

# BOARD OF SELECTMEN MEETING MINUTES

March 10, 2020

Town Hall

Chairman Stephen A. Matellian; Selectman Brett A. Simas; Selectman Maureen Dwinnell, Town Manager, Derek S. Brindisi; Executive Assistant, Sandra Hakala

## 1 CALL MEETING TO ORDER

2 Chairman Matellian opened the meeting at 7:00 p.m. lead the pledge of allegiance and  
3 reviewed the agenda.

## 5 REVIEW MEETING AGENDA/APPROVAL OF PREVIOUS MEETING MINUTES

6 Regular & Executive Session Meeting – February 18, 26

8 **Motion #1:** Motion made by Selectman Dwinnell to accept the Regular & Executive Session  
9 Meeting – February 18, 26

10 Second: Selectman Simas, Unanimous, Chairman Matellian

## 13 INVITED GUESTS

15 3.1 Rep. Muradian

17 3.2 7:10 Pole Hearing – Chestnut Street

19 Chairman Matellian opened the Public Hearing at 7:10 PM pertaining to the Petition by  
20 National Grid seeking approval install new poles 4, 5, 6, 7, 8, 9, and 10 Chestnut Street in order  
21 to supply new electrical service to new house lots.

23 Mike Parent was in attendance representing National Grid to answer questions from the Board.  
24 DPW has reviewed the location and has no issue with the relocation. Chairman Matellian asked  
25 if there were any questions. No abutters of the properties were in attendance with concerns  
26 over the location.

28 **Motion #2:** Motion made by Selectman Simas that the Town of Upton grant permission to  
29 National Grid to install new poles 4, 5, 6, 7, 8, 9, and 10 Chestnut Street in order to supply new  
30 electrical service to new house lots.

32 Second: Selectman Dwinnell, Unanimous: Chairman Matellian.

## 34 DISCUSSION ITEMS

### 36 Discussion on Trash Removal Options (Nick Enso, Finance Committee Member & BoH)

38 After much discussion on the trash removal options by surrounding towns as possible  
39 alternatives and solutions to the substantial cost increases faced by Upon, the Board agreed to  
40 proceed with the article as is at the ATM and let the voters decide.

41  
42 Review Draft ATM Warrant

43 **Motion #3:** Motion made by Selectman Simas to withdraw Article 7.

44 To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum  
45 of Two Hundred Thousand dollars (\$200,000), or any other sum, into the Stabilization Fund; or  
46 to take any other action relative thereto.

47  
48 Second: Selectman Matellian, Majority Action of the Board.

49  
50 **Motion #4:** Motion made by Selectman Simas to withdraw Article 11.

51 To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow  
52 the sum of Five Thousand dollars (\$5,000), or any other sum, to supplement the Town's  
53 "Conservation Fund"; or, to take any other action relative thereto.

54  
55 Second: Selectman Dwinnell, Unanimous: Chairman Matellian.

56  
57 Article 12E – CPC will hold this Article

58 To see if the Town will vote to transfer the sum of Two Hundred Thousand dollars (\$200,000)  
59 from the Community Preservation Community Housing Reserve Account to the Affordable  
60 Housing Trust as a grant to be used according to the terms and conditions as set forth in the  
61 Affordable Housing Trust agreement contract, or, to take any other action relative thereto.

62  
63 Article 16 – Placeholder. The Planning Board is drafting language.

64 To see if the Town will vote to amend Section 6.1 of the Zoning By-laws, Common Driveways, by  
65 inserting the underlined language and deleting the strikethrough language, as follows:

66  
67 Article 21 – The Board asked to add clause 42 &43.

68 To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, §5, entitled, "Tax  
69 Exemptions" for the purpose of establishing additional tax relief programs for the citizens of  
70 Upton, or take any other action relative thereto.

71  
72 **Motion #5:** Motion made by Selectman Dwinnell to withdraw Article 23.

73 To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow  
74 the sum of Five Thousand dollars (\$5,000), or any other sum, to supplement the Town's  
75 "Conservation Fund"; or, to take any other action relative thereto.

76  
77 Second: Selectman Simas, Unanimous: Chairman Matellian.

78  
79 **Motion #6:** Motion made by Selectman Simas to withdraw Article 24.

80 To see if the Town will vote to raise and appropriate, appropriate from available  
81 unappropriated funds in the Town Treasury, or transfer, or borrow the sum of One-Hundred  
82 Twenty-Four Thousand dollars (\$124,00.00), or any other sum, for the purpose of surveying,  
83 designing, establishing a recordable Right-of-Way including and recording the final Right-of-

84 Way including all Temporary and Permanent Easements on Russell Avenue including all  
85 expenses incidental and related, or, to take any other action relative thereto.

86  
87 Second: Selectman Dwinnell, Majority Action of the Board.  
88

89 ***Motion #7:*** Motion made by Selectman Simas to withdraw Article 31.

90 To see if the Town will authorize the Board of Selectmen to petition the General Court for  
91 special legislation to amend Chapter 263 of the 1989 Acts and Resolves that established a  
92 Department of Public Works in the Town of Upton, by amending section 1 of the Act to enable  
93 the Hiring Authority to enter into a contract with the Public Works Director for a period not to  
94 exceed five years, provided, however, that the General Court may make clerical or editorial  
95 changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill  
96 before enactment by the General Court, and provided further that the Board of Selectmen is  
97 hereby authorized to approve amendments which shall be within the scope of the general  
98 public objectives of this petition; or, to take any other action relative thereto.

99  
100 Second: Selectman Dwinnell, Unanimous: Chairman Matellian.  
101

102 ***Motion #8:*** Motion made by Selectman Simas to withdraw Article 36.

103 To see if the Town will vote to raise and appropriate, or transfer from available unappropriated  
104 funds, a sum of money to pay certain unpaid bills of a prior fiscal year, or take any other action  
105 relative thereto.

106  
107 Second: Selectman Dwinnell, Unanimous: Chairman Matellian.  
108

109 **Motion to Approve New Voting Machine**

110 In accordance with MGL Chapter 54, §34, when a town changes its voting equipment, the  
111 Selectmen must first vote to authorize the use of the new equipment no later than sixty days  
112 prior to a municipal primary, preliminary election or election at which an electronic voting  
113 system is first to be used.

114  
115 An appropriation of \$16,000 was made at the Annual Town Meeting in May 2019. Over the last  
116 week, 2 companies, ES&S and LHS Associates demonstrated their voting machines that have  
117 been approved by the State Elections Division. The Town Clerk asked 4 people who are involved  
118 with elections to participate in the demonstrations: Rena Richard, Warden; Seema Kenney,  
119 Clerk; Joan Varney, Clerk; and Denise Smith, Assistant Town Clerk. After the demonstrations, it  
120 was a unanimous opinion of all participants to recommend the DS200 from ES&S as the voting  
121 tabulators in Upton.

122  
123 It is the Town Clerk's recommendation the Town purchase the DS200 voting tabulators to be  
124 used for the May 19, 2020 Local Election.

125  
126 ***Motion #9:*** Motion made by Selectman Simas to discontinue using AccuVote ballot scanning  
127 and tabulation voting equipment and to authorize the Town Clerk to purchase DS200 scanning

128 and tabulation voting equipment and to use the DS200 voting equipment beginning with the  
129 May 19, 2020, Local Election and all elections and primaries federal, state and local from that  
130 date forward.

131 Second: Selectman Dwinnell, Unanimous: Chairman Matellian.

132

133 *Discuss Letter of Request for All Boards Meeting*

134 The Board agreed that this would be a good opportunity to conduct such a meeting after the  
135 ATM.

136

137 *Town Hall Use Policy*

138 The Board will review the policy and make specific recommendations at a future meeting.

139

140 *Motion to Execute Aulson Demo Corporation Agreement (6 Main)*

141 **Motion #10:** Motion made by Selectman Simas to authorize the town manager to execute a  
142 contract with Aulson Demo Corporation for the demolition of the structure at 6 Main Street, for  
143 the sum of \$56,875.00.

144

145 Second: Selectman Dwinnell, Unanimous, Chairman Matellian

146 *LOOK AHEAD TOPICS*

147

148 Discuss Fire/EMS Advisory Committee

149 Senior Tax Relief Policy

150 Discussion on Balances and Expenditures of Trust Funds

151 Discussion on Land Clearing Controls

152 Men's Club Funding Request for Fireworks Festival - March 24

153 Cemetery Commissioners – April 7

154 Police Sgt Pinning Ceremony - April 7

155 ESGR - April 7

156 Scholarships – April 21

157

158 *ADJOURN MEETING*

159 **Motion #11:** At 11:20 pm Selectman Simas made motion to adjourn.

160

161 Second: Selectman Dwinnell, Unanimous: Chairman Matellian

162

163 Respectfully submitted,

164

165 Sandra Hakala

166 Executive Assistant