

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](#)

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

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

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

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

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

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

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

Board Discussion Items (no public comment)

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

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

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

[Motion to Declare Surplus Equipment](#)

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

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

5. Black Utility Wagon for Lawnmower
6. Red Utility Wagon for Lawnmower
7. Two (2) Yellow Plastic Swim Rafts Without Ladders and
8. 2013 Ford Interceptor (MP3294)

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

[Discuss American Rescue Plan Funding](#)

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

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

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

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

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

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

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

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

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

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

Second: Chairman Simas, Majority Action

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

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

Second: Chairman Simas, Majority Action

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

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

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

Second: Selectman Matellian, Unanimous: Chairman Simas

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

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

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

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

[Discuss May Board Meeting Dates](#)

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

Town Manager Report/Updates

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

- Flushing program has commenced
- Vaccine clinics continue

Closing Comments/Unanticipated Discussion Items (Board Members)

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

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

Adjourn Meeting

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

Second: Selectman Dwinnell, Unanimous: Chairman Matellian

Respectfully submitted,

Sandra Hakala
Executive Assistant