

BOARD OF SELECTMEN MEETING MINUTES

October 20, 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

6:00PM Swearing in Ceremony for New and Promoted Public Safety Officers

Location – Town Common

Over the past several months, several personnel changes followed a series of retirements. Due to COVID-19 restrictions, traditional ceremonies were postponed. Tonight, a swearing in ceremony was held on the Town Common for newly appointed officers and recently promoted sergeants.

Congratulations to Detective Michael Benjamin and Officer Paul Mansfield who were promoted to the rank of Sergeant, and to Corey Eugster, Michael Goncalves, Mason Brown & Javier Valdivieso who were appointed as Officers.

Recess

7:00PM Reconvene to Virtual Meeting

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/APPROVAL OF PREVIOUS MEETING MINUTES

Motion #1: Motion made by Chairman Simas to accept the Regular Meeting Minutes – August 18, September 2, 8, 22, October 6

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

INVITED GUESTS

Dennis Westgate – DPW Director & [Tighe & Bond Water Waste Water Comprehensive Assessment Presentation](#)

DISCUSSION ITEMS

[Discuss Cultural Council Volunteer Application](#)

Motion #2: Motion made by Selectman Matellian to Appoint Robin Jokela to the Cultural Council

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

[Discuss Request to Install Park Bench](#)

Motion #3: Motion made by Selectman Matellian to accept the donation of a park bench to replace a broken down one at the boat launch on Pratt Pond in memory of their son.

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

Motion to Approve the Refunding of 2013 Town Hall Bonds
[S&P Rating Report](#)

The Finance Department refunded the Town Hall's debt; in order to so, Upton had to complete a bond rating process through Standard & Poor's (S&P). One of the things S&P look at is how towns manage their finances and what are in their reserve accounts, such as stabilization. Over the last two years, Upton has placed \$1 million in stabilization, which bodes well for the community.

S&P also reviewed the town's financial policies, including a reserve policy, passed by the Board of Selectmen recently, that commits to building and maintaining Upton's reserve accounts including stabilization, retained earnings, overlay surplus, and free cash. After the review

process was completed, S&P gave the town an AA+ Stable rating, which is the second highest rating a municipality can receive; the highest being AAA.

The AA+ rating permitted Upton to go out to bid for a lower interest rate, ultimately securing a 1.5 percent rate versus the 3.62 percent it had previously been paying.

Motion #4 by Mr. Matellian: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund a portion of the Town's (i) \$3,397,000 General Obligation Water Bonds dated October 1, 2012 maturing on June 1 in the years 2023 through 2033 (inclusive), and (ii) \$4,524,100 General Obligation Town Hall Bonds dated August 28, 2013 maturing on December 1 in the years 2022 through 2033 (inclusive) (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.
Second: Selectman Dwinnell, Unanimous, Chairman Simas
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Motion #5 by Mr. Matellian: that the sale of the \$5,530,000 General Obligation Refunding Bonds (Interest Subject to Federal and Massachusetts Taxation) of the Town dated November 2, 2020 (the "Bonds"), to BNY Mellon Capital Markets LLC at the price of \$5,532,796.21 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on December 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2020	\$ 80,000	2.00%	2026	\$ 445,000	1.00%
2021	210,000	2.00	2027	450,000	1.25
2022	425,000	1.50	2028	455,000	1.30
2023	430,000	1.50	2029	465,000	1.55
2024	435,000	1.50	2030	465,000	1.60
2025	440,000	1.00	2033	1,230,000	1.75

Further Voted: that the Bonds maturing on December 1, 2020 (a "Term Bond") shall be subject to mandatory redemption or mature as follows:

<u>Year</u>	<u>Amount</u>
2031	\$470,000
2032	475,000
2033*	285,000

Motion #11 by Ms. Dwinnell: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

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

Motion #12 by Ms. Dwinnell: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

[Motion to Execute IMA with the Town of Boylston](#)

Motion #13: Motion made by Selectman Dwinnell to support and enter in a 3-year contract with Boylston for EDC/Town Planner shared services.

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

Execute STM Warrant

Article 1 is a request from the Economic Development Committee to purchase a gravel parking lot on Grove St. for \$210,000; \$150,000 is to purchase the lot while the remaining \$60,000 is for a “buffer or allowance for any remediation that may need to happen. The location of the Grove St. lot is part of the town’s revitalization plan

Motion #14 by Ms. Dwinnell to support Article 1

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

Article 2A is seeking \$15,000 of CPA funding for a water hook up located at the Upton Community Garden, Mechanic Street.

Motion #15 by Mr. Matellian to support Article 2a

Second: Selectman Dwinnell, Unanimous, Chairman Simas

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

Article 2B is to utilize \$296,575 from CPA funding to pay the eighth-year payment of debt on the Town Hall Renovations bonds.

Motion #16 by Ms. Dwinnell to support Article 2b

Second: Selectman Matellian, Unanimous, Chairman Simas

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

Article 2C is to purchase and permanently protect 66 acres of land off of East St. which are part of the Peppercorn Hill Conservation area. The cost of the four parcels is \$320,000. The results of a land grant that would purchase one of the four parcels, would reduce the price for the remaining parcels to \$210,000.

Motion #17 by Ms. Dwinnell to support Article 2c

Second: Selectman Matellian, Unanimous, Chairman Simas

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

Article 3 is to fund back pay as part of the Fire Union's collective bargaining agreement totaling \$20,000.

Motion #18 by Ms. Dwinnell to support Article 3

Second: Selectman Matellian, Unanimous, Chairman Simas

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

Motion #19 by Ms. Dwinnell to execute the STM Warrant to be held at Nipmuc High School on November 10, 2020

Second: Selectman Matellian, Unanimous, Chairman Simas

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

[Motion to Accept Azalea Lane as a Public Way](#)

Motion #20: Motion made by Selectman Dwinnell to accept Azalea Lane as a Public Way.

Second: Selectman Matellian, Unanimous, Chairman Simas

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

Discuss November BoS Meeting Dates

The next regular meeting will be held November 17th and a joint meeting with the Finance Committee will be considered on November 24.

243 **ADJOURN MEETING**

244 ***Motion #21:*** At 10:08pm Selectman Dwinnell made motion to adjourn.

245

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

247

248 Respectfully submitted,

249 Sandra Hakala, Executive Assistant