

**Finance
Committee
MEETING
MINUTES**

March 21, 2023
Upton Town Hall – Room 203

Paul Flaherty and Stephen Bern; Shawn Craig and Rick McGuire (virtual)
Joe Laydon, Brett Simas, Steve Matellian, Maureen Dwinnell, Sandy
Hakela, Michael Bradley, Michael Marchand and Dan Lazarz; Kenny Costa,
Dennis Westgate, Ed Phillips, Mike Penko, Bill Taylor, Laurie Wodin,
Debbie Amorelli, Linda Gay and Marcella Stasa (virtual)

1 The Finance Committee meeting was opened at 8:07 pm by Paul Flaherty to initiate joint
2 meeting with the Upton Board of Selectmen.

3
4 **Review of Board & Committee Articles on Annual Town Meeting Warrant:** BOS Chairman
5 and Finance Committee Co-Chair Paul Flaherty confirm intent of the meeting. There are seven
6 (7) articles for discussion.

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8 At the beginning of the session, Town Manager explained the request for the need to open and
9 then close the warrant for an additional article. The additional article is related to waste removal
10 as the account is projected to be in a deficit. The Board agreed to and opened the warrant,
11 approved the additional free cash article in the amount of \$75,300 and closed the warrant.

12
13 The BOS chairman provides an overview and article discussion begins.

14
15 Articles 17 - Ed Phillips of the Historical Commission presented. Mr. Phillips explained the
16 current condition of the Heritage Park sign and mentioned that they had received various bids for
17 the work. He mentioned that he thought the work would be completed by BVT. The funding for
18 the article would be from Community Preservation.

19
20 Article 18 - Mr. Phillips also presented this article. Mr. Phillips went through the proposed
21 upgrades, referring to the overview document on the CPC web page as well as the grant process
22 that has been completed. Several questions were raised from the Town Manager, Board of
23 Selectmen and Finance Committee members about the fact that the Grange building is not owned
24 by the Town. Does the Town need to have some deed restriction or some agreements in place in
25 case future owners decide to change anything? The Town Manager takes the to-do to obtain
26 answers to the questions to ensure that the Town is not taking unnecessary risks by approving
27 taxpayer monies for private purpose. There was also a concern raised that level of activities
28 could trigger some ADA requirements and that should be reviewed and fully understood. As it
29 currently stands, the group did not believe the building would be deemed ADA compliant.

30
31 Article 19 - Mr. Phillips also presented. This article would create a fund that the Historical
32 Commission would use to preserve the historical infrastructure of Upton. Concern was raised
33 about the expenditures and the process that should be followed. Everyone agreed that the
34 Historical Commission would expend the funds only after Town Manager and Board of
35 Selectmen review and approval. The Heritage Park sign was mentioned as an example for how
36 they see the funds being expended. This is not expected to be an annual request. The requested
37 amount would be funded by Free Cash and is expected to last several years before needing to be
38 replenished.

39

40 Article 20 - Mike Penko presented the article. Mr. Penko provided a summary of the overall Mill
41 Pond and Pratt Pond Studies. Phase 1 was approved at the November 2021 STM and is expected
42 to be completed around October/November 2023. Phase 2 consists of more desk work than field
43 work along with sediment and bathymetric surveys of Mill Pond. The timing of the work is not
44 as important as the Phase 1 funding was last November (not weather dependent). Mr. Penko was
45 asked about sharing the cost estimates and he explained that they did not have any, but that he
46 felt the \$50k was an appropriate amount. Mr Penko was then reminded of the November STM
47 discussion where the same committee had requested \$75k for the Phase 1 study without an
48 estimate. However, due to the timing of the studies, the attendees at that time agreed to move
49 forward with a \$40k value, with the premise that it should be more than enough to cover the
50 initial study and then some additional work. It was mentioned that the bid for Phase 1 came in at
51 \$39,900. Selectmen Simas then brought up the point that the Boards and Committees have a
52 sense of the costs due to their experience. However, that was countered with the fact that the
53 initial study estimate was based on a similar study from many years ago and that there was no
54 indication that anyone associated with the project knows what the cost estimate will be. Mr
55 Penko then mentioned that the increase from \$75k request in November to the total \$90k request
56 now was due to inflation. This was also disputed. It was raised that the process the Town is going
57 through is backwards and that a warrant article should have detailed backup support showing
58 expected costs. The Town should not be approving an amount and then going out to bid as the
59 bidders could know the amount of money that is available to spend. So, instead of the market
60 setting the price, the Town is indirectly doing that on their own. Everyone seemed to agree that
61 the study was needed, but the process was flawed. Maureen Dwinnell suggested waiting to see
62 the results from Phase 1 before approving Phase 2. Mr Penko reiterated that the timing for this
63 was not as important as the Phase 1 work. The funding for this article would be Community
64 Preservation.

65
66 Article 21 – Mr. Penko and Ms. Stasa presented this article. An 80% Trails Program grant has
67 been submitted for the project. The project would construct a bridge in the Robertson Family
68 Conservation Restriction area that would connect some trails by way of the bridge over a stream
69 that is only passable during drought conditions. Various questions were brought up about the
70 property being private, if this would add any liability to the Town and why is the Town
71 improving this parcel so quickly, but hasn't done the same to Stefans property, which the town
72 has owned for many years. Ms Stasa covered most questions and included that the bridge would
73 actually improve access to the Stefans property. The grant application showed an estimated cost
74 of \$88,200 plus contingency to get to about \$100k total cost. If the bridge cost \$100k, then the
75 Town would pay only \$20k. The additional \$20k in the article request was to cover additional,
76 unforeseen contingency. The funding for this article would be Community Preservation.

77
78 Article 35 – The Town Manager explained what the article was intended to do and then stated
79 that the article was being pulled as there is an alternative source (previously approved grant) that
80 can be used for the study if it moves forward. The bridge to be studied is being proposed to
81 connect the recently purchased parking lot on Grove Street to the Community Center located
82 across the Center Brook. This would be part of the proposed Downtown Re-development project.
83 The funding for this article would have been Free Cash.

84

85 **Review of Remaining Articles:** BOS Chairman walks through the warrant articles. There is
86 limited discussion and Finance Committee Co-Chair Mr. Flaherty informs the Board that the FC
87 has another meeting tomorrow night with MURSD and BVT and plan to start to discuss the
88 budget lines and proposed warrant articles to start to formulate their recommendation.

89
90 **Update on FY2024 Town Manager's Budget Recommendation:** Mr. Laydon provides an
91 update stating that his recommendation document should be completed in the morning. He
92 explained the reasons for the delay and hopes to improve the process going forward. Mr Laydon
93 also summarized the memo that he had sent out earlier that day which also provided a status of
94 the process.

95
96 Motion to adjourn the meeting at 9:55pm by Paul Flaherty, seconded by Steve Bern. Unanimous
97 vote of the members present.

98
99 Respectfully submitted,
100 Stephen M. Bern, co-chair of the Finance Committee