

**BOARD OF SELECTMEN MEETING  
MONDAY, AUGUST 31, 2020 6:30 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 Selectmen Robert J. Boilard. The meeting was called to order at approximately 6:35 PM.

**PHYSICALLY PRESENT:** Selectmen Carolyn Brennan and Nick Breault - Town Administrator.

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) (3) to discuss strategy with respect to collective bargaining--UPSEU Local 424M, IAFF Local 1847; if the chair declares that 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, and as the Chairman I so declare, and that the Board of Selectmen shall reconvene in open session."

**Selectman Boilard so moved the motion hold an executive session for the following purposes: Per M.G.L. c. 30A, § 21(a) (3) to discuss strategy with respect to collective bargaining--UPSEU Local 424M, IAFF Local 1847; if the chair declares that 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, 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 7:05 PM.

Heather Kmelius - Administrative Assistant to the Board of Selectmen and Town Administrator joined the call in Open Session following the end Executive Session.

**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 Mike Andrews reported that his team responded to one confirmed Covid-19 case recently at a nursing facility. All of the Fire Department staff is healthy. Eastfield Mall is an established public Covid-19 testing center that is now open and free through September 12, 2020. Public Health Nurse Jill Conselino reported a slight recent uptick in cases. There are eight active Covid-19 cases in Town at this time. The current active cases affect 24-40 year olds. To date, there have been 249 confirmed total cases (20 probable). PHN Conselino reported that four states have been added to Massachusetts's travel advisory. Health Inspector McCool reported status quo conditions. Health Inspector McCool stated that she sent the State's guidelines to Rob Gould, owner of Interskate 91 regarding information about setting up the roller skating rink as a temporary childcare remote learning center. The Board was supportive of Mr. Gould's efforts to operate and support the needs of the community. Dispatch Supervisor Anthony Gentile also reported an uptick in calls recently, and also that is staff is healthy and operations are normal. Police Chief Robert Zollo reported status quo conditions and operations at this time.

Fire Chief Mike Andrews briefly reported about last night's kitchen fire at 28 Miles Morgan emergency call. This incident left about 50 residents displaced temporarily and the sprinkler system is already restored.

There was not EEE update from the State that has been made available since the last meeting.

7:10 pm J. Sasen, Director of Veterans Services - Resolution in Support of The Soldiers' Home in Holyoke

Director of Veterans Services Jered Sasen asked that the Town support the Coalition to support the resolution in support of the Holyoke Soldiers Home. Director Sasen reported that guidelines for the Chelsea and Holyoke Massachusetts facilities are not equitable. There is funding available to support improvements at the Holyoke facility. Director Sasen reported that several Wilbraham residents were affected by the failed Holyoke operations. Other local Towns have supported this resolution. There is no financial obligation to support this resolution. The Board was supportive.

**MOTION (Boilard, Brennan): Move to support a Resolution in Support of the Soldiers' Home in Holyoke as presented. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Draft Resolution in Support of The Soldiers' Home in Holyoke dated 8.31.2020 prepared by the Selectmen's Office; Soldiers' Home Sample Resolution; Email correspondence dated 8.31.2020 from Cheryl C. Malandrinos to TA Breault; Email correspondence from Ann Haskell to TA Breault dated 8.14.2020; Letter from Pam Quirk, RN received by the Selectmen's Office 8.17.2020; Town of Granby's signed Resolution in Support of the Soldiers' Home.*

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

Town Administrator's Report

TA Breault gave a report about last week's regional dispatch meeting with the Town of Hampden. He stated that Wilbraham is confident it can provide great dispatch service for Hampden and Wilbraham is waiting to see what Hampden is willing to pay for this shared service. With Labor Day next week, the next Selectmen's meeting will take place on September 14, 2020.

Board of Selectmen Updates

No updates were available.

Citizens Open Forum

Resident John Broderick asked about the proposed moving of all agenda postings from the Town Hall's outdoor bulletin board to the Town's website. TA Breault reported that no update was available. Resident Broderick further highlighted outdated information on the Town's website mostly related to the Board and Committee information content. The Board took this under consideration.

**OLD BUSINESS**

Boards and Commissions: Consideration of Applicants for Various Appointments

**MOTION (Boilard, Brennan): Move to amend the motion made on August 10, 2020 to appoint Peter Dufresne to the Finance Committee for a term beginning August 10, 2020 through June 30, 2021. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Volunteer Application from Peter Dufresne received 6.29.2020 by the Selectmen's Office.*

**NEW BUSINESS**

Award of Line Painting Bid

**MOTION (Boilard, Brennan): Move to accept the recommendation of the DPW Director Tonya Basch to award the 2020 Line Painting contract to Markings, Inc. for \$25,947.00 and to authorize the DPW Department to issue a notice of award and other corresponding paperwork. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Letter from DPW Basch to the Selectmen dated 8.31.2020 with bid documents attached.*

Fountain Park Road Work Project; Consideration of compensation

DPW Director Basch stated that the WNCC's access road at Fountain Park, 883 Tinkham Road, is in need of maintenance. The DPW is willing to use its machines, materials and labor to support restoration. She asked for the Board's approval to conduct the work during overtime hours for her staff and believes that this is a good opportunity for staff training. She also asked for direction about reimbursement costs of the work. The total cost for the work was originally estimated at \$50,000-\$60,000 when they were planning to pave. The restoration plans no longer include paving. The Wilbraham Nature and Cultural Center has approximately \$30,000 to reimburse the Town for this project DPW Director Basch does not think this is a major project and would like to optimize the training opportunity. Discussion ensued about reimbursement suggestions. This discussion can also be reevaluated at the end of the project before a final determination is made about reimbursement costs. Resident Broderick suggested CPC funding as an opportunity for financial assistance. The Board was supportive of the DPW's work on this project.

**MOTION (Boilard, Brennan): Move to approve the DPW to perform necessary work on the Wilbraham Nature and Cultural Center Inc.'s Fountain Park roadways and require reimbursement for labor and materials from the Wilbraham Nature and Cultural Center Inc and have further discussion on any equipment usage. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Letter from S.M. Reilly Associates LLC to TA Breault dated 8.14.2020.*

EPSL and EFMLA policies

TA Breault gave an overview about two leave policies that are in effect through the end of the calendar year. These policies are laws in effect now. These policies need the Selectmen's approval to confirm the allowance of intermittent use. HR Coordinator Herta Dane reported that some employees have already used this leave policy. With the start of school, more employees will likely seek use of these policies. Documentation is required for use of these policies. The Board was supportive of intermittent use of these policies.

**MOTION (Boilard, Brennan):** Move to approve the Emergency Paid Sick Leave Policy and the Emergency Family and Medical Leave Policy as presented. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Draft Emergency Paid Sick Leave Policy and the Emergency Family and Medical Leave Policy documents; and record of employee use of the EPSL policy from 4.1.2020 to 8.31.2020 provided by HR Coordinator Dane.*

Acceptance of resignation – M. Manolakis, Finance Committee

**MOTION (Boilard, Brennan):** Move to accept the resignation of Mark Manolakis from the Finance Committee and the Personnel Committee effective August 31, 2020. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Email correspondence from M. Manolakis to Town Accountant N. Johnson dated 8.31.2020.*

**LICENSING AND OTHER APPROVALS**

Applications for a Section 14 Special Alcohol Service – WNCC

**MOTION (Boilard, Brennan):** Move to rescind the motion made on August 10, 2020 to grant three Section 14: Special Alcohol Service Licenses to the Wilbraham Nature and Cultural Center to permit wines and/or malt beverages for events that were cancelled on August 21<sup>st</sup>, 22<sup>nd</sup> & 23<sup>rd</sup>. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

**MOTION (Boilard, Brennan):** Move to grant four Section 14: Special Alcohol Service Licenses to Michelle Lawlor of the Wilbraham Nature and Cultural Center to permit wines and/or malt beverages for this event as allowed in the Fountain Park Use Guidelines subject to any existing restrictions imposed due to COVID-19 at the Hampden Theater Guild's free outdoor play performance of "Steel Magnolias" to be held on September 19<sup>th</sup>, 20<sup>th</sup>, 26<sup>th</sup> and 27<sup>th</sup>, 2020, between the hours of 3:00 pm and 7:00 pm, and to approve the waiving of the municipal fees for a non-profit organization, and subject to receipt of the required Liquor Liability Insurance coverage. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Application for a Section 14 Special Alcohol Service licenses received in the Selectmen's office from M. Lawlor of the WNCC on 8.28.2020.*

Applications for an Entertainment License – Hampden Theater Guild

**MOTION (Boilard, Brennan):** Move to rescind the motion made on August 10, 2020 to grant permission to the Wilbraham Nature and Cultural Center to have public entertainment at Fountain Park, 883 Tinkham Road on August 21 and 22, 2020 as the event was cancelled. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

**MOTION (Boilard, Brennan):** Move to grant permission to the Mark Giza of the Hampden Theater Guild to have public entertainment at Wilbraham Nature and Cultural Center's Fountain Park, 883 Tinkham Road on September 19, 20, 26, and 27, 2020 from 3:00pm to 7:00pm including a live outdoor play subject to any existing restrictions imposed due to COVID-19, and to approve the waiving of the municipal fees for a non-profit organization. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Application for an Entertainment License received by the Selectmen's office from M. Giza of the Hampden Theater Guild dated 8.28.2020.*

Applications for Public Entertainment on Sunday – WNCC

**MOTION (Boilard, Brennan):** Move to rescind the motion made on August 10, 2020 to grant permission to the Wilbraham Nature and Cultural Center to have public Sunday entertainment at Fountain Park, 883 Tinkham Road on August 23, 2020 as the event was cancelled. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

**MOTION (Boilard, Brennan):** Move to grant permission to the Wilbraham Nature and Cultural Center to have public Sunday entertainment at Fountain Park, 883 Tinkham Road on September 20 and 27, 2020 from 3:00pm to 7:00pm including a live outdoor play subject to any existing restrictions imposed due to COVID-19, and to approve the waiving of the municipal fees for a non-profit organization, and pending approval of the Mass Dept. of Public Safety. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

**MOTION (Boilard, Brennan):** Move to grant permission to the Wilbraham Nature and Cultural Center to have public Sunday entertainment at Fountain Park, 883 Tinkham Road on September 13, 2020 from 10:00am to 9:00pm including the Rising Star dance studio's live outdoor annual dance recital subject to any existing restrictions imposed due to COVID-19, subject to receipt of the State fee, and to approve the waiving of the municipal fees for a non-profit organization, and pending approval of the Mass Dept. of Public Safety. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Two License applications for Public Entertainment on Sunday from the WNCC received by the Selectmen's Office dated 8.28.2020.*

Applications for an Entertainment License – WNCC

**MOTION (Boilard, Brennan):** Move to grant permission to the Wilbraham Nature and Cultural Center to have public entertainment at Fountain Park, 883 Tinkham Road on September 11 and 12, 2020 from 10:00am to 9:00pm including the Rising Star dance studio's live outdoor annual dance recital subject to any existing restrictions imposed due to COVID-19, and to approve the waiving of the municipal fees for a non-profit organization. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

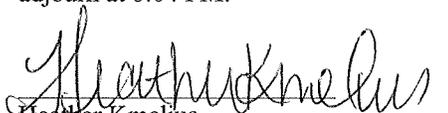
*Materials Referenced: License application for Public Entertainment on Sunday from the WNCC received by the Selectmen's Office dated 8.28.2020.*

Application for a Section 14 Special Alcohol Service – Fieldcrest Brewing Company LLC

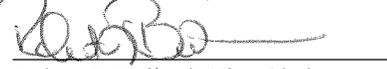
**MOTION (Boilard, Brennan):** Move to grant a Section 14: Special Alcohol Service Licenses to the Adam Field of Fieldcrest Brewing Company LLC to permit wines and/or malt beverages service subject to any existing restrictions imposed due to COVID-19 located at Fern Valley Farms, 757V Main Street serving the “pick your own apple and pumpkin patrons” of the orchard to be held on September 12, 2020 (with a raindate of September 13, 2020) between the hours of 12:00 PM and 6:00 PM, pending receipt the application fee. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

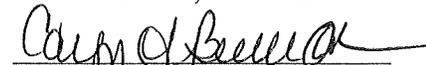
*Materials Referenced: Application for a Section 14 Special Alcohol Service received from A. Field, Fieldcrest Brewing Company LLC by the Selectmen's Office on 8.31.2020.*

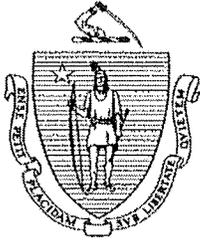
Having no further business, Selectman Boilard made a motion to adjourn the meeting and Selectman Brennan seconded the motion. The Board unanimously voted in a roll call vote (Chairman Russell – yes, Selectman Boilard – yes, Selectmen Brennan-yes) to adjourn at 8:04 PM.

  
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.

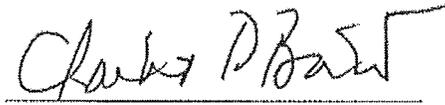
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby 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 5:40 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