

BOARD OF SELECTMEN MEETING MINUTES

April 4, 2023

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/ PLEDGE OF ALEGENCE

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

4 DEPARTMENT/BOARD UPDATES AND REQUESTS

5 Senior Tax Work Off Policy Amendments – Treasurer Collector

6 The Board reviewed the proposed amendments to the Tax Work Off Abatement Policy as
7 requested by our Treasurer Collector, Principal Assessor, and HR Director. The amendments
8 are the result of staff's review of internal processes as they prepare an informational sheet for
9 program participants.

10 Staff reviewed what is required for withholdings. While taxes are not deducted, retirement and
11 Medicare must be withheld. The withholding for 457(b) retirement may be withdrawn
12 following the end of the tax work off season. However, participants cannot get back the
13 Medicare withholding. An option, which staff supports, is for the Town of pay for the
14 participants share of Medicare. For example, the typical senior tax work off receives \$750
15 through the program. Medicare withholding is 1.45% so the average withheld is \$10.88. The
16 Town must also pay its portion associated with the Medicare withholding. To maximize the
17 amount the participant receives, many towns pay the participants share. For FY2023, the
18 participant share under this program amounted to \$210.74. Staff is requesting the Board to
19 vote on whether to cover participants Medicare withholding.

21
22 **Steve Matellian MOVED** that the Board vote to amend the Senior & Veterans' Property Tax
23 Work Off Abatement Policy as proposed and vote to pay Senior & Veterans' Property Tax Work
24 program participant's share of required Medicare withholding as proposed.

25
26 **Second:** Select member Dwinnell, Unanimous, Chair Simas.

28 TOWN MANAGER REPORT/ UPDATE

29 The following is the Town Manager's Report for the April 4, 2023 Board of Selectmen Meeting.

30
31 **Town Manager:** The Town Manager reviewed the following topics:

32
33 Town Manager's FY 24 Budget Recommendation – The Town Manger Budget Recommendation
34 is available online. Primary increases were driven by retirements costs, insurance, educational
35 costs, trash and an increase in the library's budget.

37 **Town Hall Bathrooms** – Replacement toilets have been delivered to the plumbers and we are
38 awaiting confirmation of a start date. In the meantime, we are continuing to limit use of town
39 hall to those groups that are staff supported. I ask that staff check bathrooms prior to leaving
40 to make sure nothing is bubbling out of floor drains or toilets.

41
42 **Electrical Aggregation** - The Town of Upton is continuing its work to finalize its electric
43 aggregation program but at this time it is not available. Colonial Power, our aggregation
44 consultant, has responded to a request for documentation from the Department of Public
45 Utilities. While the information was provided, no update on approval of the aggregation plan
46 has been provided.

47
48 **Treasurer Collector:** This is the last week for printing off weekly paystubs. Next week we are
49 transitioning to emailed copies of paystubs. An “HR/Payroll” email has been set up for people
50 having issues or need assistance gaining access. The department is working to send out stipend
51 reminders for elected officials. Real Estate Property Tax bills are due May 1st. Access to bill file
52 stays up a week to 10 days after due date and people should contact Treasurer Collector to
53 obtain a current balance after that time. The transition to VADAR Cloud has been completed.

54
55 **Assessor:** Abatement process has been completed, total abatements equaled \$60K. The
56 exemption program has also been completed resulting in exemption of \$70K, \$50K of which is
57 veterans which is reimbursable by the State. Staff are preparing supplemental billing to capture
58 new growth up to June 30th. Income and Expense Reports are being prepared. These go to all
59 town businesses, and they have 60 days to return.

60
61 **Conservation:** The Conservation Commission completed its permitting for an irrigation pond at
62 Fivefork Farm. Working with a property owner on Mendon Road where fill was dumped
63 adjacent to a wetland.

64
65 **DPW:** DPW Staff is starting their street sweeping program and is starting to solicit quotes from
66 contractors. DPW Staff also worked to get fields open for recreation, which occurred this past
67 weekend. Preparing for Memorial Day, working to clean up, fertilize, aerate, and seed
68 cemeteries. Working on road repairs which involves switching over from cold patching to more
69 permanent hot-patch repairs. Preparing to start crack sealing roads this spring. Anticipate
70 bringing Grove Street Bridge 25% design plan before the Board of Selectman on April 18th.
71 Lastly, the Water Department will start hydrant flushing.

72
73 **Town Clerk:** Staff will send out an email saying that State Ethics and Open Meeting Law training
74 is required to be done every two years for all employees and officials. Training is online and the
75 State will keep track of compliance. For the upcoming election on May 9th, there will not be in-
76 person early voting. Registered voters can still vote by absentee ballot or by mail. Candidates
77 Night, hosted by the Bloomer Girls, is scheduled for April 20th at the Fire Station. The only

78 contested seats are the Board of Selectmen and School Committee. Town Clerk was contacted
79 by a 3rd grader teacher about visiting town hall and offices. The planned June visit may be
80 smaller than in the past and involve smaller groups coming to departments.

81
82 **Police/ Fire:** Fire Dept Staff are working with code enforcement on various inspections,
83 including at the new community center. The department is starting annual 104 inspections,
84 these had not been done under previous Chiefs. Reviewing rural water supply tanks, to track
85 down ownership. GURR has been fairly silent, still working on the phase 2 fire protection
86 improvements. The new radio box alarm system is up and working. The system, paid for
87 through a state 911 grant, upgraded the firearm system in Upton and Hopedale and allows for
88 wireless expansion of fire alarm system. UCC is first facility, and 206 Milford will be the second.

89
90 **Recreation:** Acceptance of applications for Kids@Play and the beach closed a couple days ago.
91 Recreation is looking for volunteers to help hikes around Upton. DPW informed Recreation
92 that they can get the equipment ready at the beach on June 6th. Recreation stated that will
93 allow for a potential June 10th opening.

94
95 **Board of Health:** Board of Health Inspectors are awaiting the tentative start date for the beach
96 so they can do testing. There has been a significant decrease in COVID cases, with about 3
97 positive cases a week being reported. No new information on new variants of vaccines.

98
99 **Library:** Regular library operations are going well. Library posted a flier about hours of
100 operation for the month of April, including identifying when the library will be closed for
101 moving to the new Community Center. April 19th is the scheduled move date. A lot of outside
102 work still being done at the Community Center. Paving and parking lot line striping will occur
103 April 24th through the 26th.

104
105 **Planning:** Governors Landing and East Street Estates appear to be nearing the end of their
106 permitting processes. On April 11th, the Planning Board will hold a public hearing on proposed
107 ATM zoning amendment hearing; Articles submitted deal with regulating 5G and increasing ZBA
108 membership. Received an inquiry about increasing the adult marijuana use district. ZBA
109 continued their review of Governors Landing. They have also heard a number of cases for
110 accessory apartments, some are coming about as part of enforcement for apartments
111 constructed without approvals. Staff have started tracking accessory apartments since there is
112 a 5-year renewal requirement in the bylaw. Received one application under the facade
113 program and staff will reach out to more businesses.

114
115 **TM Office/Human Resources:** Annual Town Report and Finance Report are ready to be sent to
116 the printers. Staff is awaiting BoS execution of the warrant. The electronic on-boarding of new
117 employees will start with new recreation hires. Staff are starting the board/committee
118 reappointment process. Staff will email employees about the start of open enrollment. We will

119 add a new vision coverage to the health plan, which will allow for a 0.5% reduction in
120 premiums. Open Enrollment will occur in May. Scholarships are due April 13th. Working on
121 the dedication for community center, pulling together programming for the ceremony that will
122 occur June 14th at 6:30 PM.

123

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

125 None.

126

127 **COMMITTEE/ BOARD APPOINTMENT/RESIGNATION**

128 **Appointment – DPW Building Committee**

129 **Maureen Dwinnell MOVED** that the Board of Selectmen vote to appoint John Johnson to fill a
130 vacant seat on the DPW Building.

131 **Second: Chair Simas, Majority Action of the Board**

132 **Steve Matellian abstained.**

133

134 **Resignation – Technology Committee**

135 **Maureen Dwinnell MOVED** that the Board of Selectmen vote to accept the resignation of Rob
136 Bruno from the Technology Committee, with regrets.

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

138

139 **BOARD OF SELECTMEN DISCUSSION**

140 **Eagle Scout Project Request Presentation Nicholas Ronzio**

141 Nicholas Ronzio presented his Eagle Scout Service Project Proposal for the Board's
142 consideration.

143

144 **Steve Matellian MOVED** that the Board vote to support the Eagle Scout Service Project
145 proposed by Nicholas Ronzio and allow planters to be installed at the Town Common and
146 various intersections as contained in the project description.

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

148

149 **Steve Matellian MOVED** that the Board vote to approve \$400 be expended out of the Risteen
150 Beautification Trust Fund for planters to be installed at the Town Common and various
151 intersections as contained in the project description.

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

153

154 **Upton Men's Club - One Day Liquor License**

155 The Board reviewed the are applications submitted by Upton Men's Club for a special one day
156 all alcohol beverages for their annual cornhole tournament.

157

158 **Maureen Dwinnell MOVED** that the Board vote to approve the application submitted by Upton
159 Men's Club, Event Manager Matt Ronzio, for a special 1-day All Alcohol Beverages license for an
160 event at Kiwanis Softball Field, Upton, MA to be held on June 10, 2023.

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

162

163 **Upton Men's Club 2023 Fireworks Festival Funding Request**

164 The Board reviewed a letter from the Upton Men's Club requesting funding for the 2023 Upton
165 Fireworks Festival. The festival is being planned for June 24, 2023 and will be held at
166 Blackstone Valley Regional Vocational Technical High School (BVT). Originally discussed at the
167 Board's March 21st meeting, discussion was continued to April 4th in order to review the rate of
168 replenishment of the fund to ensure sustainability.

169

170 **Steve Matellian MOVED** that the Board vote to approve the Upton's Men's Club 2023 Upton
171 Fireworks Festival Funding request for \$7,535 to be expended out of the William Knowlton
172 Trust Fund.

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

174

175 **Maureen Dwinnell MOVED** that the Board vote to approve the Upton's Men's Club request for
176 up to \$5,000 for plantings across town to be expended out of the Risteen Beautification Trust
177 Fund.

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

179

180 **Execute May 4, 2023 Annual Town Meeting Warrant**

181 The Board of Selectmen and Finance Committee previously met on March 7th and 21st to review
182 Annual Town Meeting Articles and hear presentations from Staff and Boards/Committees
183 relating to their article requests. The Finance Committee met on March 28th to review and
184 provide recommendations on articles requesting funding. The Capital Budget Committee held a
185 meeting on February 27th to review and provide recommendations on capital requests \$25k
186 and above. The Warrant to be executed includes the Finance Committee and Capital Budget
187 Committee recommendations where appropriate.

188

189 **Maureen Dwinnell MOVED** that the Board vote to sign the May 4, 2023 Annual Town Meeting
190 Warrant and to direct the posting of Warrant.

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

192

193 **Discussion of Upton Community Center Room and Reservation Policies**

194 The two policies proposed are differentiated by having a common title but a different sub-title.

195

196 The first policy is for room uses during regular business hours - "Upton Community Center
197 Room Policy – Classroom, Conference Room, and Study Rooms." The second policy "Upton

198 Community Center Room Policy – Great Room and Program Room” is differentiated because
199 these can be used after hours and in space that is separated from the library.
200
201 Matthew Bachtold, Library Director reviewed the first policy. The Selectmen had concerns that
202 the use of some of the smaller rooms would be perceived as an office –“for profit” and charging
203 a fee.

204
205 **Steve Matellian MOVED** that the Board vote to approve the policy Upton Community Center
206 Room Policy – Classroom, Conference Room, and Study Rooms as amended by striking item 1
207 on page 2 (*Individuals charging a fee for private tutoring, educational or consulting services.*)
208 **Second: Select member Dwinnell, Unanimous, Chair Simas**

209
210 **Discussion of possible projects for American Rescue Plan Act (ARPA) Funds**
211 The Board reviewed the following table which reflects initial feedback from Departments for
212 use of ARPA Funds. The Town has received an allocation of \$2,401,177.05 in ARPA Funding. The
213 Board of Selectmen authorized to expenditures for the redesign of the Town’s website in the
214 amount of \$25,300 and \$52,200 for engineering design for sewer main replacement at GURR.
215 The remaining available ARPA funds is \$2,323,677.05.
216

| DEPARTMENT | PROJECT DESCRIPTION | COST |
|------------------------|--|---------------------|
| Highway | Fiske Ave Water Main / Replacement Construction | \$1,073,898 |
| Highway | Fiske Ave Water Main Replacement/Design | \$106,600 |
| Highway | Asbestos Cement Water Line Replacement/ Rt 140 Design | \$45,000 |
| Highway | Asbestos Cement Water Line Replacement/ Rt 140 Oversight | \$125,000 |
| Highway | Grove Street | \$200,000 |
| Highway | 1997 Trackless or Backhoe (2025 Capital Plan) | \$180,000 |
| Town Hall | Acoustic Improvements to Main Hall | \$50,000 |
| IT | Security Camera Upgrades (2025 Capital Plan) | \$100,000 |
| Police | Parking Lot Milling and Paving | \$53,116 |
| Fire | Parking Lot Milling and Paving | \$124,463 |
| Town | Misc. | \$50,000 |
| TOTAL | | \$2,058,127 |
| TOTAL REMAINING | | \$265,550.05 |

217
218 The Board will review requests at the next meeting.
219

220 **Request for Town of Upton to send letter to FCC to Update Cell Tower Exposure Science –
221 Sustainable Upton**

222 Laurie Wodin is requesting the Selectboard write to the FCC asking them to ensure that US
223 human exposure limits for cell tower radiofrequency radiation protect the public by updating
224 their standards based on the most up to date scientific research review. Ms.Wodin is also
225 asking to amend the petition.

226 **Steve Matellian MOVED** that the Board vote to authorize the Town Manager to work with a
227 member of Sustainable Upton to present the Board with a draft letter for the Board's approval
228 at a subsequent meeting.

229 **Second: Select member Dwinnell, Unanimous, Chair Simas**

230

231 **MINUTES**

232 **Steve Matellian MOVED** to approve the regular session meeting minutes of March 21, 2023.

233 **Second: Select member Dwinnell, Unanimous, Chair Simas**

234

235 **EXECUTIVE SESSION**

236 **Steve Matellian MOVED** to enter MGL c.214, S. 1B and MGL c. 4, S. 7, Clause 220 26c to discuss
237 financial assistance to residents in need.

238 **Second: Select member Dwinnell, Unanimous, Chair Simas**

239

240 **ADJOURNMENT**

241 **Steve Matellian MOVED** to adjourn the meeting of April 4, 2023, at 9:20 PM.

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

243

244 Respectfully submitted,

245 Sandra Hakala, Executive Assistant