

**BOARD OF SELECTMEN MEETING
TUESDAY, FEBRUARY 16, 2021 4:00 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 F. Brennan, and Administrative Assistant to the Board of Selectmen and the Town Administrator – Heather Kmelius. The meeting was called to order at 4:03PM.

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

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 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 and to please remain on "mute" if you are not speaking.

NEW BUSINESS

Acceptance of resignation – Assistant Administrator/Data Collector, Assessors Office

Selectmen Brennan requested the opportunity to request an exit interview with Ms. Barnes. It was stated that Ms. Barnes is not required to comply with this request. TA Breault stated that he is meeting with Ms. Barnes Friday morning and Selectman Brennan agreed to share her questions with TA Breault for this meeting.

MOTION (Boilard, Brennan): Move to accept the resignation of Assistant Administrator/Data Collector, Assessors Office Cathy Barnes effective February 19, 2021. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectmen Brennan-yes).

Materials Referenced: Resignation letter submitted by C. Barnes via email on 2.9.2021 sent to the Board of Assessors members, TA Breault, and HR Coordinator H. Dane.

Authorization to hire – Assistant Administrator/Data Collector, Assessors Office

No discussion.

MOTION (Boilard, Brennan): Move to authorize the hire of an Assistant Administrator/Data Collector, Assessors Office. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectmen Brennan-yes).

Acceptance of resignation – Recycling Attendant

Selectman Boilard would like to have a future Executive Session discussion about the wording of the resignation letter.

MOTION (Boilard, Brennan): Move to accept the resignation of Recycling Attendant Robert Tourville effective January 31, 2021. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectmen Brennan-yes).

Materials Referenced: Resignation letter submitted by B. Tourville via email on 2.10.2021 to DPW Director T. Basch, DPW Highway Supervisor B. Sperrazza, and HR Coordinator H. Dane.

Authorization to hire - Recycling Attendant

No discussion.

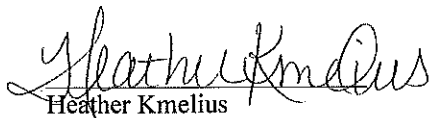
MOTION (Boilard, Brennan): Move to authorize the hire of a Recycling Attendant. Roll call vote: (Chairman Russell – yes, Selectman Boilard – yes, Selectmen Brennan-yes).

Chairman Russell stated the following: "As Chairman 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 - Assistant Administrator/Data Collector, Assessors Office; Recycling Coordinator; and per M.G.L. c. 30A, § 21(a) (3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares--UPSEU Local 424M; and per M.G.L. c. 30A, § 21(a) (6) to consider the purchase, exchange, lease or value of real property--186V Tinkham Road and as the Chairman I so declare and that the Board of Selectmen shall reconvene in open session only to adjourn."

Selectmen 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 - Assistant Administrator/Data Collector, Assessors Office; Recycling Coordinator; and per M.G.L. c. 30A, § 21(a) (3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares--UPSEU Local 424M; and per M.G.L. c. 30A, § 21(a) (6) to consider the purchase, exchange, lease or value of real property--186V Tinkham Road 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).

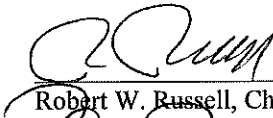
The Board left Open Session to enter Executive Session at approximately 4:11pm. Following the conclusion of the Executive Session, the Board reconvened in Open Session at approximately 5:27 PM.

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 5:27 PM.



Heather Kmelius

Administrative Assistant to the BoS/TA



Robert W. Russell, Chairman



Robert J. Boilard, Vice Chairman



Carolyn F. Brennan, Clerk



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

WHEREAS, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

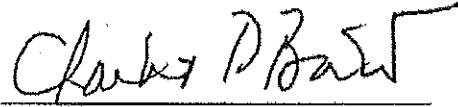
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby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

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 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