

# BOARD OF SELECTMEN MEETING MINUTES

April 7, 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.

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 Steven Matellian – 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. *Brett Simas, yay, Maureen Dwinnell, yay,*
- Staff, when I call your name, please respond in the affirmative. Derek Brindisi, Town Manager yay, Sandra Hakala, Executive Assistant, yay. *State each staff members' name.*
- Anticipated Speakers on the Agenda, please respond in the affirmative. *None*

## **Introduction to Remote Meeting:**

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.

39 Good evening. This Open Meeting of Board of Selectmen is being conducted remotely  
40 consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State  
41 of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus."

42  
43 In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed  
44 by the Commonwealth to suspend public gatherings, and as such, the Governor's Order  
45 suspends the requirement of the Open Meeting Law to have all meetings in a publicly  
46 accessible *physical* location. Further, all members of public bodies are allowed and encouraged  
47 to participate remotely.

48  
49 The Order, which you can find posted with agenda materials for this meeting allows public  
50 bodies to meet entirely remotely so long as reasonable public access is afforded so that the  
51 public can follow along with the deliberations of the meeting.

52  
53 Ensuring public access does not ensure public participation unless such participation is required  
54 by law. This meeting will feature public comment.

55  
56 For this meeting, Board of Selectmen is convening by [telephone conference/video conference  
57 via GOTOMEETING.com] as posted on the Town's Website identifying how the public may join.

58  
59 For "GOTOMEETINGS.com" Meetings

60 Please note that this meeting is being recorded, and that some attendees are participating by  
61 video conference.

62  
63 Accordingly, please be aware that other folks may be able to see you. Anything that you  
64 broadcast may be captured by the recording.

65  
66 Meeting Materials

67 All supporting materials have been provided by email to the members of this body. During the  
68 meeting, the 'organizer' will display the documents that are being discussed. The public is  
69 encouraged to follow along using the posted agenda unless I/Steve Matellian notes otherwise.

70  
71 Meeting Business Ground Rules

72 We are now turning to the first item on the agenda. Before we do so, permit me to cover some  
73 ground rules for effective and clear conduct of our business and to ensure accurate meeting  
74 minutes.

- 75  
76 • I/Steven Matellian the Chair, will introduce each speaker on the agenda. After they  
77 conclude their remarks, the Chair will go down the line of Members, inviting each by  
78 name to provide any comment, questions, or motions. Please hold until your name is  
79 called. Further,  
80 ○ Please remember to mute your phone or computer when you are not speaking;

- Please remember to speak clearly and in a way that helps generate accurate minutes
- For any response, please wait until the Chair yields the floor to you, and state your name before speaking.
- If members wish to engage in colloquy with other members, please do so through the Chair, taking care to identify yourself.
- For Items with Public Comment:  
After members have spoken, the Chair will afford public comment as follows:
  - The Chair will first ask members of the public who wish to speak to identify their names and addresses only;
  - Once the Chair has a list of all public commentators, I will call on each by name and afford 3 minutes for any comments.
- Finally, each vote taken in this meeting will be conducted by roll call vote.

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

### **2.1 Regular Session Meeting – March 10, 16**

## **DISCUSSION ITEMS**

### **Discussion on ATM Warrant**

The Board debated several articles including Article 9 to raise and appropriate \$562,380 to supplement Chapter 90 funding for road improvements and projects. Chairman Matellian suggested putting off the article for a vote in November when free cash could be used instead to fund it. “With the override question, this is another raise and appropriate article. The two together would have a substantial impact I feel on our tax rate moving forward,” he explained.

However, both Selectmen Maureen Dwinnell and Brett Simas believed it should be voted on during the upcoming meeting. “I’d like to put this article forward. This is for our infrastructure of the town. We’ve been on a program that has benefited the town very much,” said Dwinnell.

Simas agreed. “I’m definitely mindful of the costs of the override. This has been a pretty standard expense the town has incurred that’s gone through town meeting without discussion. I think everybody is comfortable investing in the roads. I don’t see any benefit to putting it off until November,” he said.

The following article, Article 10, concerned funding the snow and ice deficit for \$200,000 for fiscal year 2020. It was noted due to the lack of snow this winter, the account is projected to have an \$8,000 surplus. It was discussed whether or not to withdraw the article that evening,

however, because snow storms can occur in April, the Board decided to keep the article on the warrant for now. They plan to discuss it again at a later date prior to finalizing the document. A zoning bylaw change the Selectmen appeared to support concerns common driveways, which is defined by a road to be used for vehicular access for two or more dwelling or places of business. The amended bylaw would allow common driveways only by special permit from the Planning Board. "I support the article," said Matellian. "There's a lot of good reasons for it." Dwinnell stated she too wanted the bylaw change. "I'm not in favor of common driveways."

**Review and vote COVID Trust Fund policy**

The purpose of this policy is to document the process that the Town will ensue to consider requests by person(s), groups, and organizations requesting compassionate support and/or financial assistance due to COVID-19, to support housing, utility, food, and/or medical expenses, and to ensure consistent consideration from the Ella W. Risteen Trust Section 13B (Trust).

The policy of the Town of Upton will be in accordance with the Trust which states "*said income for the relief and suffering in the Town of Upton, subject to the discretion of the Town Committee*", (Board of Selectmen), having in charge relief of suffering, and comfort of the needy.

**Motion #2:** Motion made by Selectman Simas approve the covid trust fund policy as written.

Brett Simas, yay, Maureen Dwinnell, yay, Chairman Matellian, yay.

**Discuss funding request for Upton Neighbor to Neighbor**

The Board agreed to take \$10,000 out of the town's welfare trust fund to support the town's new Neighbor to Neighbor program, which aims to help Upton residents through the emotional stresses and financial difficulties resulting from the Covid-19 pandemic. That Selectmen agreed they would add additional monies to the fund if need be.

**Motion #3:** Motion made by Selectman Simas to appropriate \$10,000 out of the town's welfare trust fund to support the town's new Neighbor to Neighbor program.

Brett Simas, yay, Maureen Dwinnell, yay, Chairman Matellian, yay.

**Discuss Town Meeting and Town Election dates**

**Motion #4:** Motion made by Selectman Simas in accordance with new legislation to postpone and change in the date of the local election and town meeting due to coronavirus concerns and social distancing to a date to be determined.

Brett Simas, yay, Maureen Dwinnell, yay, Chairman Matellian, yay.

**LOOK AHEAD TOPICS**

Town Hall Use Policy  
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 #5:** At 9:53 pm Selectman Simas made motion to adjourn.

Brett Simas, yay, Maureen Dwinnell, yay, Chairman Matellian, yay

Respectfully submitted,

Sandra Hakala  
Executive Assistant