

BOARD OF SELECTMEN MEETING MINUTES

March 30, 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 2)

Motion #1: Motion made by Selectman Dwinnell to approve the [minutes March 2, 2021](#).

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

Guest Presentations

[Fiscal Year 2020 Annual Audit Report](#) - Roselli, Clark & Associates

Terenzio Volpicelli, CPA — Partner presented the [2020 Post-Audit Conference](#)

“The COVID-19 outbreak shaped much of the discussion of the Town’s operations for the second half of fiscal year 2020 and its effects are expected to materially affect most of fiscal year 2021. The Commonwealth of Massachusetts provided budgetary guidance to the 351 cities and towns within the state in early fiscal year 2021 indicating that it expects to level-fund state aid for fiscal year 2021. Upon final passage of the Commonwealth’s budget, the Town’s expected net state aid remained relatively consistent with the prior year at approximately \$792,000. Fortunately, the Town’s state aid revenue estimates used in its fiscal year 2021 budget were built on the fiscal year 2020 levels.

The Town implemented a number of cost-saving initiatives in response to COVID-19 including the deferral, reduction and/or elimination of many discretionary spending. The Town expects that many revenue sources dependent on user fees and charges as well as certain excise taxes may be materially affected in fiscal year 2021 and possibly into fiscal year 2022.

The Town was awarded approximately \$706,000 in federal Coronavirus Aid, Relief and Economic Security Act (“CARES Act”) funding. These funds are administered by the Commonwealth’s Executive Office for Administration and Finance. Under the CARES Act, these funds are limited in their use for COVID-19 necessary expenditures and may not be used to substitute lost revenue.

The Town’s financial condition continues to be good, as measured by the budgetary flexibility in its general fund. Budgetary flexibility is often measured by comparing the assigned and unassigned fund balances in the general fund to the current year’s total general fund expenditures. Credit rating bureaus often refer to this as a “reserve ratio.” At June 30, 2020, the Town’s reserve ratio was approximately 22% versus 20% in the prior year. Credit rating bureaus would consider the Town’s reserve ratio to be very strong. Standards & Poor’s Financial Services LLC (“S&P”) assigns the Town an AA+ credit rating on its long-term general obligation bonds, which is one rating lower than AAA, its highest credit rating. This high credit rating enables the Town to enjoy very favorable terms in the municipal bond market.

In its governmental funds financial statements, which most closely resembles the Town’s statutory accounting records, the Town’s unassigned fund balance in its general fund exceeded \$5.2 million at June 30, 2020 and its total fund balance totaled over \$7.2 million. The Town’s general fund balance has been steadily growing. A five-year trend of the Town’s total fund balances is presented in the table at right; over the past five years, the total general fund balance has increased approximately 15.7% annually.

The Town’s most significant long-term liabilities pertain to its net pension and net other postemployment benefit liabilities, which total approximately \$16.4 million in the aggregate at June 30, 2020. The Town is a participating employer in the Worcester Regional Retirement System, or WRRS. The WRRS has ninety-nine individual contributing entities including the Town, whose proportionate share of the WRRS net pension liability was nearly \$9.2 million at June 30, 2020. The WRRS expects annual appropriations to increase greater than 4% annually for the foreseeable future. The Town’s net other postemployment benefit liability amounted to approximately \$7.2 million at June 30, 2020. The Town’s OPEB trust is estimated to be approximately 8.8% funded at June 30, 2020, which is slightly better than the Massachusetts median for communities of the Town’s size and budget. The Town’s long-term debt load is very manageable. The Town’s total long-term debt at June 30, 2020 is \$6,735,000.”

Board Discussion Items

Discuss Temporary [Expanded Alcohol Licensed Premise Application](#) (Rushford and Sons Brewery)

Motion #2: Motion made by Selectman Dwinnell Pursuant to the Governor's Covid-19 Order No. 35 approval was granted for a temporary alteration of licensed premise to add 2500 sf outdoor front paved lot Saturday 11AM-8PM and Sunday 11 AM-5PM. On-premises consumption must provide seated food service with the sale of alcohol. The food must be prepared on-site and under a retail food permit issued by a local licensing authority pursuant to 105 CMR 590.00. The amended license as a result of this order shall automatically revert back to its status prior to the approval of the change for expansion when the Governor's Order is rescinded.

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

Motion to Authorize the Town Manager to Execute the [Amendment to the Town of UPTON's ADA Plan](#)

As a result of the additional sites, CMRPC requires an additional \$2,400 to cover costs related to contracted field assessments and reporting. This brings the total cost for the ADA Plan to thirty-one thousand two hundred and seventy-five dollars (\$31,275).

Motion #3: Motion made by Selectman Matellian to expend one thousand two hundred and seventy-five dollars from the Willian Knowlton Trust Fund to cover the cost of the additional work.

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

Motion to Appoint [Cultural Council Member](#)

Motion #4: Motion made by Selectman Dwinnell appoint Alice Gentili to a three-year term to the Cultural Council

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 BoS discussed the three changes to the warrant. They are waiting for more information on the override article, which will clarify the ballot question, agreed to Article 12F (to purchase a granite bench in honor of Barbara Burke) has been added at the request of CPC, and agreed to replace Article 18 (tree cutting) with the North Street property transferring care and custody to the Selectman from the Treasurer collector.

A suggestion to consider moving the ATM outdoors in anticipation of a large turnout and concerns during a pandemic to Saturday May 8 with a rain date of May15.

Motion #5: made by Selectman Dwinnell to close the annual town meeting warrant and to change the dates from May 6 to May 8th and a rain date of May 15 and include updates discussed earlier.

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

Motion to Accept Gravel Donation

The Board accepted the generous donation of gravel used to backfill the hole that was created from the 50 yards of excavation over at 0 Grove Street and moved the remaining material to the DPW.

Motion #6: Motion made by Selectman Matellian to accept the donation from Earthworks Gravel valued at \$2750.

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

Discussion to Waive Tent Permit Fee

The Board entertained Jay Byer's request to waive a \$25 tent permit fee on behalf of the MURSD. The Board agreed it was a ridiculous, extraordinary, and a shocking request. They could not understand the intent of the message or the time that was taken to write a letter for \$25.00.

Motion #7: Motion made by Selectman Dwinnell to deny waiving the \$25.00 fee.

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

Discuss and Vote Ballot Questions on Town Election Warrant

The Town Manager continues to work with Town Counsel drafting language for the two questions to go to the ballot, one would be for the debt exclusion and the second for the override. The motion should include the language that has been drafted, and that allows the Town Clerk to place the two questions on the ballot.

Motion #8: Motion made by Selectman Dwinnell accept the ballot questions for the debt exclusion for the community center, and the override question for the schools.

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

Town Manager Report

- The town was awarded, the Rapid Recovery Planning Grant which will include visits with some key stakeholders in the community to get a better sense of what are some of the needs for the businesses here in town.
- Last day to submit your dog license application is tomorrow.
- Met with Mike Malinowski UGRR for a walkthrough of the facility to get a better sense of the expansion. Silos are up, and the inside of the building is near completion. Approval to make the water connections has been received.
- Upton is now categorized as a yellow community.
- Fire department continues to work with the board of health and the public health nurses.
- Pulte is expecting to issue one occupancy permit per week starting the spring.
- The library is going to hold the book sale on Saturday, May 1.
- The Building Committee has closed the comment period on March 26th, and they received upwards of 30 comments.

Adjourn Meeting

Motion #9: At 9:09 Selectman Dwinnell made motion to adjourn.

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

Respectfully submitted,
Sandra Hakala, Executive Assistant