

# BOARD OF SELECTMEN MEETING MINUTES

April 13, 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.

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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 (March 16, 30)**

***Motion #1:*** Motion made by Selectman Dwinnell to accept the Regular Session Meeting – March 16, 30.

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

## **Guest Presentations**

### Pole Hearing

40 Chairman Simas opened the Public Hearing at 7:10 PM pertaining to the Petition by National  
41 Grid: The following are the public ways or parts of ways along which the poles above referred  
42 to may be erected, and the number of poles which may be erected thereon under this order:  
43 Hartford Ave North Relocate poles P1, P2, P3, & P4 on April 13, 2021 at 7:05pm.  
44

45 Al Gavin was in attendance representing National Grid to answer questions from the Board.  
46 DPW has reviewed the location and has no issue with the relocation. Chairman Simas asked if  
47 there were any questions. No abutters of the properties were in attendance with concerns over  
48 the location.  
49

50 **Motion #2:** Motion made by Selectman Dwinnell that the Town of Upton grant permission to  
51 National Grid: The following are the public ways or parts of ways along which the poles above  
52 referred to may be erected, and the number of poles which may be erected thereon under this  
53 order: Hartford Ave North Relocate poles P1, P2, P3, & P4  
54

55 Second: Selectman Matellian, Unanimous: Chairman Simas  
56 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye  
57

58 **Mendon Upton Cadette [Girl Scout Troop 64528](#)**

59 **Motion #3:** Motion made by Selectman Matellian to grant permission to Girl Scout Troop 64528  
60 to plant flowers and plant at the Town Common and consult with the DPW Director for  
61 guidance in location selection.  
62

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

66 **Board Discussion Items (no public comment)**  
67

68 [Discuss BVT One Day Liquor License Application](#)

69 **Motion #4:** Motion made by Selectman Dwinnell approve the BVT One day Liquor License on  
70 May 12 and denied the request to waive the \$25.00 fee.  
71

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

75 [Motion to Declare Surplus Equipment](#)

76 **Motion #5:** Motion made by Selectman Matellian declare the following items surplus

- 77 1. 2016 Xerox Workcentre 6655 color photocopier
- 78 2. 1963 Clark C20B Forklift
- 79 3. 2001 Cushman Textron Turf-truck
- 80 4. Trackless snow Blower

81       5. Black Utility Wagon for Lawnmower  
82       6. Red Utility Wagon for Lawnmower  
83       7. Two (2) Yellow Plastic Swim Rafts Without Laddersand  
84       8. 2013 Ford interceptor (MP3294)

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

88  
89       [Discuss American Rescue Plan Funding](#)

90       Signed into law on March 11, the \$1.9 trillion American Rescue Plan Act provides the latest  
91       round of stimulus funding to address the impacts of the COVID-19 pandemic. The federal aid  
92       package includes \$350 billion in direct aid to states, local governments, tribes, and territories.  
93       The Town is still awaiting guidance clarity usage on how the fund can be spent and will  
94       ultimately need to account for funds expended and will need to provide periodic reports to the  
95       Treasury.

96  
97       [Consider Changing the Annual Town Election Voting Location and/or Date](#)

98       **Motion #6:** Motion made by Selectman Dwinnell to change the polling location for the Annual  
99       Town Election on May 11th from Nipmuc Regional High School to Upton Town Hall. Changing  
100       the polling location to the Upton Town Hall for this year's Annual Town Election will not have a  
101       disparate adverse impact on the basis of race, national origin, disability, income, or age for the  
102       voters of Upton.

103  
104       Second: Selectman Matellian, Unanimous: Chairman Simas  
105       Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

106  
107       [Discuss and Motion to Execute Annual Town Meeting Warrant](#)

108       The Selectmen proposed to fund the school assessment within the tax levy and by utilizing free  
109       cash. They initially budgeted an increase for the MURSD for \$444,467. To get to the \$1,487,139,  
110       Selectmen suggested using funds previously designated for roads (Article 9 on the draft  
111       warrant) totaling \$562,380, plus passing Article 7 for supplemental operational funds for the  
112       MURSD totaling \$436,497 from free cash; this amount was initially designated to reimburse the  
113       Stabilization Account for FY21 funding to the schools. The FY22 school assessment would also  
114       require an additional \$43,795 from within the levy limit.

115  
116       Funding for the roads could instead come from the federal American Rescue Plan; Upton's  
117       share is expected to be \$2.3 million.

118  
119       **Motion #7:** Motion made by Selectman Dwinnell to withdraw Article 9 - \$562,000 for roads.

120  
121       Second: Selectman Matellian, Unanimous: Chairman Simas  
122       Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

124 **Motion #8:** Motion made by Selectman Dwinnell to modify Article 7 of transferring \$436,497 to  
125 free cash from stabilization to supplement the funding to the MURSD.

126  
127 Second: Chairman Simas, Majority Action

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

129  
130 **Motion #9:** Motion made by Selectman Dwinnell to withdraw Article 2A override for the  
131 MURSD budget.

132  
133 Second: Chairman Simas, Majority Action

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

135  
136 Due to the fact there is a debt exclusion ballot question, the Town Clerk has recommended the Board of  
137 Selectmen vote to offer in person early voting. Early voting will occur during normal Town Hall business  
138 hours the week before the election and include Saturday hours. This will give voters the opportunity to  
139 vote during in person early voting, vote by mail or vote on Election day.

140  
141 **Motion #10:** Motion made by Selectman Dwinnell allow for early voting for the annual town  
142 election. Early voting will occur during normal Town Hall business hours the week before the  
143 election and include Saturday hours.

144  
145 Second: Selectman Matellian, Unanimous: Chairman Simas

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

147  
148 **Motion #11:** Motion made by Selectman Dwinnell execute the ATM Warrant as amended.

149  
150 Second: Selectman Matellian, noting previous objections (lack of support for putting the money  
151 for school funding and changing the numbers for the operational budget to include the school  
152 funding). Unanimous: Chairman Simas

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

154  
155 Discuss May Board Meeting Dates

156 The BoS will meet next on April 27, May 8, May 18, resuming their regular schedule in June.

157  
158 **Town Manager Report/Updates**

159

- 160 • Taxes Due May 3
- 161 • Scholarships due Friday
- 162 • Library Book Sale May1
- 163 • Both Containers at 0 Grove to be removed first week of May
- 164 • EDC voted last night to endorse the community center
- 165 • DPW will open field gates mornings and PD will close in the evening
- 166 • Mill overlay to begin on Ridge Road

167       • Flushing program has commenced  
168       • Vaccine clinics continue

169

170 **Closing Comments/Unanticipated Discussion Items (Board Members)**

171

172 Mr. Matellian would like the MURSD to come down and report to the Board to get a better  
173 understanding of what is going on. He also asked for an update on their union contracts.

174

175 Mr. Simas and Ms. Dwinnell agreed that there is clearly an opportunity here to create a closer  
176 working relationship and to encourage a closer working relationship between the various  
177 elements of the school management and leadership in the district and the local government.

178

179 **Adjourn Meeting**

180

181 ***Motion #12:*** At 8:44 pm Selectman Simas made motion to adjourn.

182

183 Second: Selectman Dwinnell, Unanimous: Chairman Matellian

184

185 Respectfully submitted,

186

187 Sandra Hakala

188 Executive Assistant