

BOARD OF SELECTMEN MEETING MINUTES

October 4, 2022

Chair Brett Simas; Select member Stephen A. Matellian; Select member Maureen Dwinnell; Town Manager Joseph Laydon; Executive Assistant Sandra Hakala.

1 **CALL MEETING TO ORDER**

2 **Chair Simas** opened the regular meeting at 7:00 PM and led the pledge of allegiance.

4 **DEPARTMENT/BOARD UPDATES AND REQUESTS**

5 **DPW Director - Grove Street Bridge**

6 The Board reviewed the documents submitted by Dennis Westgate, DPW Director regarding the
7 selection of Weston & Sampson for the designing the replacement of Grove Street Bridge.

9 **Weston & Sampson Contract Authorization**

10 **Steve Matellian MOVED** that the Board vote to authorize the Town Manager to sign the
11 contract with Weston & Sampson for the design and permitting of the Grove Street Bridge in
12 the amount of \$260,000, as outlined in the Scope of Services, Replacement of Grove Street
13 Bridge over Center Brook, Upton MA, dated December 28, 2021, and as authorized by the May
14 5, 2022, Annual Town Meeting Article 17.

15 **Second: Select member Dwinnell, Unanimous, Chair Simas.**

17 **Approval to Apply to Small Bridge Grant Program**

18 The DPW Director and Town Manager are seeking the Board of Selectmen's approval to apply
19 for funding to the Small Bridge Grant Program.

21 **Maureen Dwinnell MOVED** that the Board vote to approve the DPW Director to apply for
22 funding under the Small Bridge Grant Program for the replacement of the Grove Street Bridge
23 and to authorize the Town Manager to sign necessary grant applications.

24 **Second: Select member Matellian, Unanimous, Chair Simas.**

26 **Town Manager - Approval to Apply for Community Compact IT Grant Program Department of**

27 Mr. Laydon is working with the Chair of the Technology Committee to prepare an application to
28 the Community Compact IT Grant Program. They are pulling together material for the October
29 7th grant deadline.

31 **Steve Matellian MOVED** that the Board vote to authorize the Town Manager to apply for
32 funding under the Community Compact IT Grant Program.

33 **Second: Select member Dwinnell, Unanimous, Chair Simas.**

35 **PUBLIC INPUT/BOARD MEMBERS' UPDATES**

36 None.

JOINT MEETING WITH FINANCE COMMITTEE

Review and execute Special Town Meeting Warrant

The Board of Selectmen and Finance Committee met jointly and reviewed the November 1, 2022 Special Town Meeting Warrant. Staff and Board/Committee Members sponsoring articles were in attendance to speak to their article.

The Board will schedule a meeting on November 11th to vote to sign the November 1, 2022 Special Town Meeting Warrant and determine funding sources at that time, as it is likely free cash will not be certified before the STM.

JOINT MEETING WITH BOARD OF HEALTH

Review and approval of revised EL Harvey Contract for Curbside Collection of Refuse and Recyclables

The previous curbside collection of refuse and recyclables contract ended June 30, 2022. The Board of Health published an RFQ for collection services and reviewed the responses at their February 4, 2022 meeting. The Board of Health voted at that meeting to select E. L. Harvey and to prepare a new three-year contract commencing July 1, 2022. The Board of Selectmen voted to authorize the Town Manager to execute the contract at their June 7, 2022 meeting.

The original terms of the approved contract included the cost of recyclables at \$21.00 per ton. EL Harvey has not signed the contract at this time because they stated the value of \$21 per ton was based on the market rate value at the time the bids were submitted. They state that the market for recyclables has drastically changed and that their response reflected the market rate that would fluctuate. Given large economic disruptions, there is little value to recyclable materials and therefore higher costs are required by the market to dispose of these materials.

Current Market rates for recyclables is approximately \$90 per ton. Board of Health Staff, Town Manager, and Finance Director will track expenditures to determine any FY 23 impacts and so we can plan for FY 24.

Steve Matellian MOVED that the Board of Selectmen vote to authorize the Town Manager to execute the revised contract with E. L. Harvey for curbside collection of refuse and recyclables from July 1, 2022, through June 30, 2025 in the amount of \$460,000 for year 1, \$474,000 for year 2, and \$488,000 in year 3, plus the cost of recycling set at a monthly market rate per ton, and associated work stated in the Contract and Specifications.

Second: Select member Dwinnell, Unanimous, Chair Simas.

APPOINTMENTS/RESIGNATIONS

Appointment - Board of Health

Included in the Board's packet is an application for consideration for appointment from: Quinn Parks

The now vacated three-year term and was set to expire with the 2023 Annual Town Election. The candidate is appointed to the vacant seat, the term will run through the 2023 Annual Town Election and the seat will be placed on the 2023 Annual Town Election Ballot for a three (3) year of term.

Maureen Dwinnell MOVED that the Board of Selectmen and the remaining members of the Board of Health vote, pursuant to MGL C.41, §11, to appoint Quinn Parks to fill a vacancy on the Board of Health for a term expiring May 2023.

Ms. Dwinnell aye, Mr. Matellian aye, Mr. Simas aye, Ms. Hebb aye, Mr. Briggs nay.

Appointment - Cemetery Commission

The Board reviewed an application for consideration for appointment from Alfred Palladini. The Cemetery Commission failed to post their meeting therefore the election will be held at a future meeting.

BOARD OF SELECTMEN DISCUSSION

Nipmuc Rod & Gun Club One -Day Liquor Licenses

The Board reviewed the applications submitted by Nipmuc Rod and Gun Club for special one day all alcohol beverages. Applications are for dates in October and November.

Steve Matellian MOVED that the Board vote to approve the applications submitted by Nipmuc Rod and Gun Club; Event Manager Alison Foley DeMauro special 1-day All Alcohol Beverages license for events at Nipmuc Rod and Gun Club, 88 Fiske Mill Road, Upton, MA for the dates of October 9, 15, 16, 18, 22, 23, 29, 30, November 5, 6, 12, 13, 15, 19, 20, 26, 27, 2022.

Second: Select member Dwinnell, Unanimous, Chair Simas.

149 Main Street – Revised Regulatory and Use Agreement - Local Initiative Program

The Board reviewed an email from Ed Marchant summarizing the requested action.

Maureen Dwinnell MOVED that the Board vote to authorize the Chairman of the Board of Selectmen to review, approve, and sign a HUD Rider to Restrictive Covenants (the "HUD Rider") for the 149 Main Street Chapter 40B project in Upton, MA, and if necessary, review, approve, and sign any necessary modifications to the present Regulatory and Use Agreement and the Local (Springing) Regulatory Agreement related to the execution of the HUD Rider, subject to the review and approval of all proposed documents by Town Counsel.

Second: Select member Matellian, Unanimous, Chair Simas.

Neighbor 2 Neighbor Program Update and Discussion

Steve Matellian MOVED that the Board abolish the Neighbor 2 Neighbor Program that was created to help town residents who were in need due to the negative social and economic effects caused by COVID-19.

Second: Select member Dwinnell, Unanimous, Chair Simas.

Scheduling of Board of Selectmen Workshop

This will be scheduled for a future meeting.

MINUTES

Brett Simas MOVED to approve the minutes of July 12, August 16, (excluding executive session), September 6, and September 20.

Second: Select member Dwinnell, Unanimous, Select member Matellian.

ADJOURNMENT

Maureen Dwinnell MOVED to adjourn the meeting of October 4, 2022 at 9:51 PM.

Second: Select member Matellian, Unanimous, Chair Simas.

Respectfully submitted,

Sandra Hakala, Executive Assistant