

# 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

## **CALL MEETING TO ORDER**

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

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

Regular & Executive Session Meeting – February 18, 26

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

Second: Selectman Simas, Unanimous, Chairman Matellian

## **INVITED GUESTS**

3.1 Rep. Muradian

3.2 7:10 Pole Hearing – Chestnut Street

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

Mike Parent 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 Matellian 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 Simas that the Town of Upton grant permission to National Grid to install new poles 4, 5, 6, 7, 8, 9, and 10 Chestnut Street in order to supply new electrical service to new house lots.

Second: Selectman Dwinnell, Unanimous: Chairman Matellian.

## **DISCUSSION ITEMS**

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

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

Review Draft ATM Warrant

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

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

Second: Selectman Matellian, Majority Action of the Board.

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

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

Second: Selectman Dwinnell, Unanimous: Chairman Matellian.

Article 12E – CPC will hold this Article

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

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

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

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

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

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

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

Second: Selectman Simas, Unanimous: Chairman Matellian.

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

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

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

Second: Selectman Dwinnell, Majority Action of the Board.

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

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

Second: Selectman Dwinnell, Unanimous: Chairman Matellian.

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

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

Second: Selectman Dwinnell, Unanimous: Chairman Matellian.

**Motion to Approve New Voting Machine**

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

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

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

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

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

Second: Selectman Dwinnell, Unanimous: Chairman Matellian.

*Discuss Letter of Request for All Boards Meeting*

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

*Town Hall Use Policy*

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

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

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

Second: Selectman Dwinnell, Unanimous, Chairman Matellian

**LOOK AHEAD TOPICS**

Discuss Fire/EMS Advisory Committee

Senior Tax Relief Policy

Discussion on Balances and Expenditures of Trust Funds

Discussion on Land Clearing Controls

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

Cemetery Commissioners – April 7

Police Sgt Pinning Ceremony - April 7

ESGR - April 7

Scholarships – April 21

**ADJOURN MEETING**

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

Second: Selectman Dwinnell, Unanimous: Chairman Matellian

Respectfully submitted,

Sandra Hakala

Executive Assistant