

**BOARD OF SELECTMEN MEETING  
MONDAY, APRIL 6, 2020 6:30 P.M.  
TOWN OFFICE BUILDING, SELECTMEN'S MEETING ROOM  
240 SPRINGFIELD STREET, WILBRAHAM, MA**

**MINUTES**

**PHYSICALLY PRESENT:** Nick Breault - Town Administrator.

**PRESENT BY PHONE:** Chair Bunnell C. Bunnell (presiding); Selectmen Robert W. Russell; Selectmen Robert J. Boilard and Heather Kmelius - Administrative Assistant to the Board of Selectmen and Town Administrator. The meeting was called to order at 6:45 PM.

**PLEDGE OF ALLEGIANCE**

Chair Bunnell asked all to join the Selectmen in saying the Pledge of Allegiance. She then announced "In accordance with Mass. General Law Chapter 30(A), section 20, that the Selectmen's meeting was being recorded by the Wilbraham Public Access and the Board of Selectmen's Office and the "Go To Meeting" system. Chair Bunnell asked if there was anyone present in the audience also recording the meeting. No one was recording the meeting.

The Chair 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 she asked all individuals to please identify themselves each time that he/she speaks.

**APPOINTMENTS WITH THE BOARD**

6:30 p.m. Michael Andrews, Fire Chief - COVID-19 Coronavirus Update (Note: Public Health Staff and several Department Heads are also anticipated to provide briefings)

Fire Chief Mike Andrews was in attendance by phone and reported that the EMA team is working closely together daily and the Fire Department has an adequate PPE equipment supply. There are new supplies expected from other various sources that will assist in maintaining enough supplies. The Fire Department is getting approximately one to two Covid-19 related calls/day on average. Two firefighters are in 14 day quarantine after exposure and one firefighter is getting tested. Fire Chief Andrews reported that testing is a problem as Gillette Stadium is the closest testing facility. There is a plan to open testing at the Big E fairgrounds according to Chair Bunnell. It was confirmed that all three indemnifications considered later this evening and are all related to Covid-19. Public Health Nurse Jill Consolino has been on several conference calls with DPH and the CDC. There are 8 confirmed cases in Town and she continues to receive daily positive test reports. There are healthcare provisions being put into place that would allow support to her to follow up with close contacts of confirmed cases. Close contacts have initial contact with Jill Consolino and then she can refer the contacts their Local Boards of Health for follow up.

TA Breault stated that the Division of Labor issued 124 page document regarding clarification of the "Paid Leave under the Families First Coronavirus Response Act" was received and is being reviewed.

DPW Director Basch and Building Inspector Trevallion were physically present in the meeting room to discuss Covid-19's impact to construction locally. DPW Director Basch stated that they have been given guidelines regarding local construction projects that regulate public and private projects. The new guidelines will be posted on the Town website. Contractors are responsible for adhering to these guidelines and for self-certifying daily, with DPW Director Basch and Building Inspector Trevallion as enforcement authorities. The local contractors much acknowledge to the Town that they are aware of their work site expectations and practices. Building Inspector Trevallion stated that permits and inspections will only be issued for emergency work, not for non-essential work until further guidance is received by the State Inspector.

TA Breault reminded residents to maintain social distancing while out of the home. The Wilbraham Country Club is not operating at this time for golf, but people are able to walk on the course. Construction and maintenance work on the golf course can also continue. The Parks and Recreation fields are closed, including the disc golf course. The Community Gardens greenhouse is closed until further notice. He asked the Board to consider delaying the opening of the Community Garden this year. Chair Bunnell asked people to ensure proper behavior on town hiking trails to help keep them open. The Board considered the use of the Blackboard Connect system for reminders about resident safety. Chair Bunnell thanked all of those involved for their hard work in these conditions.

*Materials Referenced: State issued documents: "Supplemental Guidelines for Construction Sites ADDENDUM 1 Limiting Exposures and Worker Infection Protocol COVID-19 Employee Health, protection, guidance and prevention, "Enforcement of the COVID-19 Safety Guidelines and Procedures for Construction Sites", "COVID ORDER No. 21", "COVID-19 ESSENTIAL SERVICES EXHIBIT A OF THE ORDER OF THE GOVERNOR ASSURING CONTINUED OPERATION OF ESSENTIAL SERVICES IN THE COMMONWEALTH, CLOSING CERTAIN WORKPLACES AND PROHIBITING GATHERINGS OF MORE THAN 10 PEOPLE As updated March 31, 2020", "MEMA COVID - 19 COST TRACKING GUIDANCE GOVERNOR'S STATE OF EMERGENCY <https://www.mass.gov/news/governor-baker-declares-state-of-emergency-to-support-commonwealths-response-tocoronavirus> POTENTIAL FEMA COVID-19 SUPPORT"*

6:40 p.m. Carole Tardif, Town Clerk: Election date amendment votes (2) (June 20, 2020):

Town Meeting Date amendment vote (June 15, 2020)

Town Clerk Carole Tardif was present by phone and stated that the motion tonight were necessary for the postponement of the Annual Town Meeting the Town Election dates.

**MOTION (Russell, Boilard – seconded as amended):** Move that the Board of Selectmen, pursuant to section 1 of chapter 45 of the Acts of 2020, and because of the state of emergency declared by the governor pursuant to executive order 591, Declaration of a State of Emergency to Respond to COVID-19, the Town of Wilbraham municipal town election scheduled for May 16, 2020 is hereby postponed. ~~to June 20, 2020.~~

Selectmen Russell amended his motion to omit “to June 20, 2020”. Selectman Boilard seconded the amended motion. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).

**MOTION (Russell, Boilard):** Move that the Board of Selectmen, pursuant to section 1 of chapter 45 of the Acts of 2020, and because of the state of emergency declared by the governor pursuant to executive order 591, Declaration of a State of Emergency to Respond to COVID-19, the Town of Wilbraham municipal town election scheduled is hereby scheduled to June 20, 2020. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).

**MOTION (Russell, Boilard):** Move that the Board of Selectmen, pursuant to General By-law Section 201(a), and because of the state of emergency declared by the governor pursuant to executive order 591, Declaration of a State of Emergency to Respond to COVID-19, the Town of Wilbraham Annual Town Meeting scheduled for May 11, 2020 is hereby postponed to June 15, 2020. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).

*Materials Referenced: “2020 Municipal Election Early Ballot Application”, “2020 Special State Election Early Ballot Application”, “Chapter 45 of the Acts of 2020”, “DLS Bulletin - An Act to Address Challenges Faced by Municipalities and State Authorities Resulting From COVID-19”, “Session Law - Acts of 2020 Chapter 45” and email correspondence from Town Clerk Tardif to TA Breault dated 4.2.2020.*

6:45 p.m. Finance Committee - FY 20 and 21 Budgets; HWRSD Assessment, Property Tax Deadline

(A quorum of the Finance Committee will be in attendance at this meeting.)

- Nick Manolakis, Capital Planning Committee Chair
- Stoughton Smead, Community Preservation Committee Chair

Finance Committee Chair Carolyn Brennan called the Finance Committee meeting to order at 7:15pm. The following Finance Committee members were present by phone: Chair Carolyn Brennan, Mark Ducey, Mark Manolakis, Kevin Hanks, Mike Mazzuca, Tim Murphy, and Anna Levine. Finance Committee members not present were Todd Luzi and Kevin Corridan. Also present were Community Preservation Committee Chair Stoughton Smead (present in the room), Capital Planning Committee Chair Nick Manolakis (by phone) and Director of Finance, Operations and Human Resources Howie Barber (by phone).

Chair Bunnell stated that she attended at the last Finance Committee meeting. TA Breault stated that tonight they are further discussing the FY21 budget. The budget approved by the Finance Committee totaled \$26,544,034, including the district’s one-time expenses. The letter from the HWRSD School Committee’s assessment letter reports a total of \$26,269,034, not including one-time expenses. The difference in the totals is subject to approval by Hampden. Since the numbers do not match, it was agreed by consensus that the higher number be printed in the Town Warrant. Discussion ensued with an explanation from Director Barber as to the budget numbers. It was clarified that the Finance Committee does not need to take action this evening unless the Finance Committee would like to take a vote to revise the budget total. Chair Brennan agreed with Chair Bunnell that Free Cash and the Stabilization funds are critical in the next year after the Covid-19 impact. Assistant Town Administrator for Budget and Finance/Treasurer/Collector (ATA/C/T) Tom Sullivan clarified financials in reference to the levy limit. Finance Committee member Ducey is concerned about a reduction in new growth next fiscal year and excise tax income. ATA/C/T Sullivan stated that \$200,000 have been collected for building permits this year, the Town has met its estimated receipt numbers for this year, and he does not expect a short fall in funds this year. TA Breault stated that the State is beginning meetings tomorrow about financing and budgeting matters and future decisions. Discussion ensued about confidence in the budget vote from the Town of Hampden. The Finance Committee agreed that no action at this time is best.

TA Breault stated that the State of Emergency has prompted legislation to allow all communities to move the property tax deadline out one month. ATA/C/T Sullivan stated that moving the Property tax deadline would require mailed notice to all residents with a mailing cost of over \$3000. He also reported that 30% of taxes have been paid to date and ATA/C/T Sullivan already has authority to waive the initial late fee. This matter was tabled at this time with no action.

Capital Planning Chair Nick Manolakis gave an overview of what the committee has been doing. He stated that the committee approved two projects this year including the installation of a new HVAC unit on the Middle School roof. After approval by the town at the Special Town Meeting in March of participation with the MSBA for the new roof installation at this school, the Committee saw this as a complementary project to replace the HVAC unit from the 1970s. The second project approved by the committee was a financial contribution towards the new DPW Garage building. (?? I’m not sure what the connection to the school’s building might be.

The committee contributed last year to this same project and gave an additional \$200,000 this year to aid in completion because construction costs have escalated significantly. There are other projects that were approved through Free Cash by the Finance Committee. Chair Manolakis reported that the school district offered a 10 year plan proposing multiple future projects including repaving at Soule Road School and the Middle School Parking lots, new windows at Mile Tree and Stony Hill Schools, the Soule Road School new roof, and new lockers. The capital budget annually is approximately \$300,000. Chair Manolakis reported that the committee has to be more creative with funds and partnering projects with Town staff doing some of the work. The Town also has several large projects coming down the pipeline including DPW projects, request from the Tree Warden, Fire Tanker replacement, etc. Discussion about other funding sources took place Capital Planning stated that it has managed several surprise projects which had not been on their long range plan. Town Accountant Nancy Johnson discussed new Financial Policies that will be adopted. Discussion ensued about current and future projects.

Community Preservation Committee Chair Stoughton Smead was present to discuss CPC projects. TA Breault stated that all of the applications are available in the Selectmen's efolder for review. Chair Smead stated that the State had a budget surplus that was distributed to the local 176 Community Preservation communities including Wilbraham. \$53,465 was received by the CPC in December 2019 with an additional \$37,470 received later totaling \$90,935. He gave an overview of the ten CPC applications this year that will be on the ATM warrant. Selectman Boilard shared concerns regarding the proposed Atheneum project that the project threatens to change the historical charm of the building for ADA compliance with a six figure price tag. Mark Manolakis commented regarding the Gleason property purchase stating that the Town buys a lot of properties and he is not sure if that is where the taxpayer would like the funds spent. Selectman Boilard also commented on the large \$39,000 price tag for a bridge by 12 Mile Brook.

The Finance Committee unanimously voted to adjourn at 8:41pm. Finance Committee members Levine and Murphy left the call prior to adjournment without affecting the Finance Committee quorum.

**MOTION: (Ducey, Mazzuka): Move to adjourn. Roll call vote: (Chair Brennan – yes, Hanks – yes, Ducey – yes, Manolakis – yes, Mazukka – yes).**

*Materials Referenced: Excel spreadsheet titled "April 3 FY'21 Budget Workbook" prepared by TA Breault, "Wilbraham's Capital Planning Committee Five Year Capital Plan (14 slides), FY21 HWRSD Assessment letter dated March 30, 2020 to Chair Bunnell from the School Committee, "Capital Projects of Wilbraham School Buildings" (14 slides) prepared by HWSDC, ten Community Preservation Committee applications for FY21 and Excel spreadsheet prepared by Town Accountant N. Johnson titled "CPC Funding Proposals FY21".*

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

#### Town Administrator's Report

TA Breault stated that MDAR rules on Farmers Markets operations during this crisis are available for review. The Wilbraham Grown Market intends to open and adhere to these rules. If the Board or the Health Inspector or Public Health Nurse have any input regarding the operation guidelines, it can be added upon approval.

*Materials Referenced: Massachusetts Dept. of Agriculture's Memo "FARMERS' MARKETS, FARM STANDS, & CSAs Guidance Memo #5 Considerations for Fruit and Vegetable Growers Related to Coronavirus & COVID-19".*

#### Board of Selectmen Updates

Selectman Boilard reported school donation boxes are overflowing with clothes and shoes. He asked that residents please only donate when there is space in the box. Most donation collections are closed at this time due to Covid-19.

Chair Bunnell stated that she has a MMA meeting next Wednesday and she also referenced another upcoming call with the State. She will report back with overviews of the meetings.

#### **OLD BUSINESS**

##### Annual Town Meeting Warrant Articles

TA Breault stated deadline was April 10<sup>th</sup> and a draft warrant will be prepared for review at the next meeting.

##### Board of Selectmen Meeting Schedule

The Board has a meeting Tuesday, April 7, 2020 Executive Session and Monday, April 13, 2020 (tele-conference). Chair Bunnell confirmed that the call in information for the meetings is being made available to the public for access.

#### **NEW BUSINESS**

##### BOS 2019 Annual Report

This matter was tabled.

Chapter 41 Section 111F: Injury on Duty (3)

**MOTION (Russell, Boilard):** Move to indemnify Private Patrick Farrow according to MGL Chapter 41 Section 111F for 48 hours lost on March 31 and April 2, 2020, due to his injury-on-duty of March 23, 2020. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).

**MOTION (Russell, Boilard):** Move to indemnify Private Derrick Merrill according to MGL Chapter 41 Section 111F for 24 hours lost on March 31, 2020, due to his injury-on duty of March 23, 2020. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).

Fire Chief Andrews confirmed 14 day quarantines are required for exposure cases when justifying why this motion goes into the future.

**MOTION (Russell, Boilard):** Move to indemnify Private Jason Dimitropolis according to MGL Chapter 41 Section 111F for 88.5 hours lost between March 29 and April 10, 2020, due to his injury-on-duty of March 29, 2020. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).

*Materials Referenced: Three Memos from Fire Chief Andrews to Human Resource Coordinator H. Dane dated 4.3.2020, with three associated IOD reports filed with MIA.*

Regional Dispatch Proposal with Hampden

TA Breault stated that Hampden is considering joining the WestComm Dispatch service. There has also been discussion regarding an MOU between Wilbraham and Hampden with State grant money covering some of the expenses. TA Breault confirmed this idea has been visited 3 times unsuccessfully over the last 10 years. TA Breault was again approached about this matter recently by Hampden. The State confirmed to TA Breault that it would pay the Assessment for three years which was not how the funding was originally proposed to be applied.

Chair Bunnell noted that Wilbraham Dispatch facility has ample space for 1-2 more staff and some carrying cost could be recovered with this MOU arrangement. Selectman Boilard did not see a clear benefit to Wilbraham, only a benefit to Hampden and suggested that some serious number crunching would be required for a decision. Selectman Russell wants to explore what the downsides could be before making any decisions and is interested in seeing real numbers.

Dispatch Supervisor Gentile stated that hosting the Hampden Dispatch Center wouldn't require more staffing beyond the 1-2 new hires he would like to have to operate the department optimally for our community. Dispatch Supervisor Gentile stated that the combining of the departments would create opportunities for pursuing "regional dispatch funding" that are not available while we remain a stand alone service. Dispatch Supervisor Gentile thinks it is important for Wilbraham to maintain control of the operations.

Police Chief Zollo's audio access on the call was not working properly. TA Breault called Chief Zollo and placed the phone on "Speaker". Police Chief Zollo questioned what was in this proposed agreement for Wilbraham and affirmed that Wilbraham's department runs smoothly and he is not interested in interrupting that. Chief Zollo would not like to make any decisions during the Covid-19 pandemic. He is also wary of the state funds offered being available in the future. He is not opposed, but is not seeing the benefit for the Town.

Chief Andrews agreed that the Town should not rush into an agreement at this uncertain time and that the idea needs research. He would like to see the details in depth. Dispatch Supervisor Gentile was volunteered to do research and see if this is valuable to the community. Dispatch Supervisor Gentile will gather information and report to the Board at the next meeting.

*Materials Referenced: State Application: State 911 Department - Regional Public Safety Answering Point and Regional Secondary Public Safety Answering Point and Regional Emergency Communication Center Development Grant Application, Fiscal Year 2021 (10 pgs) and the Regional Public Safety Answering Point and Regional Secondary Public Safety Answering Point and Regional Emergency Communication Center Development Grant Guidelines Fiscal Year 2021 (28 pgs).*

**LICENSING AND OTHER APPROVALS**

Application for Permit to Operate a Food Establishment for Change of Ownership – Orchard Valley (Amend motion made on 3.16.2020)

**MOTION (Russell, Boilard):** Move to amend the motion made on March 16, 2020 to grant an Annual Food Establishment Permit to the new licensed operator of Orchard Valley at Wilbraham, KRE-BSL Husky Wilbraham Operations LLC, to prepare food in a food establishment, located at 2387 Boston Road, Wilbraham, Massachusetts; pending the Health Inspector's favorable approval. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).

*Materials Referenced: Food Establishment Application packet received from J. Cohen, Regulatory Compliance Assistant of The Nathanson Group received by the Selectmen's office on February 28, 2020.*

**MEETING MINUTES**

February 3, 2020 Open Session

February 10, 2020 Executive Session

March 16, 2020 Open Session

March 23, 2020 Open Session

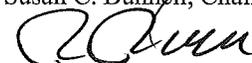
**MOTION (Russell, Boilard): Move to approve the Open Session meeting minutes from February 3, March 16, and March 23, 2020 and the Executive Session meeting minutes from February 10, 2020. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).**

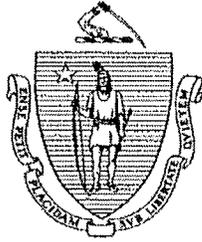
*Materials Referenced: Open Session Meeting Minutes for 2.3.2020, 3.16, 2020, 3.23.2020 and Executive Session Meeting Minutes for 2.10.2020 prepared by Admin Assistant H. Kmelius.*

TA asked the Board about signing documents following the meeting and asked the Board members to reach out to him individually about scheduling a time to visit Town Hall.

Having no further business, Selectman Russell made a motion to adjourn the meeting and Selectman Boilard seconded the motion and the Board of Selectmen unanimously voted to adjourn at approximately 9:11 PM. **Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes).**

  
Heather Kmelius  
Administrative Assistant to the BOS/TA

  
Susan C. Bunnell, Chair  
  
Robert W. Russell, Vice Chairman  
  
Robert J. Boilard, Clerk



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
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(617) 725-4000

**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

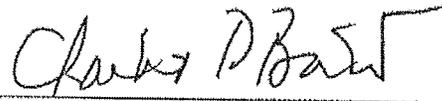
**WHEREAS**, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, 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;

Given in Boston at 6:40 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