that Board asked about articles discussed previously including proposing changing the Town Clerk from an elected position to an appointed position. Chairman Boilard indicated an interest in pursuing this further and asked the other Selectmen for their opinions on this matter. Selectmen Bunnell stated that she understands both sides of the issue. The Town Clerk position is a highly paid position that requires specific training yet an individual without those credentials could win the office. While they would need to acquire the correct training within a stated period of time, the Town Clerks in Wilbraham have provided a much higher level of service, including regular office hours, than is actually mandated by the state. Selectmen Russell also understands both sides and feels it important to protect Town citizens. The Board is open to allowing the voters to decide on the issue. The Town has no recall provision in place so it can be worrisome. Chairman Boilard appreciates the Town Clerks we've had for years and will consider this issue for the warrant.

Materials Referenced: Nine Draft Warrant articles submitted for ATM 2019- see 2019 ATM File.

FY20 Budget

No new information was discussed.

Materials Referenced: FY20 Budget dated 2.25.19 prepared for review by TA Breault.

Right of First Refusal – Notice of Intent to Convert Chapter 61 land - 676V Tinkham Road

Town Administrator Nick Breault stated more that more information was needed in this matter and the Board agreed to revisit the issue at the next meeting.

NEW BUSINESS

Acceptance of Retirement of Heavy Equipment Operator – P. Willoughby

MOTION (Bunnell, Russell): Move to accept the retirement of Heavy Equipment Operator Paul Willoughby effective no later than January 31, 2020. Approved (3-0).

Materials Referenced: Letter from P. Willoughby dated 2.27.19 addressed to Tom Sullivan, Interim Town Administrator received by the Selectmen's Office 2.22.19.

Acceptance of Retirement of Police Sergeant - D. Carr

MOTION (Bunnell, Russell): Move to accept the retirement of Police Sergeant Daniel Carr effective no later than September 30, 2019. Approved (3-0).

Materials Referenced: Letter from D. Carr 12.17.19 address to TA Breault received by the Selectmen's Office.

Authorization to hire Heavy Equipment Operator

MOTION (Bunnell, Russell): Move to approve the replacement hire of a Heavy Equipment Operator in the Water Division of the Department of Public Works effective no earlier than February 1, 2020. Approved (3-0).

Materials Referenced: HEO Authorization to Hire Form prepared by HR Coordinator H. Dane.

Approve the promotion of a Patrol Officer to the rank of Sergeant

MOTION (Bunnell, Russell): Move to approve the promotion of a Patrol Officer to the rank of Sergeant effective no earlier than October 1, 2019. Approved (3-0).

Materials Referenced: Sergeant Promotion Authorization to Hire Form prepared by HR Coordinator H. Dane.

Authorization to hire Patrol Officer

MOTION (Bunnell, Russell): Move to approve the authorization to hire a Patrol Officer no earlier than October 1, 2019. Approved (3-0).

Acceptance of Resignation from Commission on Disabilities – J. Courtney

MOTION (Bunnell, Russell): Move to accept the resignation of Jean Courtney from the Commission on Disabilities effective January 30, 2019. Approved (3-0).

Materials Referenced: J. Courtney resignation dated 1.30.19.

Town Administrator's Contract

No action was taken at this time as the documents were not prepared for review.

Town Mowing Contract Award

Chairman Boilard asked for a week extension to consider this matter as the Town Parks and Recreation Department is proposing to take over the lawn mowing needs for the Town alleviating need for contract. The Board agreed to discuss this issue at the next meeting.

MOTION (Bunnell, Russell): Move to award the Town Mowing Contract Award to Clean and Green Lawncare, as recommended by Ron Rauscher, Facilities Maintenance and Grounds Supervisor. No vote was taken. The issue was tabled for future discussion. Selectmen Bunnell withdrew the motion.

Request to Place Banners or Signs

Friends of the Library

Selectmen Bunnell inquired as to the smaller list of sign locations proposed for approved and it was confirmed that the locations for consideration were the only ones noted on the submitted application.

MOTION (Bunnell, Russell): Move to grant permission to the Friends of the Wilbraham Library for placement of temporary signs at the approved Town Properties including Bruuer Pond, Town Office Building, Springfield/Faculty (Hoover Park) and the Recycling Center, promoting the Annual Book Sale taking place from April 26, 2019 through May 5, 2019, with signs to be installed starting on April 15, 2019 and removed no later than Friday May 6, 2019. Approved (3-0).

Materials Referenced: Request to Place Banners or Signs Application received by the Selectmen's Office 2.25.19 from S. Magee.

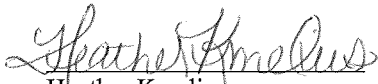
MEETING MINUTES

February 11, 2019 Open Session

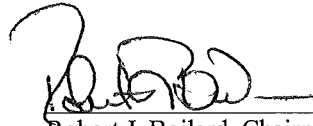
MOTION (Bunnell, Russell): Move to approve the Open Session minutes from February 11, 2019. Approved (3-0).

Materials referenced: Board of Selectmen Executive Session Minutes from 2.11.19 prepared by Admin. Assist. H. Kmelius and submitted for approval at this meeting.

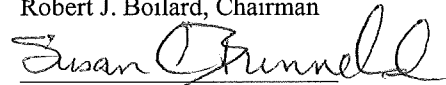
Having no further business, the Board of Selectmen adjourned at 8:23pm.



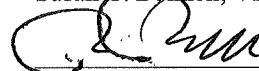
Heather Kmelius
Administrative Assistant to the TA/BOS



Robert J. Boilard, Chairman



Susan C. Bunnell, Vice Chairman



Robert W. Russell, Clerk