

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