

BOARD OF SELECTMEN MEETING MINUTES

March 2, 2021

Virtual Meeting

Chairman Brett A. Simas; Selectman Maureen Dwinnell; Selectman Stephen A. Matellian; 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.

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 will be conducted via remote participation to the greatest extent possible. We will strive to provide access to such meetings via a link to call in, or other similar option. In the event we are unable to accommodate the same, despite best efforts, we will post recorded sessions of the meeting as soon as possible following the same.

As a preliminary matter, this is Brett Simas – 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. *Stephen Matellian, aye, Maureen Dwinnell, aye,*
- Staff, when I call your name, please respond in the affirmative. Derek Brindisi, Town Manager aye, *State each staff members' name.*
- Anticipated Speakers on the Agenda, please respond in the affirmative. *None*

Public Comment

None

Approval of Meeting Minutes - February 16

Motion #1: Motion made by Selectman Dwinnell to approve the minutes of February 16.

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

Guest Presentations

[Public Hearing Class II – 138 Milford Street](#)

Mr. Matellian recused himself.

Mr. Simas Re-opened the Public Hearing.

40 Please be advised that under the provision of Chapter 140 of the Mass General Law the Board
41 of Selectmen will be reviewing the application of Wayland Foreign Motors LLC requesting a
42 Class II License at 138 D Milford Street, Upton. The Board will review this application originally
43 submitted by Timothy Cornu, 1 McHugh Lane, Hopkinton, MA for consideration on Tuesday,
44 February 2, 2021 at 7:05pm – Virtual Meeting.

45
46 Mr. Cornu was present.
47

48 Through the town manager the board sought clarification from the ZBA on their role to issue a
49 permit for a Class II license. The number of spaces that has been designated in the past was 25
50 spaces.

51
52 **Motion #2:** Motion made by Selectman Dwinnell approve the Class II application of Wayland
53 Foreign Motors LLC requesting a Class II License at 138 D Milford Street, Upton.

54
55 Second: Chairman Simas, Majority Action
56 Brett Simas, aye, Maureen Dwinnell, aye,
57

58 **Board Discussion Items**

59 *Discussion on [Draft Annual Town Meeting Warrant](#)*

60
61 The Board reviewed the Articles on the draft warrant in preparation for the ATM on May 6. The
62 annual article to approve the transfer of \$436, 497 into Upton's Stabilization Fund was not
63 supported by Mr. Matellian. A portion of this request (approximately \$250,000) is sought to
64 make up for what was transferred out of stabilization to fund the school's budget last year. The
65 remaining monies are to help the town reach the goal of having 10 percent of the overall
66 budget in stabilization, which helps with bond ratings.

67
68 Also discussed was developing an annual cycle for the town that that does not require having a
69 fall special town meeting. In the past capital expenditures were reviewed at this time.

70
71 Lyn Haggarty spoke on the first citizen's Article 26, there was no comment on the second
72 citizen's petition.

73
74 **Motion #3:** Motion made by Selectman Matellian to approve the Warrant as written except for
75 Article 7 and Article 11B and pending final review by Town Counsel.

76
77 Second: Selectman Matellian, Unanimous, Chairman Simas
78 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

79
80 *[Motion to Execute Consultant Agreement for Management of The Town's Municipal](#)*
81 *[Aggregation Program and Energy-Related Services](#)*

82

83 **Motion #4** Motion made by Selectman Matellian approve to Execute Consultant Agreement for
84 Management of The Town's Municipal Aggregation Program and Energy-Related Services.

85
86 Second: Selectman Matellian, Unanimous, Chairman Simas
87 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

88
89 *Consider reopening the Annual Town Meeting Warrant*

90
91 Given that the schools rendered a 1.4-million-dollar assessment, the town will not be able to
92 fund this assessment within the levy based on the budget submitted. So, for that purpose, it
93 was important to have a conversation about re-opening the warrant for a period up to seven
94 days, to include this article.

95
96 **Motion #5:** Motion made by Selectman Matellian to open the annual town meeting Warrant
97 beginning March 3rd and close it on March 17th.

98
99 Second: Selectman Matellian, Unanimous, Chairman Simas
100 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

101
102 Dave Loeper reminded the Board, if the goal is to go a year without having a fall special town
103 meeting, they had better make sure to do everything that must be done every year at the ATM.

104
105 **Town Manager Report**

106
107 The North Street property is a new property acquired through Tax Title and selling of land is a
108 way of offsetting some of the taxpayer impact for the community center and is something that
109 could potentially be included in the ATM warrant.

110
111 **Adjourn Meeting**

112
113 **Motion #6:** At 8:42 Selectman Dwinnell made motion to adjourn.

114
115 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

116
117 Respectfully submitted,
118 Sandra Hakala, Executive Assistant