

# BOARD OF SELECTMEN MEETING MINUTES

December 15, 2020

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; November 17 December 1**

**Motion #1:** Motion made by Selectman Matellian to approve the November 17 and December 1 meeting minutes.

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

## **Guest Presentations**

[Governors Landing \(a proposed residential development off 140\)](#)

39 Jeff Roelofs, outside counsel, the FAFSA Real Estate and Development and Sean Malone  
40 outlined the proposed plan:

41

- 42 · The Central Mass Regional Planning Commission has designated this area of opt in as a  
43 priority development area, the primary obstacle is the lack of water and sewer. The  
44 property is located off Milford St. going towards Milford, in between Rt. 140 and the  
45 railroad tracks that are over near Grove St.
- 46 · Previous efforts to develop the same area years ago to a single-family residential  
47 development and Fafard had secured the permits to do so but the economy tanked so it  
48 was never built.
- 49 · The town's housing production plan states there is now an increased need for more  
50 moderately priced housing options including a strong demand for senior housing.
- 51 · Upton's Planning Board, Conservation Commission, and Affordable Housing Trust have  
52 been developing various scenarios for the development and ultimately came up with a  
53 concept for a mix of townhouses and senior housing.
  - 54     ○ Senior housing would be designated in the Single Residential C District and  
55         would consist of ten single family three-bedroom homes as well as 100, two-  
56         bedroom units in 50 duplex buildings.
  - 57     ○ Eight affordable units would be developed offsite.
  - 58     ○ Approximately 19 acres of the development would be protected open space.
  - 59     ○ In the General Business District, a total of 48, two-bedroom townhouses would  
60         be constructed. Benefits resulting from the new development would include an  
61         estimated \$750,000 net annual revenue that would include property tax, auto  
62         excise tax, and building permit fees.
- 63 · Various options for water and sewer connections were discussed:
  - 64     ○ connecting to the pumping station on Station St. from Milford St.
  - 65     ○ connect via "cross country" through the railroad's property.

66

67 The Selectmen had several questions and concerns regarding the project including the low  
68 number of affordable units, and the architectural design of the townhouses presented, among  
69 others. Mr. Brindisi asked if in the future commercial development might be a better option in  
70 the General Business District zone. DPW Westgate also voiced concerns with the water and  
71 sewer connections, needed noting up to \$1 million worth of renovations to the Station St.  
72 pumping station might be needed to handle the new development. Mr. Simas noted the Town's  
73 interest in putting in infrastructure along 140 and will have additional discussions with town  
74 officials to see what the next steps are.

75

76 [FY 22 Budget Planning Process](#)  
77 Kenny Costa, Finance Director presented the budget planning process and trends that lead him  
78 funding estimates for the impending FY22.

80     · **Home values** increased 100,000 between 2013 and 2021 a steady increase in home  
81       values, almost 32%. Home values have gone up, does not mean that the town has  
82       brought in more money.

83     · 24.86 million dollar budget -the largest cost is education, 57%; second is the town  
84       services at 31%, library, police and fire, public safety, general government, etc.; and the  
85       last is fixed costs, which is 12%, and that makes up debt service, pension, insurance for  
86       health and building, also payroll taxes and state assessments.

87     · **Education Budget Trend** Based on past trends, it is estimated nearly \$600,000 overall  
88       increase to the schools' budgets, or 4.9 percent, for a total of \$14,582,973 for fiscal year  
89       2022.

90     · **Public Safety Budget Trend** - FY22 Total Police, Fire and Emergency Management  
91       Department Budget - \$3,254,606, Increase of \$116,150 and 3.70% from FY21

92     · **Fixed Costs Trends for FY22**

93       ○ FY22 Pension Appropriation for the Worcester Regional Retirement System is  
94       estimated to be \$703,000 for the General Fund portion. The increase is  
95       estimated to be approximately \$69,700 or 11% from FY21 budget amount of  
96       \$633,584.

97       ○ FY22 State & County Charges are estimated to be \$67,701 and an increase of  
98       \$290 from FY21.

99       ○ FY22 Debt Service expenses are estimated to be \$405,000 and a decrease of  
100       \$22,000 or 5% from FY21. Much of the decrease is due to the recent refunding of  
101       the Town Hall Renovation and Water Bonds.

102       ○ FY22 Payroll Taxes - Medicare & Unemployment expenses are estimated to be  
103       \$117,000 and an increase of \$3,000 or 2.6% from FY21.

104       ○ OPEB (Other Post-employment Benefits) The liability increased by \$673,440 or  
105       9.4% from the last year's actuarial valuation.

106     · **Tax Levy** - 2.5% Automatic Increase \$532,880 New Growth \$250,000 (est.)

107     · **FY22 Total Projected Expense Budget** \$25.6MIL

108       ○ The Town had a successful budget building process in FY21 amid the pandemic.  
109       The Town has budgeted conservatively for revenues and expenses in which has  
110       proven to serve the Town well to weather the storm in FY21, FY22 and the  
111       future.

112       ○ Free Cash as of July 1, 2020 - \$2,130,536

113       ○ The Town recently refunded bonds of \$5.5MIL that will realize savings of  
114       approximately \$548,000 over the next 14 years.

115       ○ The Town was able to secure a AA+/Stable rating from S&P. (Second best rating  
116       to a AAA)

117       ○ General Stabilization "Rainy Day" Fund – current balance totals \$2,029,183

118       ○ S&P rating agency will review the Town's General Stabilization "Rainy Day" Fund  
119       balance and calculate if it is 10% of the FY22 budget. The Town has appropriated  
120       \$500,000 annually the last 2 fiscal years and will look for the Town to continue to  
121       add to the fund.

122

123 **Board Discussion Items**

124  
125 *Motion to Renew Annual Licensing*

126 Common Victualler - BVT

127 **Motion #2:** Motion made by Selectman Dwinnell to approve the Common Victualler BVT  
128 renewal application.

129  
130 Second: Selectman Matellian, Unanimous, Chairman Simas  
131 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

132  
133 Class II - Lakeside Machine  
134 Mr. Matellian recused himself from the class II renewal process.

135  
136 **Motion #3:** Motion made by Selectman Dwinnell to approve Class II renewal application for  
137 Lakeside Machine.

138  
139 Second: Chairman Simas, Majority Action of the Board  
140 Brett Simas, aye, Maureen Dwinnell, aye

141  
142 *Motion to Appoint Technology Committee Member*

143 **Motion #4:** Motion made by Selectman Matellian to appoint John Bouthiette to the Technology  
144 Committee.

145  
146 Second: Selectman Dwinnell, Unanimous, Chairman Simas  
147 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

148  
149 *Motion to Accept Donation to Council on Aging: COA Donation*

150 **Motion #5:** Motion made by Selectman Dwinnell to accept a very generous donation of \$100  
151 from Senator Michael Moore for the COA "To-Go-Christmas Dinner".

152  
153 Second: Selectman Matellian, Unanimous, Chairman Simas  
154 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

155  
156 *Motion to Accept Updates to the Personnel Policy & Procedure Manual*

157 **Motion #6:** Motion made by Selectman Dwinnell to approve the updates as presented to the  
158 Personnel Policy & Procedure Manual.

159  
160 Second: Selectman Matellian, Unanimous, Chairman Simas  
161 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

162  
163 *Motion to Approve Snow Plowing on Private Ways*

164 **Motion #7:** Motion made by Selectman Matellian to approve the 2020-2021 snow plowing  
165 private ways document prepared by the DPW Director.

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

169

170 **Review and Approve Use of Town Hall Policy**

171 **Motion #8:** Motion made by Selectman Matellian to approve the updated Use of Town Hall  
172 Policy.

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174 Second: Selectman Dwinnell, Majority Action of the Board  
175 Brett Simas, nay, Maureen Dwinnell, aye, Steve Matellian, aye

176

177 Mr. Simas dissent was to only to the use of alcohol at Town Hall.

178

179 **Town Manager Report/Updates**

- 180 • Covid - the reason why we had a spike, like many other communities is because of the  
181 Thanksgiving holidays. It is projected that we're going to see another spike two week  
182 there after the Christmas holiday.
  - 183 • The states now waiting for the vaccine to be approved by the FDA, expecting that to  
184 take place in the next couple of weeks, which will then have a delivery within 24 to  
185 40 thereafter.
  - 186 • We have noticed that we have had more infections among amongst the staff in the  
187 previous two weeks.
- 188 • Met with the Cemetery Commissioners with the cemetery wishes, to engage them in  
189 the process of what it would mean if the town were to take their recommendations  
190 03:09:03 - 03:09:12
- 191 • Met with Open Space Committee and Conservation Committee members  
192 to talk about the acquisition property and would aim for a closing date of June first,  
193 2021.
- 194 • Closed on 0 Grove Street and by the end of this week, the vehicles will be removed, and  
195 trailers should be gone by the end of this week as well.
- 196 • And then, lastly, a grant for approximately \$16,000 from MIIA to be used to conduct a  
197 capital lease analysis of townhall, fire station, and police station. This will be a full  
198 analysis of all of the capital equipment, so the HVAC systems, everything down to the  
199 doors and the windows, and the replacement cost.

200

201 **Adjourn Meeting**

202

203 **Motion #9:** At 10:18pm Selectman Dwinnell made motion to adjourn.

204

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

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207 Respectfully submitted, Sandra Hakala, Executive Assistant