

**BOARD OF SELECTMEN MEETING**  
**MONDAY, SEPTEMBER 14, 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 and Selectmen Robert J. Boilard. The meeting was called to order at approximately 6:00 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) (2) To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct contract negotiations with nonunion personnel—Assistant Town Accountant, Public Health Nurse; 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; and per M.G.L. c. 30A, § 21(a) (6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the bargaining or negotiating positions of the Board of Selectmen – 120 Old Boston Road and DRC Facilities; 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) (2) To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct contract negotiations with nonunion personnel—Assistant Town Accountant, Public Health Nurse; 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; and per M.G.L. c. 30A, § 21(a) (6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the bargaining or negotiating positions of the Board of Selectmen – 120 Old Boston Road and DRC Facilities, 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 7:24PM.

**ALSO PRESENT BY PHONE:** Administrative Assistant to the Board of Selectmen and Town Administrator – Heather Kmelius was present by phone for Open 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, Outdoor Dining/COVID-19 Order No. 50

Fire Chief Michael Andrews reported operations for his Department are status quo related to Covid-19. The Fire Department responded to five Covid related calls last week and one was confirmed positive. All of his staff is healthy. Public Health Nurse Jill Conselino reported an increase in Covid-19 cases in the last week. There are eight active cases in Town and the nursing homes have no new cases. Statistic trends show that younger college age residents are testing positive for the virus. There have been no new deaths reported. The Town has had a total of 252 cases to date.

Health Inspector Lorri McCool stated that the Governor has extended permission for the allowance of outdoor dining. Arcades were recently allowed to open also. Police Chief Zollo reported that his staff is healthy and operations are status quo in his Department. Dispatch Supervisor Anthony Gentile reported that his department has normal operations at this time. One staff member is out of work but it is not Covid related.

Resident Matt Villamino inquired about the Village Store Cafe and the Wilbraham and Monson Academy (WMA) students. It was confirmed that the Village Store is considered off campus at this time and not accessible to WMA boarding students. TA Breault stated that the Governor has extended the outdoor dining to 60 days after the public health emergency is declared to be over. TA Breault has asked Town Departments to consider this extension and offer their comments and feedback. No action is needed tonight as to determine how the Board will provide these extensions locally. Fire Chief Andrews stated that the safety of heating outdoor tents is a primary concern. TA Breault proposed a soft opening for Town Hall. The Town is not considering opening the Senior Center except for staff at this point in time. The Town has installed Plexiglas and reopening policies are being developed.

7:10 Jill Conselino, PHN: Employee Flu Clinic; Sharps Program; Public Health Nurse Position

PHN Conselino reported that she has been working to organize the Stop and Shop Pharmacy flu clinic and she has at least 40 interested staff for participation. She is also working to develop the Sharps program for the Town. She is finalizing the Sharps unit location and service operations. Police Chief Zollo suggested that the Sharps kiosk location be at police station to complement the drug drop off program. PHN Conselino will submit more info about the two vendors she recommends servicing the Sharps kiosk. PHN Conselino also talked about proposing her position to become full time. School Nurse Teri Brand spoke in support of the PHN's work and noted her essential position. Chairman Russell referenced the Board's support of PHN Conselino and her role in the community and the Board is working on this proposal.

*Materials Referenced: Immunization Administration Agreement between The Stop & Shop Supermarket Company and the Town of Wilbraham for signature by TA Breault provided by PHN Conselino, Email from Mark A. Maloni, Senior Public Health Planner of Franklin Regional Council of Governments to PHN Conselino and others dated 9.14.2020.*

7:15pm Lorri McCool, Health Agent; Robert Gould: RAHL Entertainment Inc. /Interskate 91 South – Monitored Remote Studies program

Health Inspector Lorri McCool discussed Mr. Gould's proposal to run a remote learning center at Interskate 91. She has worked closely with Mr. Gould to go through all of the State's requirements. Mr. Gould also runs a children's summer camp so he is well prepared to meet the State's regulations. The Board's approval is submitted to the EEC for final approval. Mr. Gould is excited to offer the community this service. He noted that it has been a tough year for him as the new owner of the roller skating rink. He is confident that he can provide a clean, safe facility to families. The wi-fi will support the online remote learning. The program will accept up to 26 kids of ages ranging from those entering kindergarten to age 14 (children with disabilities aged up to age 16). He plans to operate from 7:30am to 4:00pm approximately. The Board was supportive of Mr. Gould's new program.

**MOTION (Boilard, Brennan): Move to approve RAHL Entertainment Inc dba Interskate 91 South as a Remote Learning Enrichment Program in compliance with Gov. Baker's Executive Order Number 49 made on August 28, 2020, and pending satisfactory completion of Criminal Offender Records Inquiry checks and Sex Offender Registry Information checks, and Department of Children and Families child welfare checks for all necessary personnel. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Draft letter of approval from the Selectmen to Massachusetts Department of EEC dated 9.14.2020 prepared by Admin. Assistant H. Kmelius; Interskate 91 Monitored Remote Studies Information Sheet and Interskate 91 - Monitored Remote Learning COVID Control Plan (draft and final versions) provided to the Selectmen's office via email by R. Gould; Remote Learning Enrichment Program Attestation Form for Municipalities (State Form), Remote Learning Enrichment Program Minimum Health and Safety Requirements Attestation Form (State Form), and three photographs of the interior of the Interskate 91 facility taken and submitted by R. Gould to the Selectmen's office by email.*

7:20pm Karen Demers, Library Director: Library Re-opening Update/Plan; National Library Card Sign-up Month

Library Director Karen Demers promoted the National Library Card Sign Up Month that is accessible online offering exciting programs and functions. Director Demers stated that she will be seeking a \$5,000 Reserve Fund Transfer to meet the MAR in the coming weeks. Director Demers also discussed extending curbside hours. The Library Trustees are meeting soon to discuss re-opening operations.

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

Town Administrator's Report

TA Breault reported free cash at the end of the fiscal year on June 30 was certified at \$2,369,755. Compared against the budget less enterprise funds, the Town has about 5% reserve which is ideal. He reported the stabilization fund balance as of July 1, 2020 was \$1,139,368 and the capital projects stabilization fund was \$3,142,857. The Hampden Board of Selectmen is considering a regional dispatch system with Wilbraham at its meeting tonight. There is a Solid Waste Advisory Committee meeting Wed at 6pm. The HWRSD Finance and Operations Subcommittee meeting will take place September 21, 2020 at 5pm via Zoom regarding the use of Coronavirus Federal funding. The Selectmen will post for this meeting also. Tom Sullivan, Assistant Town Administrator for Budget and Finance, Collector, Treasurer mentioned that the Flexible Spending accounts may have some modifications deadlines due to Covid. Director of Elder Affairs Director Paula Dubord also reported to TA Breault that Senior Center Building Committee has no plans for a Special Town Meeting this Fall/Winter.

*Materials Referenced: Excel Spreadsheets titled "History of Free Cash" and "Stabilization Fund History".*

### Board of Selectmen Updates

Selectman Carolyn Brennan shared Finance Committee member Kevin Hanks's appreciation of local Fire and Police services for assisting his father just before his recent passing.

### Citizens Open Forum

Resident Michael Squindo thanked the Police Department for support of "Stand Out" for the Remember Their Names event.

### **OLD BUSINESS**

#### Boards and Commissions: Consideration of Applicants for Various Appointments

The Board discussed appointments to vacant positions, specifically the Solid Waste Advisory Committee and the Finance Committee. The Board agreed to schedule interviews for these candidates at the next meeting.

*Materials Referenced: 19 Volunteer Applications, Excel Spreadsheet dated 7.7.2020 showing vacancies on Boards, Committees and Commissions prepared by Admin. Assistant H. Kmelius and Excel spreadsheet titled "Volunteer Summary" prepared by Admin Assistant H. Kmelius.*

#### Posting site for Boards and Commissions

TA Breault stated that there was a suggestion to make the website the official agenda posting center. After consideration, Town Departments were not interested in changing the physical outdoor posting the agenda center at Town Hall to the website. TA Breault recommended not making a change based on the consistency and availability of the Town Clerk. Selectman Boilard noted that there is enough difficulty with updating Committee and Board information and other content on the website. He suggested working towards using the website more for postings in addition to the outside agenda posting area. The Board agreed to keep the agenda posting process the same at this time.

#### Senior Tax Work Off Program

TA Breault stated that due to the impacts of Covid, he recommends to the Board consideration of terminating the Senior Tax work off program for this year and to give credit for any hours worked to date. It was also suggested that preference be offered to the same people for the next year's program. The Board agreed.

**MOTION (Boilard, Brennan): Move to terminate the FY21 Senior Tax Work Off Program due to the impact of COVID-19. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

**MOTION (Boilard, Brennan): Move to offer the FY21 Senior Tax Work Off Program Participants first choice to participate in the FY22 program. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

#### RAHL Entertainment Inc. /Interskate 91 South – Monitored Remote Studies program

This agenda item was replaced by the 7:15pm appointment this evening.

#### Assistant Town Accountant--Consideration of Hiring Recommendation

TA Breault stated that Town Accountant Nancy Johnson has recommended the hire of Betty Ann Collins, the top candidate for Assistant Town Accountant position that is currently vacant.

**MOTION (Boilard, Brennan): Move to approve the appointment of Betty Ann Collins by Town Accountant Nancy Johnson to the position of Assistant Town Accountant at a rate of compensation of \$24.65 per hour including five days of vacation for FY 2021, pending satisfactory completion of a Criminal Offender Records Inquiry and the date of hire to be determined by the Town Accountant. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Job Application, Resume and Letter of Interest received by Human Resources on 7.28.2020 and email correspondence dated 9.11.2020 from HR Coordinator H. Dane to TA Breault, Town Accountant N. Johnson and Admin. Assistant H. Kmelius.*

#### Administrative Assistant, Planning and Building--Consideration of Hiring Recommendation

This matter was tabled to the next meeting.

### **NEW BUSINESS**

#### 2020 Fall Board of Selectmen Meeting Schedule

The Board did not have any issues with the proposed schedule.

**MOTION (Boilard, Brennan): Move to approve the Fall 2020 Board of Selectmen Meeting schedule as presented. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Draft 2020 Board of Selectmen Fall Meeting Schedule prepared by Admin. Assistant H. Kmelius.*

Chapter 41 Section 111F: Injury on Duty

**MOTION (Boilard, Brennan):** Move to indemnify Private Victor Robidoux according to MGL Chapter 41 Section 111F for 178 hours lost from July 31, 2020 through August 10, 2020, due to his injury on duty of June 27, 2019. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

**MOTION (Boilard, Brennan):** Move to amend the indemnification to read for 178 hours lost from July 31, 2020 through August 31, 2020 due to his injury on duty of June 27, 2019. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Letter from Fire Chief Andrews to HR Coordinator H. Dane dated 9.1.2020.*

**LICENSING AND OTHER APPROVALS**

Application for a Temporary Food Establishment Permit – Creative Cakes by Colleen, LLC

**MOTION (Boilard, Brennan):** Move to grant a Temporary food establishment permit to Colleen F. Nadeau of Creative Cakes by Colleen, LLC located at 69 Carpenter Road, Monson to sell prepared food at Fieldcrest Brewing LLC located at 2434 Boston Road from 12pm to 7pm on September 17, 2020; and pending the Health Inspector’s favorable approval and receipt of application fee. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Application for a Temporary Food Establishment Permit received from Colleen Nadeau via email on 9.11.2020 by the Selectmen’s office.*

Applications for a Section 14 Special Alcohol Service – WNCC (Rescind motion from 8/31/2020)

**MOTION (Boilard, Brennan):** Move to rescind the motion made on August 31, 2020 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 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. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Application for a Section 14 Special Alcohol Service License submitted by Michelle Lawlor of the WNCC to the Selectmen’s Office via email on 8.28.2020.*

WNCC Fountain Park approved outdoor entertainment events - 9/19/2020, 9/20/2020, 9/26/2020, and 9/27/2020

**MOTION (Boilard, Brennan):** Move to approve “bring your own” wines and/or malt beverages for events as allowed in the Fountain Park Use Guidelines to the Wilbraham Nature and Cultural Center’s Fountain Park patrons at the Hampden Theater Guild’s free outdoor play performance of “Steel Magnolias” to be held on September 19, 20, 26 and 27, 2020. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: One day entertainment license application (Mon-Sat), and Public Entertainment on a Sunday applications and related documents received from Michelle Lawlor via email to the Selectmen’s office on 8.28.2020.*

Applications for a Section 14 Special Alcohol Service – Fieldcrest Brewing LLC

**MOTION (Boilard, Brennan):** Move to grant three 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 19 and 26, and October 3, 2020 (with rain dates of September 20, 27 and October 4, 2020) between the hours of 12:00 PM and 6:00 PM. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Applications for a Section 15 Special Alcohol Service and related documents received via email from Adam Field of Fieldcrest Brewing Company LLC via email on 9.11.2020 received by the Selectmen’s office.*

Application for a Temporary Food Establishment Permit - Cousins Connecticut Truck LLC dba Cousins Maine Lobster

**MOTION (Boilard, Brennan):** Move to grant a temporary Food Establishment Permit to M Y Shahul Hameed of Cousins Connecticut Truck LLC dba Cousins Maine Lobster located at 77 Lexington Ave., New York, NY to prepare and sell food subject to any existing restrictions imposed due to COVID-19 at Fieldcrest Brewing Company LLC located at 2434 Boston Road from 12pm to 7pm on Thursday, September 17, 2020; and pending the Health Inspector’s favorable approval. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Temporary Food Establishment Permit application and related documents received via email from MY Shahul Hameed of Cousins Maine Lobster on 9.11.2020 via email to the Selectmen’s office.*

**MEETING MINUTES**

November 5, 2018 – Executive Session

November 19, 2018 – Executive Session

November 19, 2018 – Open Session

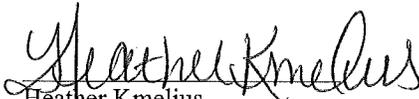
August 25, 2020 – Executive Session

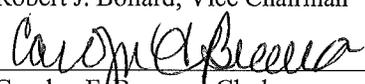
August 31, 2020 – Open Session

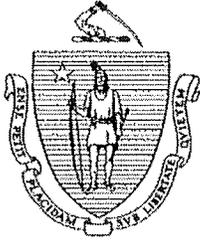
**MOTION (Boilard, Brennan):** Move to approve the Executive Session Minutes from November 5, 2018, November 19, 2018 and August 25, 2020 and the Open Session Minutes from November 19, 2018 and August 31, 2020 as presented. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Draft meeting minutes prepared by Admin. Assistant G. Kmelius for the following dates: November 5, 2018 – Executive Session, November 19, 2018 – Executive Session, November 19, 2018 – Open Session, August 25, 2020 – Executive Session, August 31, 2020 – Open Session.*

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 8:35 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**  
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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;

**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.

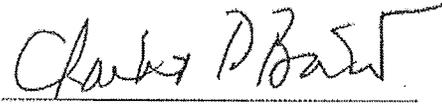
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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