

BOARD OF SELECTMEN MEETING MINUTES

December 01, 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*

REVIEW MEETING AGENDA

INVITED GUESTS

[Hartford Ave S Pole Relocation Hearing](#)

Public Hearing – National Grid Pole Location

Chairman Simas re-opened the Public Hearing at 7:05PM pertaining to the Petition by National Grid seeking approval to install 3 phase OH power from p65 to riser pole 65-1 on customer property at 25 Maple Ave. to support p65, a 45' JO push brace p65-89 is to be installed approx. 15' SE on town property

Dana Larsen was in attendance representing National Grid to answer questions from the Board.

During the hearing Stephen Bern asked what the purpose of the three-phase power would be and how does it expand the Railroad's operations. The Town Manager explained the three-

40 phase power would be for a building on the property that has already been constructed. Town
41 officials have been working with the Railroad on their expansion project. Due to pre-emptive
42 laws, the GURR do not need a local building permit but are working with the town to meet
43 safety requirements. To install 3 phase OH power for a big operation is rare stated Valerie
44 Leonardo, and she wondered what else is in the scope of their project besides poles?

45
46 The 10,000 square foot building will hold 10 to 12 silos to store chemicals already bringing on
47 site. The building will increase storage capacity. Additionally, planned are 18 new spurs to be
48 used for "parking" for tankers.

49
50 Jonathan Calianas also asked what chemicals are being transported in, how they will be stored
51 and what precautions will be taken. Mr. Simas explained that Town Counsel has confirmed that
52 the pole hearing is not an opportunity for the Town to legally provide any leverage and to
53 interrogate the expansion use of the RR.

54
55 Grafton Upton Railroad Company president, Michael Milanoski, stated that the expansion
56 activities will not result in any additional chemicals being stored on site. He also said none of
57 the chemicals are "skull and crossbones, could be considered health hazards". He declined to
58 discuss the entire list, but stated that public safety has the list.

59
60 **Motion #1:** Motion made by Selectman Dwinnell to approve National Grid request to install 3
61 phase OH power from p65 to riser pole 65-1 on customer property at 25 Maple Ave. to support
62 p65, a 45' JO push brace p65-89 is to be installed approx. 15' SE on town property.

63
64 Second: Selectman Matellian, Unanimous, Chairman Simas
65 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

66
67 **DISCUSSION ITEMS**

68 Motion to Amend [License & Permit Fee Schedule](#) to include Farmer Series Pouring Permit

69
70 **Motion #2:** Motion made by Selectman Dwinnell approve the License & Permit Fee Schedule to
71 include Farmer Series Pouring Permit.

72
73 Second: Selectman Matellian, Unanimous, Chairman Simas
74 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

75
76 **Motion #3:** Motion made by Selectman Dwinnell to close the pole hearing.

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

80
81 Motion to [Renew Annual Licensing - Common Victualers, Class II, Entertainment, All Alcohol](#)
82 Selectman Matellian recused himself from the renewal of Lass II licensing.

84 **Motion #4:** Motion made by Selectman Dwinnell to renew the following Class II licenses
85 contingent upon receipt by the Town of all documents and payments required of said license:

86 Matellian Motors

87 McQ Sales

88 Motuzas Automotive Inc.

89 Patrick Davidson

90 Precision Auto Center

91 Upton Foreign Auto Service

92 Upton Getty, Inc.

93 Upton Truck and Auto

94 MGM

95

96 Second: Chairman Simas, Majority Action of the Board

97 Brett Simas, aye, Maureen Dwinnell, aye

98

99 **Motion #5:** Motion made by Selectman Dwinnell to renew the following Common Victualler
100 Licenses contingent upon receipt by the Town of all documents and payments required of said
101 license:

102 Country Club Sooper

103 KCLC, Inc. (Rose Garden)

104 Red Rock Grill & Bar

105 KB Holdings (118 Main)

106 Main Street Pizza

107 C&N Food Service, Inc. (Dunkin D)

108 Honey Farms, Inc.

109 Kevin Lu, Inc. (Jade Garden)

110 SBD, Inc. (Little Coffee Bean)

111 Upton House of Pizza

112 VFW

113

114 Second: Selectman Matellian, Unanimous, Chairman Simas

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

116

117 **Motion #6:** Motion made by Selectman Dwinnell to renew the following entertainment licenses
118 contingent upon receipt by the Town of all documents and payments required of said license.

119 KCLC, Inc. (Rose Garden) - Auto Amusement Coin Op 1

120 Red Rock Grill & Bar – Live Music

121

122 Second: Selectman Matellian, Unanimous, Chairman Simas

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

124

125 **Motion #7:** Motion made by Selectman Dwinnell to renew the following alcoholic beverages
126 licenses contingent upon receipt by the Town of all documents and payments required of said
127 license:

128 Nipmuc Rod & Gun Club

129 Rushford & Son

130

131 Second: Selectman Matellian, Unanimous, Chairman Simas

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

133

134 [Motion Accept Deed - Crosswinds](#)

135 **Motion #8:** Motion made by Selectman Matellian to accept the deed for Crosswinds.

136

137 Second: Selectman Dwinnell, Unanimous, Chairman Simas

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

139

140 [Motion to Accept Deed – 0 Grove Street](#)

141 **Motion #9:** Motion made by Selectman Matellian to accept the deed for 0 Grove Street.

142

143 Second: Selectman Dwinnell, Unanimous, Chairman Simas

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

145

146 [Discuss Funding Request by Fire Association](#)

147 On behalf the Upton Men's Club, and the Upton Fire-EMS Association, Seth Grill requested, Two Thousand Five Hundred Dollars (\$2,500.00), from the towns beautification fund to decorate the town common for the 2020 holiday season. The Upton Men's Club and Fire-EMS Association are then going to be hosting a "Common Tree Lighting" Sunday, December 6 at 7:00 pm.

148

152 **Motion #10:** Motion made by Selectman Dwinnell to expend up to Two Thousand Five Hundred Dollars (\$2,500.00), from the towns beautification fund to decorate the town common for the 2020 holiday season.

153

156 Second: Selectman Matellian, Unanimous, Chairman Simas

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

158

159 [Discuss Request from Men's Club to hold Ice Challenge on Town Property](#)

160

161 As in previous years Mike Howell UMC member explained to the Board the Upton Men's Club desire to hold the "ice out challenge", a fund raiser that entails putting a snowman on the pond and people guessing what date and time the ice would melt and the snowman would fall. They have been in contact with both Police and Fire seeking assistance.

162

166 The Board was in favor of holding this event.

167

168 [Review and Amend Use of Town Hall Policy](#)

169

170 The Board reviewed the current policy and offered suggestions. They will review an edited version at their next meeting.

172 **Motion to Open Warrant on December 1, 2020 and Close the Warrant on January 29, 2021**

173 **Motion #11:** Motion made by Selectman Dwinnell to Open Warrant on December 1, 2020 and
174 Close the Warrant on January 29, 2021

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

178
179 **APPROVAL OF PREVIOUS MEETING MINUTES**

180 **Motion #12:** Motion made by Selectman Matellian to approve the October 20, November 10
181 minutes.

182
183 Second: Selectman Dwinnell, Unanimous, Chairman Simas
184 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

185
186 Selectman Matellian held the November 17 minutes requesting discussion on cemetery
187 commission presentation be included.

188
189 **TOWN MANAGER REPORT**

190

191 • Fowler Street Bridge has reopened
192 • Disability Commission will be kicking off their self-evaluation and transition plan on
193 December 9
194 • COA has distributed over 66 meals
195 • N2N will advertise in the Town Crier next month
196 • IT grant for 15K was awarded to the Town
197 • PD awarded a 32K grant for body cam
198 • 5K wellness grant awarded
199 • Covid update – red community status as of today
200 • Library Trustees have recently voted to close the library
201 • Code Enforcement - the online program has already proven itself extremely effective
202 with just managing the workload and the volume that has taken place during this
203 construction season with an increase in permits this year compared to last
204 • Chief Bradley is working very closely on the police reform bill as he sits on the executive
205 board of Chief of Police Association
206 • Tax payments will be asked to send their payments to a Lockbox program adding to its
207 efficiencies

208
209 **ADJOURN MEETING**

210 **Motion #13:** At 9:07pm Selectman Dwinnell made motion to adjourn.

211
212 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

213
214 Respectfully submitted, Sandra Hakala, Executive Assistant