

**BOARD OF SELECTMEN MEETING
MONDAY, MAY 11, 2020 7:00 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: Selectmen Robert W. Russell; Selectmen Robert J. Boilard, and Administrative Assistant to the Board of Selectmen and Town Administrator – Heather Kmelius. The meeting was called to order at 7:15 PM.

PHYSICALLY PRESENT: Chair Susan C. Bunnell (presiding) and Town Administrator Nick Breault.

PLEDGE OF ALLEGIANCE

Chair Bunnell asked all to join the Selectmen in saying the Pledge of Allegiance. She 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 asked if there is anyone present who is also recording this meeting". Chair Bunnell noted that 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 they speak.

APPOINTMENTS WITH THE BOARD

7:00 pm Fire Chief Andrews; Jill Conselino, Public Health Nurse; Lorri McCool, Health Director - COVID-19 Coronavirus Update
Fire Chief Andrews reported the operations are status quo and Covid-19 related calls are down by 50%. The Department has adequate PPE supplies. He asked residents to please not refrain from call for emergencies as needed. Public Health Nurse Jill Conselino reported 68 active cases in Town, 13 of those are traditional regular resident, 28 are Vero Healthcare residents, and 27 are Lifecare residents. PHN Conselino stated that there have been 30 Covid-19 related deaths including 21 at Vero Healthcare, 6 at Lifecare, and 3 traditional town residents. To date there have been 172 total confirmed cases reported in town. The face covering order is still in place. Chair Bunnell spoke with Police Chief Zollo who reported that there have been no issues with the face covering order in town related to enforcement. TA Breault shared that the Governor revealed the proposed four step phase plan to reopen the State and reported that more information should be available next week.

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

Town Administrator's Report

TA Breault stated that Director of Veterans' Services Jered Sasen is encouraging residents to decorate their homes next week in honor of Memorial Day as the traditional ceremony cannot take place this year. The Wilbraham Grown Farmers Market notified the Selectmen's office that it will not take place this year. The Farmers Market organizers encourage residents to purchase items directly from local vendors at their home locations. TA Breault reported that there several public hearings pending including a National Grid petition, a street takings public hearing and two liquor license applications that will be scheduled in June with the Board's approval. The Building Inspector position interviews are taking place this week with the selected interview panel. The Board agreed that it would like to interview the finalists. The Governor has asked that flags to be at half-staff this Friday for National Peace Officers Memorial Day. Library Director Karen Demers stated that Assistant Library Director Mary Bell is documenting the history of the Covid-19 event by collecting personal and relevant information and asked for contributions.

Board of Selectmen Updates

Chair Bunnell stated that she recently attended an MMA meeting and information will be soon posted on the MMA website. She will also be attending a MMA policy meeting on Energy and the Environment soon.

Citizens Open Forum

Resident Bob Tourville noted that the relevant contemporary issues such TeleMedicine and working from home in this pandemic magnify the need for fiber in the community. He encouraged residents to visit the Broadband Advisory Committee's www.wilbrahamfiber.com. Resident Tourville also confirmed that Solid Waste Committee applications of interest should be directed to Selectmen's Office.

Resident John Broderick noted that there will soon be two vacancies on the Community Preservation Committee and he would like to see a full committee by next fall. Resident Broderick also inquired about the reactivated Solid Waste Committee and its future charge.

OLD BUSINESS

Annual Town Meeting: FY21 Budget; Warrant for signature

TA Breault noted that the copies of the warrant will be available soon from the Clerk for signature and posting.

BOS Annual Town Report

The Board has a draft of the report to review this week and TA Breault advised that a vote should be taken on this next week.

Materials Referenced: Document titled "draft BOS ATR 2019 051120" prepared by TA Breault for review at this meeting.

Solid Waste Advisory Committee

Chair Bunnell encouraged volunteers to submit applications for this reactivated committee.

Building Inspector Interviews

TA Breault stated that interviews are scheduled to take place this week for the Building Inspector position.

Assistant Assessor Hiring Update

TA Breault stated that Mr. Silva is retiring from his Assessor position in June 2020. The Board of Assessors is the appointing authority for this position and they have started the hiring review process.

NEW BUSINESS

Emergency Spending Authorization

TA Breault asked the Board to consider the draft letter to DLS making a request to make expenditures related to Covid-19 that exceed appropriation. Town Accountant Nancy Johnson spoke in favor of the Board taking action on this matter expeditiously.

MOTION (Russell, Boilard): Move to send a letter to the Director of Bureau Accounts requesting approval for spending allowable liabilities in excess of appropriation relative to costs and expenses related to Covid-19. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard - yes).

Materials Referenced: Draft letter to Director of Bureau Accounts from BOS dated 5.11.2020 prepared for review at this meeting by Town Accountant N. Johnson & revised by Admin Assist H. Kmelius. DLS Bulletin BUL-2020-0.1

Consideration of Lease Renewal – YMCA of Greater Springfield, Inc.

TA Breault reported that these two contracts for the Parks and Recreation Department and Senior Center leased space at the YMCA went out to bid last year for a one year contract expiring June 30, 2020. According to the lease, the Town needs to notify the YMCA of its interest in exercising its lease option to renew the contracts for one year. TA Breault has discussed the renewal with the Parks and Recreation Director and the Director of Elder Services and they are in favor of the one year renewal.

MOTION (Russell, Boilard): Move to exercise the option for a one year lease renewal with the YMCA of Greater Springfield Inc. from July 1, 2020 through June 30, 2021 for space for the Senior Center and the Parks & Recreation Department. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard - yes).

Materials Referenced: Two signed contracts both signed by the BOS on 7.1.2019 between the YMCA of Greater Springfield Inc and the Town of Wilbraham for leased space for the Senior Center and the Parks and Recreation Department.

Accept resignation from Wilbraham Playground and Recreation Commission – C.W. Zimmer

The Board accepted the resignation with regret.

MOTION (Russell, Boilard): Move to accept the resignation of C.W. Zimmer from the Wilbraham Playground and Recreation Commission effective May 9, 2020. Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard - yes).

Materials Referenced: Email correspondence dated 5.9.2020 from C.W. Zimmer received by the Selectmen's Office 5.11 2020.

Request from Country Club of Wilbraham – Golf cart use

TA Breault reported that the Governor recently allowed golf courses to open with restriction last Friday. The Governor over the weekend further allowed those with a need to use carts with restrictions. CCW President Kevin Davis was present by phone. The Country Club of Wilbraham (CCW) is formally requesting the Board's permission to allow the use of carts for all golf patrons. CCW President Davis reported that Agawam, Springfield and West Springfield are allowing the use of golf carts to all patrons. TA Breault stated that Town Counsel wasn't sure how towns were acting outside of Governor's order. This proposed motion before the Board would all the Health Agent the right to authorize the use of golf carts in the event the Governor's order is updated make such allowances. It was clarified this motion was in anticipation of the Governor's amended order. Selectman Boilard believes carts should be allowed to operate while the course is open. It was confirmed that anyone who states that they have a need for a cart on the golf course, one would be provided. Selectman Boilard stated that the demographic of the Wilbraham golfers need gold carts for the WCC course terrain and he is not supportive of the Governor's action related to golf in the State. CCW President Davis thanked the Board for consideration.

MOTION (Russell): Move to grant authority to the Health Inspector to allow the use of golf carts by all patrons at the Wilbraham Country Club golf course located at 859 Stony Hill Road during the State of Emergency declared by the Governor of Massachusetts when such restrictions are removed by the Governor. Chair Bunnell seconded the motion subject to a broadening of the powers by the Governor.

Selectman Russell withdrew his motion before a roll call vote was taken.

MOTION (Boilard): Move to give Wilbraham Country Club full access to carts under certain restrictions and guidelines with one person per cart with the understanding that they would have to sterilize and clean the carts when they come back. The motion was not seconded.

Materials Referenced: Email correspondence from CCW President K. Davis to TA Breault dated 5.11.2020. Screenshots of Crestview and Oak ridge Golf courses offering current services submitted to TA Breault by CCW President K. Davis via email on 5.11.2020.

LICENSING AND OTHER APPROVALS

None.

MEETING MINUTES

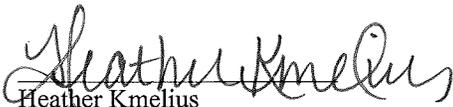
October 2, 2019 Open Session

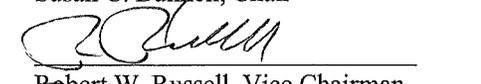
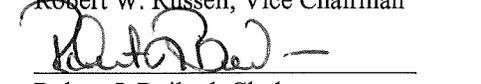
MOTION (Russell, Boilard): Move to approve the Open Session Meeting Minutes from October 2, 2019 as presented.

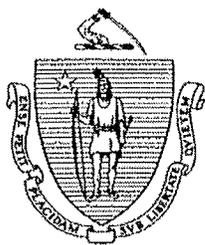
Roll call vote: (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard - yes).

Materials Referenced: Draft Open Session Meeting Minutes from 10.2.2019 prepared by Admin. Asst. H. Kmelius.

Having no further business, Selectman Russell made a motion to adjourn the meeting and Boilard seconded the motion and the Board of Selectmen unanimously voted in a roll call vote (Chair Bunnell – yes, Selectmen Russell – yes, Selectmen Boilard-yes) to adjourn at 7:58 PM.


Heather Kmelius
Administrative Assistant to the BOS/TA


Susan C. Bunnell, Chair

Robert W. Russell, Vice Chairman

Robert J. Boilard, 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.

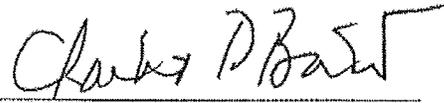
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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