

# BOARD OF SELECTMEN MEETING MINUTES

March 16, 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

## **Guest Presentations**

### **Community Center Presentation - Jim Brochu**

The scope of work for the community center, as far as the appearance and layout has not changed much with respect to the building. Changes have made due to feedback from several town committees on the playground. Peter Turowski reviewed the slides in the presentation.

### **Review VFW Shared Parking Agreement**

The Selectmen will discuss supporting this Article once the agreement is finalized with the VFW. The VFW are waiting for their legal team to review it.

## **Board Discussion Items**

[Discuss North Street Property and Article for Annual Town Meeting](#)

As discussed by the BoS at the previous meeting, the North Street property is a new property acquired through Tax Title and selling of land is a way of offsetting some of the taxpayer impact for the community center. The town-owned land, known as the Forest Heights property, totals 100 acres of land, worth just over \$700,000.

Bill Taylor inquired if it is feasible or preferable to include language in the warrant article that would memorialize the general agreement to develop part of the property, and preserve part of it, as well. Mr. Brindisi will consult with Town Counsel.

**Motion #1:** Motion made by Selectman Matellian to include moving the North Street property under the care and custody of the BoS on the ATM warrant.

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

[Vote execute Kelly Property Purchase and Sale Agreement](#)

**Motion #2:** Motion made by Selectman Dwinnell to execute Kelly Property Purchase and Sale Agreement.

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

[27 James Road 40B PROJECT](#)

Presented this last month, the layout had multiple driveways coming out on to James Road, which was not looked upon favorably by the board. Dean Harrison presented a redesigned version redesigned to have one road coming off James Road. The driveways themselves, which are off the cul de sac, and basically the main driveway would be a typical driveway. This would be set up as a homeowner's association.

Chairman Simas was not comfortable to think that one can go into any neighborhood that has a lot with a few acres and people can carve it up and put a 40 B. Mr. Matellian does not see this fitting into the Affordable Housing Plan, Ms. Dwinnell was also not in favor of writing a letter of support for this proposal.

Dean Harrison stated he will pursue the sale of the eligibility with Mass Housing. Without a letter of support from the BoS, the difference there is that the Town will be notified when they submit an application to the state and the town will have 30 days to make comments. Mr. Harrison believes from a State standpoint, the items raised is not enough to consider this property does not go in front of the Zoning Board of Appeals.

[Discuss request Park Bench at Heritage Park- Don Spargo and Howard Glassman](#)

The Historic Commission is seeking \$2,000 of CPA funding to purchase a park bench to honor the late Barbara Burke to be located at Heritage Park.

**Motion #3:** Motion made by Selectman Dwinnell to support the installation of a bench at Heritage Park honoring the work of Barbara Burke and inclusion on the ATM warrant seeking CPC funding.

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

#### Discussion on Draft Annual Town Meeting Warrant

**Motion #4:** Motion made by Selectman Dwinnell to accept Article 7 (to transfer \$436,49 into the Stabilization Fund) on the draft warrant.

Second: Selectman Chairman Simas, Majority Action  
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, nay

The tree line item within the DPW is approximately \$18,000, therefore the Town Manager recommends withdrawing Article 18 and replacing it with an Article regarding the North Street Property.

**Motion #5:** Motion made by Selectman Dwinnell to remove Article 18 (tree cutting) from the ATM Warrant.

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

The school department has rendered their assessment, voted by the school committee last night, and they assessed the town an additional 1.4 million dollars.

**Motion #6:** Motion made by Selectman Dwinnell to include an override on the ATM Warrant to fund the schools.

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

#### Approve Various Grant Application for Fire Department

**Motion #7** Motion made by Selectman Matellian to award the Emergency Management Performance Grant (EMPG) FY20 grant of \$2,700 to purchase a large video touch display monitor allowing review traditional blueprint paper documents electronically to be used in conjunction with recently purchased Bluebeam software.

Second: Selectman Dwinnell, Unanimous, Chairman Simas

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

**Motion #8** Motion made by Selectman Matellian to apply for the FY 21 Firefighter Safety Equipment Grant seeking a respirator fit testing machine to perform proper face piece tests on staff in-house.

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

#### [BOS meeting schedule](#)

The Board will meet next on March 30, April 13, and April 27, and May 6. They will resume their regular schedule on May 18.

#### **Town Manager Report**

- Governor Baker signed a law today that allows municipalities to move the date of the election.
- Rep. Muradian and the Senate, and others from the State delegation were able to the press the Governor to re-institute regional Covid clinics.
- A \$15,000 grant award from MIIA was received to conduct a full facility's assessment of town hall, the fire department, and the police department structures.
- 50 yards of soil was transported off site, and a soil analysis conducted of the Thompson gravel lot.
- An agency has been hired for this coming summer to remove the geese from the Kiwanis Beach area.
- Great work from the treasure collector office that has collected \$40,000 in back taxes, and executed 14 payment agreements, not just trying to recover the money, but working with residents who may be in some type of hardship.
- The library is going to open for browsing starting next week.

#### **Adjourn Meeting**

**Motion #9:** At 9:42 Selectman Dwinnell made motion to adjourn.

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

Respectfully submitted,  
Sandra Hakala, Executive Assistant