

**BOARD OF SELECTMEN MEETING  
MONDAY, OCTOBER 19, 2020 7:00 P.M.  
POLICE DEPARTMENT, COMMUNITY MEETING ROOM  
2780 BOSTON ROAD, 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:** No one attended by phone.

The meeting was called to order at 7:06 PM.

**PHYSICALLY PRESENT:** Selectmen Robert J. Boilard, Selectmen Carolyn F. Brennan, Town Administrator Nick Breault, and Administrative Assistant to the Board of Selectmen and the Town Administrator – Heather Kmelius.

**NOT PRESENT:** Chairman Robert W. Russell

**PLEDGE OF ALLEGIANCE**

Presiding Officer Boilard 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”. Presiding Officer Boilard 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.

Presiding Officer Boilard asked all to join the Selectmen in saying the Pledge of Allegiance. He also announced that his video was not working during this meeting and that he could only be seen in the meeting through the WPA recording.

**APPOINTMENTS WITH THE BOARD**

7:00 pm Fire Chief Andrews; Jill Conselino, Public Health Nurse; Lorri McCool, Health Director –

COVID-19 Coronavirus update; Reopening of Town Offices by appointment only - Safety Protocol and Policies

Public Health Nurse (PHN) Jill Conselino reported a weekly average of 7 to 8 cases per week. There are nine active cases in Town currently. There will be six cases as of tomorrow. The active cases all consist of traditional residents. There have been 286 total cases in Town to date. She reported that Wilbraham will remain in the yellow zone for the State’s rating system. Police Chief Zollo and Dispatch Supervisor Gentile both reported that department operations are status quo with normal operations.

Fire Chief Andrews stated that his department is currently monitoring the uptick in cases at this time. All staff members are healthy. The department has started doing in house testing with rapid Covid and flu testing this week. Chief Andrews also reported that his team successfully helped with an Agawam, MA fire for 48 hours.

7:10pm S. Soja - Interview for the Playground and Recreation Commission

Resident Stanley Soja was present by phone. Soja was previously on the Playground and Recreation Commission for ten years and also served as the appointed Community Preservation Committee member. He is interested in serving the Town again in this capacity. The Board agreed that this appointment decision would be made on November 2nd with a full Board present.

*Materials Referenced: Volunteer Application from Stanley Soja submitted to the Selectmen’s Office August 2020.*

7:15pm Jeff Christensen, Devin Cox, EntryPoint, LLC: Broadband Master Plan

Devin Cox and Jeff Christensen from EntryPoint LLC were present by phone. Christensen thanked the Board for awarding the Municipal Broadband Master Plan contract to EntryPoint, LLC. It was determined that the daily decisions made with EntryPoint LLC will be managed by TA Breault and IT Director DeLong. Christensen gave an overview of the initial goals he would like to establish including making a project timeline, and creating a regular meeting schedule to discuss topics including: strategy, legal, market analysis, infrastructure analysis, risk analysis, etc. The Board will review the information that Christensen plans to email to the Board and Town officials and determine the next steps of this process.

7:25 pm Police Chief R. Zollo - Request for Reserve Fund Transfer

Police Chief Zollo was present by phone. Chief Zollo stated that the Town has communication equipment on towers in Ludlow and Monson. Both towers had outdoor microwave unit damage. CyberComm was called for repair work. Some of the replacement parts were in the Town's inventory. The Town's insurance covered the incident and Chief Zollo is asking for a Reserve Fund Transfer to cover the \$1000 deductible. The Board did not have any issues with this matter.

**MOTION (Brennan, Boilard): Move to recommend the approval the Request for Transfer from the Reserve Fund from Police Chief Robert Zollo to transfer \$1,000.00 for the insurance deductible cost related to the claim for the repair of two Communication Towers' equipment, and to forward said recommendation to the Finance Committee for consideration. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Request for Transfer from the Reserve Fund form dated 10/13/2020 submitted by Police Chief Zollo and received in the Selectmen's office from Town Accountant Nancy Johnson.*

7:30 pm Director of Veterans Services J. Sasen - Request for Reserve Fund Transfer and Veterans Day discussion

Director of Veterans Services Jered Sasen was present by phone. He requested a Reserve Fund Transfer for funds to cover the repair cost associated with the August 4, 2020 weather damage of a flagpole at the Glendale Cemetery. The requested amount covers the labor and parts for the work. The Board did not have any issues with this matter.

Director of Veterans' Affairs Sasen stated that Veterans Day events would sadly not take place this year due to the impact of Covid. He asked that people decorate their homes to honor and celebrate Veterans Day this year. Director Sasen is working with Elaine Linscott from the Wilbraham Hampden Times who has agreed to help publish a Veterans celebration edition of the newspaper. Plans include nominating a Veteran of the Year. Director Sasen encouraged people to send photos of Veterans along with and personal thank you notes to the newspaper for print in this special Times publication. Selectman Brennan noted the work efforts of Director Sasen to plan these unique Veterans Day celebration efforts.

**MOTION (Brennan, Boilard): Move to recommend the approval the Request for Transfer from the Reserve Fund from the Director of Veterans Affairs Jered Sasen to transfer \$1,049.58 for the flag pole repair at the Glendale Cemetery, and to forward said recommendation to the Finance Committee for consideration. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Request for Transfer from the Reserve Fund form dated 10/13/2020 submitted by Director of Veterans Services J. Sasen and received in the Selectmen's office from Town Accountant Nancy Johnson.*

7:35pm Attorney Stephen M. Reilly, Jr., Town Counsel: Host Community Agreement Proposal, 120 Old Boston Road Recycling

The Selectmen visited 120 Old Boston Road last week and were joined by the Solid Waste Advisory Committee and DPW staff. Town Counsel Attorney Reilly was present by phone. Atty. Reilly has a draft host agreement for the Board's review tonight and a request was made for revisions and comments about the draft document. DPW Director Tonya Basch was present by phone and talked about the refinements of the proposed agreement with USA Waste. DPW Director Basch noted the work done in good faith by USA Waste to date. Selectman Brennan was pleased with DPW and SWAC meeting and contributions to this matter. SWAC Members Sue Bunnell and Jeff Smith reported that they were both very pleased with the process to date.

**MOTION (Brennan, Boilard): Move to approve the Draft Host Community Agreement to present to USA Waste. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Draft HOST COMMUNITY AGREEMENT prepared by Town Counsel Reilly.*

7:40 pm S. Wade & G. Garvey – Application for a Used Car License, 2030 Boston Road, LLC dba Wilbraham Auto Group, 2030 Boston Road

Glen Garvey and Scott Wade were present by phone to talk about an application for a used car license located at 2030 Boston Road. Mr. Garvey explained that the former used car license at 2030 Boston Road was grandfathered in a recorded ZBA decision to the new owners of 2030 Boston Road LLC. The business would be located in the back side of the building with 1-6 cars on the property at a time. There will not be a showroom as business will mostly be conducted online. There will be no vehicle repair work done on site. Scott Wade plans to operate the business. Mr. Wade has 14 years of experience with Enterprise Rent-a-Car.

**MOTION (Brennan, Boilard): Move to approve the application for a Class II Used Car License to allow the purchase and sales of second-hand motor vehicles to Glen Garvey of 2030 Boston Road, LLC dba Wilbraham Auto Group, located at 2030 Boston Road, subject to the conditions of the Decision of the Board of Appeals on the Petition of 2030 Boston Road, LLC dated February 28, 2019 and recorded at the Registry of Deeds on May 15, 2019, Book #22666 and Page #367, and subject to receipt of the bond of not less than \$25,000 as required in the General Laws, C. 140, Sections 58 and 59. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Application for a Used Car License hand delivered to the Selectmen's Office by Scott Wade on 10.19.2020.*

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

Town Administrator's Report

Town Administrator (TA) Nick Breault stated that early voting is taking place at Town Hall this week and next week taking place on weekdays and weekends. TA Breault stated that there has been lots of communication about Trick-or-Treating from the community. Safety tips and guidelines will be posted on the website for residents to review. The Town has an introductory call with Eversource tomorrow after taking over business from Columbia Gas. The Finance Committee is meeting on October 21, 2020 along with the Selectmen and members of the HWRSD administration. TA Breault stated that there is heavy tree damage in Town resulting from storms and the Tree Warden's budget is nearly depleted. There are ongoing discussions about how to handle this financial issue. There will not be a Selectmen's meeting on October 26, 2020. The next meeting will take place on November 2, 2020. The FY21 Tax Classification hearing will take place at the next scheduled meeting.

*Materials Referenced: Agenda posted with the Town Clerk on 10/7/2020 for a Joint meeting of the Board of Selectmen and the Finance Committee.*

Board of Selectmen Updates

No updates were available this evening.

Citizens Open Forum

Resident Dave Sanders asked about the process for the request of released of Executive Session minutes and if the released minutes will be posted on the Town website. The Board agreed that the released Executive Session documents will not be posted on the website. Resident Sanders asked about the status of his request for several released Executive Session minutes. TA Breault responded that they will be available following final legal approval. Resident Sanders also asked about the status of the Building Study. The Board stated that this study is funded by money in the budget but Covid has postponed action on this matter. The Board agreed that it would like to have the finished report completed before Annual Town Meeting.

**OLD BUSINESS**

Regional Dispatch

TA Breault stated that the Town of Hampden is interested in establishing a regional dispatch service with Wilbraham. The regional dispatch agreement for the Towns of Shirley and Ayer will be used as a template. Meetings will be scheduled with Wilbraham and Hampden's Board of Selectmen Chairmen and Town Administrators to pursue this matter. Dispatch Supervisor Anthony Gentile stated that he believes that this regionalization agreement will be mutually beneficial.

*Materials Referenced: Draft document titled "INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF HAMPDEN AND THE TOWN OF WILBRAHAM REGARDING A REGIONAL DISPATCH SERVICE CENTER".*

Draft MGM One Year Lookback Study

TA Breault stated that this is his final call for feedback regarding the MGM One Year Lookback study. He plans to submit the formal response to this report soon.

*Materials Referenced: Report submitted to the Selectmen's Office by CivicEconomics titled "MGM SPRINGFIELD SURROUNDING COMMUNITY IMPACTS ONE YEAR LOOK BACK STUDY 2020 DRAFT REPORT WILBRAHAM SEPTEMBER 21, 2020".*

**NEW BUSINESS**

FY22 Budget

TA Breault stated that the FY22 budgeting process is beginning soon. Town collections are lower than original budget estimates. The State's cherry sheets were recently released and showed the lower levels of funding reported.

Electricity Supplier Contract for Approval

TA Breault reported that Town is at the end of three year energy supplier contract. He has reviewed the four quotes from energy suppliers and is recommending a vendor that would offer a slight decrease in cost.

**MOTION (Brennan, Boilard): Move to award the Electricity Supplier contract to Champion Energy Services for a thirty-six month term beginning November 1, 2020 through October 31, 2023, and to authorize the Town Administrator to sign the contract and issue the notice of award and other associated documents on behalf of the Board of Selectmen. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).**

*Materials Referenced: Documents titled "About Champion Energy", Champion Energy Contract 2020\_2023 101420, Constellation Energy Contract 2013-2015, Direct Energy Contract 2015\_2017, Direct Energy Contract 2017\_2020, draft 36 month Contract\_WILBRAHAM, TOWN OF\_10.14.2020 (1), Electric Energy Supplier IM 101420", and Board of Selectmen Meeting Minutes form 9.18.2017 and 9.28.2015.*

Copier Leases for Approval

TA Breault thanked IT Director DeLong and Administrative Assistant Kmelius for helping with this this long process. Three copier vendors were considered and Ricoh USA Inc. is the recommended vendor at this time for a five year lease of four copiers.

**MOTION (Brennan, Boilard):** Move to approve the Copier Lease contract to Ricoh USA Inc. for a sixty month term as presented for copiers in the following departments: Selectmen's Office, Building Department, Mailroom, DPW. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: ITC66 Equipment Confirmation Form Copiers, Printers, and Related Devises contract document for signature by Ricoh USA Inc and the Town of Wilbraham. Email correspondence from IT Director DeLong to TA Breault and Admin. Assistant H. Kmelius dated 10.13.2020.*

Sewer Abatements

**MOTION (Brennan, Boilard):** Move to approve the Sewer Abatements, totaling \$ \$28,714.90, as listed in a memo, dated October 19, 2020, from Tonya Basch, DPW Director. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Memo from DPW Director T. Basch to Town Accountant/Town Collector titled 10.19.2020 RE: Sewer Abatements dated 10.19.2020.*

Reappointment to Capital Planning Committee – P. Kukulka

This reappointment was accidentally omitted in the last round of reappointments. Town Accountant Nancy Johnson confirmed Mr. Kukulka's interest in continuing in this position.

**MOTION (Brennan, Boilard):** Move to re-appoint Paul Kukulka to the Capital Planning Committee for a term beginning October 19, 2020 through June 30, 2023. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).

**LICENSING AND OTHER APPROVALS**

Due to the shortage of fruit at Fern Valley Farms LLC, the orchard closed activities to the public and did not have entertainment or beer sales on October 10<sup>th</sup> & 11<sup>th</sup>.

Application for License for Public Entertainment on Sunday - Fern Valley Farms LLC, 757V Main Street – Rescind approval from 10/5/2020

**MOTION (Brennan, Boilard):** Move to rescind the motion made on October 5, 2020 granting permission to Daniel Fernandes of Fern Valley Farms LLC to have public Sunday entertainment at Fern Valley Farms LLC, 757V Main Street on October 11, 2020 from 10:30am to 5:30pm. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).

Application for Public Entertainment Mon-Sat (One Day) - Fern Valley Farms LLC, 757V Main Street– Rescind approval from 10/5/2020

**MOTION (Brennan, Boilard):** Move to rescind the motion made on October 5, 2020 to Daniel Fernandes of Fern Valley Farms LLC to have public entertainment at Fern Valley Farms LLC, 757V Main Street on October 10, 2020 from 10:30am to 5:00pm. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).

Application for a Section 14 Special Alcohol Service – Fieldcrest Brewing Company LLC– Rescind approval from 10/5/2020

**MOTION (Brennan, Boilard):** Move to rescind the motion made on October 5, 2020 approving a Section 14: Special Alcohol Service Licenses to the Adam Field of Fieldcrest Brewing Company LLC to permit malt beverages located at Fern Valley Farms, 757V Main Street serving the “pick your own apple and pumpkin patrons” of the orchard to be held on October 10, 2020 (with a rain date of October 11, 2020) between the hours of 12:00 PM and 6:00 PM. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).

Request for Use of Public Property for Special Events - Wilbraham Children's Museum

**MOTION (Brennan, Boilard):** Move to approve the request for use of Public Property for Special Events from Meagan Michel, President of the Wilbraham Children's Museum for the use of the Spec Pond Recreational Complex's “field hockey” field to hold a Children's Halloween Costume party and parade subject to any existing restrictions imposed due to COVID-19 on October 24, 2020 from 12:30pm to 4:30pm. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Application packet for Request for Use of Public Property for Special Events submitted by M. Michel, President of the WCM received via email in the Selectmen's Office 10.19.2020.*

**MEETING MINUTES**

October 5, 2020 Executive Session

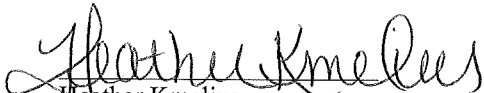
October 5, 2020 Open Session

October 9, 2020 Open Session

**MOTION (Brennan, Boilard):** Move to approve the Open Session Meeting Minutes from October 5<sup>th</sup> and October 9<sup>th</sup>, 2020 and the Executive Session Meeting Minutes from October 5, 2020 as presented. Roll call vote: (Selectman Boilard – yes, Selectman Brennan - yes).

*Materials Referenced: Draft Open Session Meeting Minutes for October 5, 2020 and October 9, 2020 and Draft Executive Session Meeting Minutes from October 5, 2020 prepared and submitted by Admin. Assistant H Kmelius.*

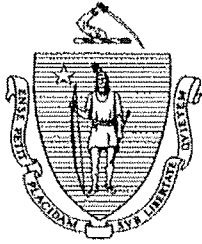
Having no further business, Selectman Brennan made a motion to adjourn the meeting and Chairman Boilard seconded the motion. The Board unanimously voted in a roll call vote (Selectman Boilard – yes, Selectmen Brennan-yes) to adjourn at 8:20 PM.

  
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.

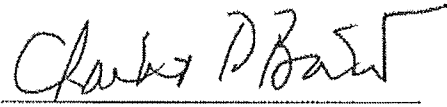
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby 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 black ink, appearing to read "Charles D. Baker". The signature is written in a cursive style with a long horizontal stroke at the end.

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts