The Meeting of the Board of Selectmen held on Tuesday, September 1, 2020 began at 6:00 p.m. Remote participation due to COVID-19.

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Members Present: Manuel Silva, Chairman, Derek DeBarge, Antonio Goncalves, and William Rosenblum

First Order of Business: The Pledge of Allegiance

Visitations:

6:00 p.m. Ellie Villano Town Administrator and Carrie Ribeiro, Human Resources Director

The Board met with Ellie Villano, Town Administrator and Carrie Ribeiro, Human Resources Director to discuss staff returning to work full time, vacation accruals, and the travel vacation policy.

Ms. Villano stated we are designated as essential government employees and have been adhering to the Governor's rules and regulations at 50%. In May, the Governor modified the rule to 10 people per 1,000 square feet. The Town Hall is 37,000 square feet. We can have 43 people in the building. There are 38 people employed full time at Town Hall. There are two employees that are clerical staff working part-time at the Department of Public Works. The Board of Public Works have requested to have their staff back full time. Just about all Senior Centers have their staff back working full time although none are not open to the public. A few of the department heads have approached her indicating they are concerned about getting behind in their work. We think it is time to bring staff back full time to play catch up. School will be starting soon and we will need to plan adjustments for parents with grade school children with some type of leave if needed.

Ms. Ribeiro stated we do fall under the office space provision at Town Hall. Ms. Ribeiro stated there is an exemption currently in effect in which the language reads, "businesses and other organizations may exceed this maximum occupancy level based on a demonstrated need for relief based on public health or public safety considerations or where strict compliance may interfere with continued delivery of critical services". We are getting to a point where departments are short staffed with working a staggered schedule while trying to keep in adherence to this 50% guidelines. The continued delivery of critical services is getting hindered. This exemption can help us with bringing all our staff back. Most department heads have requested to bring their staff back full time. We do have leave provisions for child care issues in place for employees who cannot come back 100% when school starts which is currently in place until December 31, 2020. Many town employees in surrounding Western Mass. Towns are back full time or a combination of remote or in house.

Mr. DeBarge states we have been exceedingly cautious with our employees with keeping them out and bringing them back on a staggered basis and is in support of bringing the staff back full time. The walk-up windows are working well for our community members and we need to continue business for our community.

Mr. Goncalves stated we have been accommodating to Town employees and supports bringing the staff back.

Ms. Villano stated we are not asking to open the Town Hall to the public. The walk-up windows will remain open if the weather permits. In the future, we will need to look into a reopening plan for the public by appointment only.

Ms. Ribeiro stated in regard to opening up the building to the public, we will need to meet with the Fire Chief, Police Chief and the Board of Health to develop a plan as a committee to develop protocols on how to allow the public back into the building just as we did in March with developing a plan to bring the employees back.

Moved by Mr. Rosenblum, seconded by Mr. DeBarge to accept the recommendations from the Town Administrator and HR Director in returning staff to work full time. Vote 4-0. All in favor.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to have the employees start coming back as early as September 8, 2020 but in no case any further than September 14, 2020 to capacity. Vote 4-0. All in favor.

Ms. Ribeiro discussed the Travel Vacation Policy with the Board which were previously approved however some concerns regarding the language have arisen between some departments which calls for additional discussion. Regarding the Vacation Accrual Policy, dated August 6, 2020, there were concerns about the language regarding, "Police, Fire, Central Dispatch and Local 98 are exempt from the carry over and extension of vacation time" since they have been working their regular schedules. The reason we proposed this was because departments were using vacation time throughout the COVID-19 pandemic since March. The individuals that we just called back at 100% staffing tonight were working on a staggered very limited schedule and were not able to use vacation time. These departments were working at 100% except for Local 98 where they had a couple weeks staggered but for the most part working the entire pandemic and using vacation time.

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Mr. DeBarge stated he agrees the unions should be allowed to carry over the same amount of time as the other unions. Police and Fire have been working full time throughout the entire pandemic. The Chiefs thought they would be able to work out employee requests.

Mr. Goncalves stated it should be equal treatment between the unions.

Mr. Rosenblum stated he agrees with giving them the ability to carry it over.

Moved by Mr. DeBarge, seconded by Mr. Goncalves to strike the 2nd paragraph which reads, "Police, Fire, Central Dispatch and Local 98 are exempt from this carry over and extension of vacation time" since they have been working their regular schedules and approve the balance of the memorandum as submitted. Vote 4-0. All in favor.

Ms. Ribeiro and the Board discussed her consultation with the Board of Health regarding amending the portion the COVID-19 Travel Order concerning changing the wording from "requirement" to a "recommendation" of an employee to wear a mask or face covering when an employee either completes the 14-day self-quarantine or produces a negative COVID-19 test prior to returning to work after traveling from a high-risk area.

Moved by Mr. Rosenblum, seconded by Mr. Goncalves to amend the wording in the second paragraph to say the Board of Health "recommends" all employees wear a mask/face covering for 14-days upon return to work from a high-risk area regardless of the ability to social distance. Vote 4-0. All in favor.

Correspondence:

206. David Sepanek, Chairperson of Antonio Costa Mr. Hockey (ACMH) Foundation – requesting permission from the Board to place a banner in front of the Putts Bridge for a golf tournament being held on October 4 at 10:00 a.m., at the Cold Springs Golf course in Belchertown, in honor of Antonio Costa for his dedication to the boys and girls of our community.

    Moved by Mr. Rosenblum, seconded by Mr. DeBarge to approve the banner to be placed in front of the Putts Bridge for a golf tournament being held on October 4 at 10:00 a.m., at the Cold Springs Golf course in Belchertown, in honor of Antonio Costa for his dedication to the boys and girls of our community. Vote 4-0. All in favor.

207. Richard & Jane Chase, Scott Chase, Alan Chase and Maria Coelho – requesting the Board to have a tree removed from the public way at 156 Poole Street due to safety concerns.

    Moved by Mr. Goncalves, seconded by Mr. Rosenblum to pass this item to the DPW and take the matter back up upon their recommendation. Vote 4-0. All in favor.

208. Board to appoint Daniel Soares, Board of Public Works Member as representative for the Open Space Planning Committee and the Dog Park Committee.

    Moved by Mr. DeBarge, seconded by Mr. Rosenblum to appoint Daniel Soares, Board of Public Works Member as representative for the Open Space Planning Committee and the Dog Park Committee. Vote 4-0. All in favor.

209. Board Reorganization – Zoning Board of Appeals.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to file. Vote 4-0. All in favor.

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210 & 210a. Woitek Nowicki – requesting the Board to revoke late fees incurred on car excise taxes. Fred Pereira, Town Collector – informing the Board charges were applied in accordance with Mass General Laws.

Mr. Silva stated excise tax rules and regulations are very stringent. The Board and the Tax Collector do not have any authority to revoke late fees. Once fees are applied, there is no mechanism to have them removed. Mr. Silva suggested contacting the Commissioner of Revenue and request abatement for unusual circumstances.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to have Mr. Silva address this gentleman by letter and file. Vote 4-0. All in favor.

Unfinished Business:

The Board discussed the one regular and one associate member positions available to applicants for the Zoning Board of Appeals which was tabled from last week's meeting.

Moved by Mr. Rosenblum, seconded by Mr. Goncalves to appoint Nicole Parker as a regular member and Darlene Cincone be appointed as the associate member on the Zoning Board of Appeals. Vote 4-0. All in favor.

The Board discussed the Articles for the Special Town Meeting Warrant and insert the Articles into the Warrant.

The October 5th Special Town Meeting Warrant Article Requests are as follows:

Fire/Town

- 10% match of the Federal Assistance Grant- town received $114,091.98
  Would need $10,372.00

Golf

- Retained earnings deficit for the Westover Golf Course

BOS

- Unpaid Bills
- Construction easement between the town and Westmass for Riverside Drive Project
- Vote of a Special Town Meeting to place a ballot question on the ATM for changing of the BPW
- Fee Structure for Class I, II, II Motor Vehicle Licenses
- Use of Plastic Bags Ban in Town- Bylaw change
- Senior Abatement Program changes
- Remove section 32 of c. II – no longer used
- Opt-in to MGL c. 90, s17C reducing the statutory speed limit from 30 to 25 mph in thickly settled or business districts.
- Correct the Salaries of elected officials for FY21 budget

Planning Board

- Zone change – 0 Chapin Street/Res A to Res B
- Zone change – 193 Center Street – Res B to Bus B
- Zoning Bylaw - Fences
- Zoning Bylaw - Accessory building
- Zoning Bylaw – Accessory Livestock
- Zoning Bylaw – Accessory Apartment
- Zoning Bylaw – clothing donation receptacles (2)

BPW /

- Amend Tn Bylaws c. IV, s 8 & 17
- Amend Tb Bylaw c. II, s. 27 – delete
- Amend Tn Bylaw c. II, s.34 – delete

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Moved by Mr. DeBarge, seconded by Mr. Rosenblum to insert the accepted Articles for the October 5th Special Town Meeting Warrant. Vote 4-0. All in favor.

Moved by Mr. DeBarge, seconded by Mr. Goncalves to close the Warrant for the October 5, 2020 Special Town Meeting. Vote 4-0. All in favor.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to approve and sign Selectmen Meeting Minutes of November 5, 2019. Members present were Chairman DeBarge, Ms. Fernandes, Mr. Goncalves, Mr. Silva, and Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to approve and sign Executive Session Minutes of May 12, 2020. Members present were Chairman DeBarge, Mr. Silva, Mr. Goncalves, and Mr. Rosenblum. Ms. Fernandes was absent. Vote 4-0. All in favor.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to approve and sign Executive Session Minutes of May 26, 2020. Members present were Chairman DeBarge, Mr. Silva, Mr. Goncalves, and Mr. Rosenblum. Ms. Fernandes was absent. Vote 4-0. All in favor.

New Business:

The Board discussed the updates of the Charter Communications contract. Negotiations are ongoing, but the Town will be requesting written confirmation from Charter of its commitment to continue annual franchise fee payments after license expiration.

Ms. Villano stated it is undetermined if the contract will be signed and completed by the expiration date of September 16, 2020. The Town is requesting a written commitment from Charter Communications that should the contract expire before it is signed that they continue to pay their franchising fee moving forward.

Moved by Mr. Rosenblum, seconded by Mr. Goncalves to request continuing the contract with Charter Communications until such new contract is agreed upon and signed. Vote 4-0. All in favor.

Closing Comments:

Mr. Goncalves advises residents to continue to be vigilant, and to check on neighbors due to the heat and COVID-19. Mr. Goncalves also advises to beware of scams received by mail, email, text messages and telephone calls.

Mr. DeBarge stated to remember September 11 and to play homage to the fallen heroes on that day and honor the American flag.

Mr. Rosenblum agreed with Mr. Goncalves to beware of email scams.

Mr. Silva reminded the Board that if they have any liaison positions, they need to be sworn in by the Clerk. Mr. Silva also stated to remain vigilant and continue wearing masks.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to adjourn the meeting at 7:16 p.m., enter Executive Session for the purpose of discussing the strategy for negotiations for the non-union contracts for the Town Accountant and Town Administrator, and not return to open session. Vote 4-0. All in favor.

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All related documents can be viewed at the Board of Selectmen's Office during regular business hours.