

BOARD OF SELECTMEN MEETING MINUTES

June 30, 2020

Town Hall

Chairman Stephen A. Matellian; Selectman Brett A. Simas; Selectman
Maureen Dwinnell, Town Manager, Derek S. Brindisi; Executive
Assistant, Sandra Hakala

CALL MEETING TO ORDER

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order concerning imposition on strict limitations on the number of people that may gather in one place, meetings in the Town of Upton are being conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

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As a preliminary matter, this is Stephen Matellian – Chair, Board of Selectmen. Permit me to confirm that all members and persons anticipated on the agenda are present and can hear me.

- Members, when I call your name, please respond in the affirmative. *Brett Simas, aye, Maureen Dwinnell, aye,*
- Staff, when I call your name, please respond in the affirmative. Derek Brindisi, Town Manager aye, Sandra Hakala, Executive Assistant, aye. *State each staff members' name.*
- Anticipated Speakers on the Agenda, please respond in the affirmative. *None*

REVIEW MEETING AGENDA/APPROVAL OF PREVIOUS MEETING MINUTES – MAY 5,7

Motion #1: Motion made by Selectman Dwinnell to accept the Regular Meeting – May 19, June 2, 9, 17, 18, 23 minutes.

Second: Selectman Matellian, Unanimous, Chairman Simas
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

INVITED GUESTS

PUBLIC HEARING

Chairman Simas opened the Public Hearing at 7:05PM.

The Board reviewed the rates for the enterprise fund budgets for both water and wastewater for the upcoming year proposed by the Public Works Director. The Mr. Westgate outlined the

recommendation of the rate structure proposed which will meet the obligations of both funds for next year.

The Chair closed the public hearing at 7:19PM.

Motion #2: Motion made by Selectman Matellian to approve the FY 2021 Water and Wastewater rates as proposed.

	Gallons Used Quarterly	Water Rates FY20	Water Rates FY21	Sewer Rates FY20	Sewer Rates FY21
	Customer Service Charge (CSC)	\$18.08	\$18.08	\$85.05	\$85.05
Step 1	0 - 3,000 gallons	\$3.69	\$3.76	\$10.50	\$10.76
Step 2	3,001 - 7,500 gallons	\$4.98	\$5.08	\$10.50	\$10.76
Step 3	7,501 - 20,000 gallons	\$6.57	\$6.70	\$10.50	\$10.76
Step 4	More than 20,000 gallons	\$9.31	\$9.50	\$10.50	\$10.76
	Second Meter Charge	\$9.31	\$9.50	N/A	N/A

Second: Selectman Dwinnell, Unanimous: Chairman Simas.
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

DISCUSSION ITEMS

Discussion on Year-end Transfer – Treasurer/Collector Office

The Selectmen discussed a request by the Treasure Collector for a \$6000 year-end transfer to cover the cost of Mr. Glowacki' s vacation buyout. In the second to last week of payroll for FY20, Mr. Glowacki submitted to the payroll clerk five weeks' salary time to be credited to vacation. There was no appropriation for this in the budget. The reason why this was request is in front of the Board of Selectmen is because a year-end transfer requires an affirmative vote from both the Board of selectmen and the Finance Committee.

Ms. Dwinnell stated that under Mass General Law all elected salaries are set at town meeting additionally, this could have been done before a town meeting, and before the tax rate was set, if he was looking for vacation pay. Mr. Glowacki' s hours have not been tracked for twenty plus years as an elected official, as he has the option to set his own hours. This should not be an additional burden to the taxpayers. Mr. Matellian stated the Town shouldn't be forfeiting \$6000 for a vacation buyout and did not see where there's anything substantiated.

Mr. Simas stated there was no vacation time for him to take or not take, he could just come and go as he pleased. He asked for the Finance Committee to comment.

Mr. Flaherty stated article two of the town meeting says to establish the salaries to, to fix the salaries, and compensation of all offices in this town is provided by Chapter 41, Section 108 and the salary was for 52 weeks and the only way that salary can be modified, is at town meeting.

Mr. Simas' recapped the previous commentary - there's a salary, it's 52 weeks a year, he comes and goes as he pleases, takes vacation when he wants, he worked whatever days he wanted, whatever hours he wanted, there's literally no legal basis or concept related to vacation time for this elected position. So, he stated, if the Board were to vote to support this, we're essentially making up on the fly to give away \$6000 of taxpayer money, as a parting gift to somebody that served 23 years as a treasurer collector and he's not sure that sits well with the average taxpayer, or himself, despite the Board's gratitude for his 23 years of service.

The Town Accountant added, if it is decided to approve the payment, it's will be counted in FY20, and the transfer needs to be made by July 15th. The Finance Committee will be reviewing this transfer at their scheduled meeting on July 13. The Board will reconsider this at their next meeting.

Discussion on Tax Relief Program- Board of Assessors

A discussion between the BoA and the BoS was initiated last year to identify and put in place additional tax relief polices to provide relief to those who need it. The BoA has proposed guidelines and will continue to refine them and prepare an article for the STM in the Fall to reduce the interest rate for late payments.

Discuss Finance Department Reorganization

Town meeting has supported changing the position of Treasurer Collector from elected to appointed - the Town Manager presented to the Board a plan at how the Town can operationalize finances. The proposed plan reorganizes the three separate Town finance offices of Town Accountant, Treasurer/Collector and Assessing to be structured under one department. The proposed Finance Department model would have the ability to share same goals, the same vision and work as one team under the direction of the Finance Director/Town Accountant who in turn will work directly with the Board of Assessors and Town Manager; with final checks and balances with the Board of Selectmen.

The Finance Director/Town Accountant is a proposed part-time position and will replace the existing part-time Town Accountant position, reporting directly to the Town Manager as the department head. The Finance Director/Town Accountant will be responsible for maintaining and improving upon the efficiency and effectiveness of all areas under his/her direction and control.

Currently, the Treasurer/Collector's Office, Assessor's Office and the Town Accountant's Office all have different reporting structures and goals, which limit the ability to streamline systems, find opportunities for efficiencies and then provide the necessary cross training and staff support for these one-person operations. The Treasurer/Collector has historically reported to

the Town voters, the Town Accountant reports to the Town Manager and the Assistant Assessor reports to the Board of Assessors which is a three-member elected Board.

Mr. Simas stated “that furthers the cause of professionalize the administration of the town and gives taxpayers clear information faster, and information more quickly and more in, a more transparent way, for me, is better”. Mr. Matellian felt it was overkill to add a finance director position and equated managing a budget of 5 million by dismissing 13 million dollars. He further stated it will be viewed as deceitful, a little cloak and dagger, not wanting people to run for this seat. Ms. Dwinnell and Mr. Simas agreed that the Town will have more effective budget management and procedural management and transparency to the taxpayers by putting this organization in place.

Ms. Dwinnell added the treasurer collector still has the statutory authority, and responsibility for that job under law to counter Mr. Matellian’s concern that an important check and balance between those two offices will be smeared. The Board has asked the Town Manager to open this up to public comment to avoid any misperception about the intent behind the changes.

Motion to Appoint Acting Treasurer Collector

Motion #3: Motion made by Selectman Dwinnell to appoint Deb Teta Treasurer Collector to the end of the existing term available.

Second: Selectman Matellian, Unanimous, Chairman Simas
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Discuss Schools Request for Cares Act Funding

Jay Byer requested that the Town fund MURSD’s request (213,817.50) to buy devices for remote learning on the presumption that the school district probably is going to have some form of remote learning potentially have to even close down at some point or not due to Covid 19.

Dr. Fitzpatrick stated they have additional challenges to provide meaningful distance learning, especially within the vocational technical curriculum areas, but are working with, across the country, with all kinds of industry partners and others to continue to identify new software applications and new techniques. He asked if the Town would consider an allocation of reimbursement commitment of \$25,000 that would be helpful to us.

Motion #4: Motion made by Selectman Dwinnell to approve the funding for the technology for both.

Second: Selectman Matellian, Unanimous, Chairman Simas
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Motion to Accept Various Donations

Motion #5: Motion made by Selectman Matellian to accept a \$100 donation from the Hart and Asselin families the amount of \$100 to be used to purchase items for the Upton Center food pantry.

Second: Selectman Dwinnell, Unanimous, Chairman Simas
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Motion #6: Motion made by Selectman Matellian to accept donation from the Merchant Services Consulting Group in the amount of \$500 to be used to purchase items for the Upton Center food pantry.

Second: Selectman Dwinnell, Unanimous, Chairman Simas
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

[Discuss Funding for Town Planters- Men's Club](#)

The Upton Men's Club has agreed to maintain the various town planters that was previously maintained by the Upton Women's Club. There is a total of 13 planters located at various intersections in Upton and 2 located at the Town Hall. The 2 at the town hall were destroyed by an accident and are due to be replaced through the Town's insurance claim.

In support of their efforts to refresh these 15 planters and maintain them, the Upton Men's Club formally requests up to \$500.00.

Motion #7: Motion made by Selectman Dwinnell to expend \$500.00 from the Ella Risteen Beautification fund.

Second: Selectman Matellian, Unanimous, Chairman Simas
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

[Discuss Annual Appointments to Boards & Committees](#)

[Review Applications for Appoint to Various Boards and Committees](#)

Motion #8: Motion made by Selectman Matellian to appoint KP Law for a one-year appointment.

Second: Selectman Dwinnell, Unanimous, Chairman Simas
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Motion #9: Motion made by Selectman Matellian to appoint a one-year appointment the following people for various committees:

BUILDING COMMITTEE
James Brochu

200 Paul Flaherty
201 Steve Rakitin
202 Dee Hakala
203 Michael Howell
204 Justin Pollard
205 Jay Rodriguez
206
207 DISABILITY AFFAIRS GRIEVANCE COORDINATOR
208 Janice Read Nowicki
209
210 DPW FEASIBILITY COMMITTEE
211 Daniel Lazarz
212 Andy Leonard
213 Richard McGuire
214
215 ECONOMIC DEVELOPMENT COMMITTEE
216 Steven Rakitin
217 Eugene Bernat
218 Dave Ross
219 Michelle Antinarelli (Associate Member)
220
221 Second: Selectman Dwinnell, Unanimous, Chairman Simas
222 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye
223
224 **Motion #10:** Motion made by Selectman Dwinnell to appoint a one-year appointment:
225
226 GREEN COMMUNITY COMMITTEE
227 William Taylor
228
229 Second: Selectman Matellian, Unanimous, Chairman Simas
230 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye
231
232 **Motion #11:** Motion made by Selectman Matellian to appoint a one-year appointment:
233
234 MUNICIPAL CENTER STEERING COMMITTEE
235 Bill Taylor
236 Gregg Manning
237 Debbie Amorelli
238
239 Second: Selectman Dwinnell, Unanimous, Chairman Simas
240 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye
241
242 **Motion #12:** Motion made by Selectman Matellian to appoint a one-year appointment:
243

244 Land Stewardship Committee subcommittee of Conservation
245 Eric Reustle
246 Scott Heim
247 Michael Penko
248 Bill Taylor
249 Mary Overholt
250
251 Second: Selectman Dwinnell, Unanimous, Chairman Simas
252 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian,
253
254 **Motion #13:** Motion made by Selectman Matellian to appoint a one-year appointment:
255
256 Open Space Committee subcommittee of Conservation
257 Tom Dodd
258 Alan Miano
259 Mike Penko
260 Christine Scott
261 Bill Taylor
262
263 Second: Selectman Dwinnell, Unanimous, Chairman Simas
264 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian,
265
266 **Motion #14:** Motion made by Selectman Matellian to appoint a one-year appointment:
267
268 RECORDS ACCESS OFFICER
269 Kelly McElreath
270 Michael Bradley
271
272 Second: Selectman Dwinnell, Unanimous, Chairman Simas
273 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
274
275 **Motion #15:** Motion made by Selectman Matellian to appoint a one-year appointment:
276
277 RFP COMMITTEE
278 Maureen Dwinnell
279 Dave Ross
280 Craig Weinfuss
281 Katherine Worsham
282 Steve Johnson - Alternate
283
284 Second: Selectman Dwinnell, Unanimous, Chairman Simas
285 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
286
287 **Motion #16:** Motion made by Selectman Matellian to appoint a one-year appointment:

288 TECHNOLOGY COMMITTEE
289 Steven Rakitin
290
291 Second: Selectman Dwinnell, Unanimous, Chairman Simas
292 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
293
294 **Motion #17:** Motion made by Selectman Dwinnell to appoint a one-year appointment:
295
296 TREE WARDEN
297 Dennis Westgate
298
299 Second: Selectman Matellian, Unanimous, Chairman Simas
300 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
301
302 **Motion #18:** Motion made by Selectman Dwinnell to appoint a one-year appointment:
303
304 AFFORDABLE HOUSING TRUST
305
306 BoS CHAIR Simas
307
308 Second: Selectman Matellian, Unanimous, Chairman Simas
309 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
310
311 **Motion #19:** Motion made by Selectman Dwinnell to appoint a three-year appointment:
312
313 COMMUNITY PRESERVATION COMMITTEE
314
315 Dave Adams
316
317 Second: Selectman Matellian, Unanimous, Chairman Simas
318 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
319
320
321 **Motion #20:** Motion made by Selectman Dwinnell to appoint a three-year appointment:
322
323 CONSERVATION COMMISSION
324
325 Michael Penko
326 Christine Scott
327
328 Second: Selectman Matellian, Unanimous, Chairman Simas
329 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
330
331 **Motion #21:** Motion made by Selectman Dwinnell to appoint a three-year appointment:

332 COUNCIL ON AGING
333 Margaret Watson
334 Richard Provost
335 Laurie Fantini
336 Judie Pitts
337
338 Second: Selectman Matellian, Unanimous, Chairman Simas
339 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
340
341 **Motion #22:** Motion made by Selectman Dwinnell to appoint a three-year appointment:
342
343 COUNCIL ON AGING
344 Margaret Watson
345 Richard Provost
346 Laurie Fantini
347 Judie Pitts
348
349 Second: Selectman Matellian, Unanimous, Chairman Simas
350 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
351
352 **Motion #23:** Motion made by Selectman Dwinnell to appoint a one-year appointment:
353
354 CUSTODIAN OF TAX TITLE PROPERTIES
355 Deb Teta
356
357 Second: Selectman Matellian, Unanimous, Chairman Simas
358 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
359 **Motion #24:** Motion made by Selectman Dwinnell to appoint a three-year appointment:
360
361 DISABILITY COMMISSION
362 Janice Nowicki
363
364 Second: Selectman Matellian, Unanimous, Chairman Simas
365 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
366
367 **Motion #25:** Motion made by Selectman Dwinnell to appoint a three-year appointment:
368
369 HISTORICAL COMMISSION
370 Don Spargo
371 Katherine Worsham
372
373 Second: Selectman Matellian, Unanimous, Chairman Simas
374 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian
375

376 **Motion #26:** Motion made by Selectman Dwinnell to appoint a three-year appointment:

377

378 OPEB TRUST COMMISSIONERS TRUST

379 Deb Teta Treasurer/Collector

380 Brett Simas Chair BOS

381

382 Second: Selectman Matellian, Unanimous, Chairman Simas

383 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian

384

385 **Motion #27:** Motion made by Selectman Dwinnell to appoint a one-year appointment:

386

387 OPEB TRUST COMMISSIONERS TRUST

388 Deb Teta Treasurer/Collector

389 Brett Simas Chair BOS

390

391 Second: Selectman Matellian, Unanimous, Chairman Simas

392 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian

393

394 **Motion #28:** Motion made by Selectman Dwinnell to appoint a one-year appointment:

395

396 PERSONNEL BOARD

397

398 Scott van Raalten

399

400 Second: Selectman Matellian, Unanimous, Chairman Simas

401 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian

402

403 Discuss BOS Meeting Schedule

404 Th Board will meet on July 14 and then resume their regularly scheduled meetings on the first
405 and third Tuesday of the month starting in August.

406

407 **ADJOURN MEETING**

408 **Motion #29:** At 9:20pm Selectman Dwinnell made motion to adjourn.

409

410 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

411

412 Respectfully submitted,

413

414 Sandra Hakala, Executive Assistant