

**BOARD OF SELECTMEN MEETING
MONDAY, JUNE 29, 2020 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; Selectmen Carolyn Brennan, and Heather Kmelius - Administrative Assistant to the Board of Selectmen and Town Administrator. The meeting was called to order at 6:06 PM.

PHYSICALLY PRESENT: Nick Breault - Town Administrator and Selectmen Robert J. Boilard

Chairman Russell stated the following: "As Chair 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--Town Administrator, Fire Chief, Public Health Nurse, Planning and Building Department Part Time Positions, Principal Assessor; per M.G.L. c. 30A, § 21(a) (3) to discuss strategy with respect to collective bargaining--UPSEU Local 424M, NEPBA Local 120, IAFF Local 1847, IUOE Local 98; and per M.G.L. c. 30A, § 21(a) to discuss strategy with respect to litigation; if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body; and as the Chairman I so declare, and that the Board of Selectmen shall reconvene in open session."

Selectman Boilard 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--Town Administrator, Fire Chief, Public Health Nurse, Planning and Building Department Part Time Positions, Principal Assessor; per M.G.L. c. 30A, § 21(a) (3) to discuss strategy with respect to collective bargaining--UPSEU Local 424M, NEPBA Local 120, IAFF Local 1847, IUOE Local 98; and per M.G.L. c. 30A, § 21(a) to discuss strategy with respect to litigation; if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body; and the Chairman so declares, and that the Board of Selectmen shall reconvene in open session. Selectmen Brennan seconded the motion. Roll call vote: (Chairman Russell – yes, Selectman Chairman Boilard – yes, Selectman Brennan - yes).

Following the conclusion of the Executive Session, the Board reconvened in Open Session at 7:11 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.

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 that there has been a low volume of Covid related calls. He also stated that there has been an increase in calls related to the initial screenings of those who are sick and showing symptoms of illness (not Covid specific). Chief Andrews stated that the PPE supply is adequate. He reported that all Fire Department members are healthy and the department is operating in its regular routine. Public Health Nurse Jill Conselino reported that there are a total of six cases in Town, including five traditional residents, and one at Vero. She stated that no new deaths have been reported. In response to Mr. Jim Rooney's question, Jill confirmed that the new Covid case reports have had three cases affecting residents in their 20s. Police Chief Zollo reported that his Department is operating normally. He has one department member who is being tested based of family diagnosis, but not related to showing symptoms. Dispatch Supervisor Gentile reported that all members of his staff are healthy and handling the increased call volume. TA Breault reported that the Town Hall and library building have started the installation of counter barriers. He suggested that the reopening of Town Buildings should be considered no earlier than July 20, 2020. He stated that there have been increases in areas around the country and the combination of increased summer travel activities for residents and staff; it makes sense to be cautious. Library Director Karen Demers reported that preparation work to reopen the Library is in progress. Curbside delivery service is successfully taking place and the Library is doing its best to manage staffing issues.

7:15 pm FY19 Audit Review & Management Letter Discussion – T. Campbell, Melanson Heath

Tanya Campbell, CPA, Principal of Melanson Heath was present by phone and presented information from FY19 Audit. She reported overall healthy account balances. Ms. Campbell reported on the Net Pension Liability and the Net OPEB Liability levels. Ms. Campbell stated that the Town has done a good job to present budgets and plan conservatively. No major issues were flagged during the audit process. Some minor issues found in audit including an error that was noted in the Town meeting vote reporting into Tax Rate Recap resulting in the appropriation amount being underfunded by \$131,000. Police outside details financials improved. Lastly, the Town has yet to approve the recommended financial policies and she hope the town will consider taking action on accepting these. There were no questions from the audience.

Materials Referenced: "TOWN OF WILBRAHAM, MASSACHUSETTS Annual Financial Statements For the Year Ended June 30, 2019" and " TOWN OF WILBRAHAM, MASSACHUSETTS Management Letter For the Year Ended June 30, 2019" prepared by Melanson Heath. Letter from Melanson Heath to the Select Board dated 6.24.2020 and received by US mail 6.29.2020 (4 pages).

7:25 pm B. Litz, Parks & Recreation Director – 2020 Spec Pond Day Camp Discussion

Parks and Recreation Director Bryan Litz was present by phone. Director Litz stated that the Spec Pond beach is open. He reported that the Department has collected about \$9,500 in revenue while incurring approximately \$7,500 in expenses related to the Spec beach. Season beach passes were made available to residents and non-residents. Daily passes and concession revenue will increase in the remainder of the summer season. The Spec Day Camp is limited to about 45 participants per each 6 week program that will begin in July. He further reported that summer sports are beginning soon and some new programs are being rolled out in July. The Department is preparing for fall programming also.

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

Town Administrator's Report

TA Breault stated that the next Selectmen's meeting is scheduled to take place on July 13, 2020 and the Board will meet every other week this summer.

Board of Selectmen Updates

No updates were made.

Citizens Open Forum

Resident John Broderick asked that the website be the Town's primary agenda posting location. He further requested that the website content information be cleaned up are improved. He also stated there are several sign issues on Boston Road that should be addressed that conflict with Town by-laws. Selectman Boilard supported the ideas related to the agenda posting and the Town website.

Resident Bob Tourville asked that the Board remind people about the importance of wearing masks. He would like the Selectmen make a statement to the Town about this matter, and suggested the formation of a committee for enforcement. Two residents spoke in support of Tourville's suggestions.

OLD BUSINESS

Authorization to Hire: Administrative Assistant, Planning/Zoning

TA Breault stated this proposed hire if for a position that is a combination of two part time positions.

MOTION (Boilard, Brennan): Move to authorize the hire of an Administrative Assistant, Planning/Zoning Full Time. Roll call vote: (Chairman Russell – yes, Selectman Chairman Boilard – yes, Selectman Brennan - yes).

FY21 Budget

TA Breault stated that the Town Accountant has been working on interdepartmental transfers totaling approximately \$5,000 that will need action before July 15, 2020.

Senior Center Building Committee

No discussion or updates took place at this time.

Restaurant Temporary Outdoor Dining update

The Selectmen's Office staff reported that all T Outdoor Dining applications received by the Selectmen's office have been approved and applicable approvals have been reported to the ABCC as required.

Liaison Assignments

This matter was tabled to July 13, 2020.

Spec Pond Pavilion Rentals

Director Litz reported that the Parks and Recreation Department is taking reservations tentatively for summer rentals of the Spec Pond Pavilion. Guidance from the State Public Health Office Mike Coughlin and the Public Health Nurse was presented to show that rentals of the Spec Pavilion can be considered starting in Phase 4 of Gov. Baker's reopening plan possibly starting at the end of July. Director Litz reported the rentals historically bring in \$6,000 to \$8,000 annually to General fund.

Materials Referenced: Email from DPH Michael Coughlin to PHN Conselino dated 6.24.2020.

Financial Policies

These policies are presented for review by the Board. The Board agreed to share again with the Department Heads and take into consideration in August 2020.

Materials Referenced: FINANCIAL POLICY MANUAL | TOWN OF WILBRAHAM, A COMMUNITY COMPACT CABINET INITIATIVE, NOVEMBER 2019, Prepared by DLS Mass Dept of Revenue.

NEW BUSINESS

Authorization to Hire: DPW Worker

This matter was tabled to July 13, 2020.

LICENSING AND OTHER APPROVALS

Selectmen Russell stated that these two motions are amendments reflecting a name change for the business.

Application for License for Pasteurization of Milk – Dean Dairy Ice Cream, LLC (Amendment from 6/22/2020)

MOTION (Boilard, Brennan): Move to amend the motion made on June 22, 2020 to grant a license for the Pasteurization of Milk to DFA Dairy Brands Ice Cream, LLC located at 1855 Boston Road, pending the Health Inspector's favorable inspection. Roll call vote: (Chairman Russell – yes, Selectman Chairman Boilard – yes, Selectman Brennan - yes).

Application for License to Manufacture Frozen Desserts and/or Ice Cream Mix- Dean Dairy Ice Cream, LLC (Amendment from 6/22/2020)

MOTION (Boilard, Brennan): Move to amend the motion made on June 22, 2020 to grant a license to manufacture frozen desserts and/or ice cream mix to DFA Dairy Brands Ice Cream, LLC, located at 1855 Boston Road, pending the Health Inspector's favorable inspection. Roll call vote: (Chairman Russell – yes, Selectman Chairman Boilard – yes, Selectman Brennan - yes).

Materials Referenced: Application packet for License for Pasteurization of Milk and Application Packet for License to Manufacture Frozen Desserts and/or Ice Cream Mix submitted by Dean Dairy Ice Cream, LLC received by the Selectmen's Office 6.9.2020. Documentation of corporate Name Change from the State of Delaware received in the Selectmen's Office via email on 6.23.2020.

MEETING MINUTES

June 15, 2020 – Open Session

June 8, 2020 – Executive Session

MOTION (Boilard, Brennan): Move to approve the Open Session Meeting Minutes from June 15, 2020 and the Executive Session Meeting Minutes from June 8, 2020 as presented. Roll call vote: (Chairman Russell – yes, Selectman Chairman Boilard – yes, Selectman Brennan - yes).

Materials Referenced: Draft Open Session Meeting Minutes from June 15, 2020 and Draft Executive Session Meeting Minutes from June 8, 2020 prepared by BOS/TA Admin Assistant H. Kmelius.

Having no further business, Selectman Boilard made a motion to adjourn the meeting and Selectman Brennan seconded the motion and the Board of Selectmen unanimously voted in a roll call vote (Chairman Russell – yes, Selectmen Boilard – yes, Selectmen Brennan-yes) to adjourn at 8:07 PM.



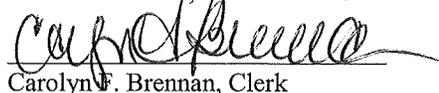
Heather Kmelius
Administrative Assistant to the BOS/TA



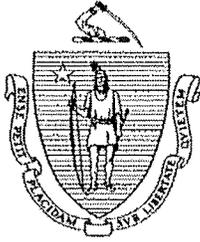
Robert W. Russell, Chairman



Robert J. Boilard, Vice Chairman



Carolyn F. Brennan, Clerk



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(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;

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.

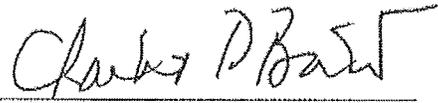
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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