

BOARD OF SELECTMEN MEETING MINUTES

April 19, 2022

Chair Maureen Dwinnell; Selectman Stephen A. Matellian; Selectman Brett A. Simas; Executive Assistant, Sandra Hakala; Acting Town Manager Dennis Westgate

Virtual

Call Meeting to Order

Chair Dwinnell opened the regular meeting at 7:02 PM and reviewed the agenda.

Public Comment (any topic)

Approval of Meeting Minutes

Passover

Guest Presentations

Technology Committee Update

Steve Rakitin presented an overview of the priorities of the technology committee.

Town Planner Update

CMRPC Multi-family Housing Presentation

Gabe Trevor, Assistant Planner, Central MA Regional Planning Commission presented - Compliance Under Section 3A of the Zoning Act:

- House No. 5250, An Act Enabling Partnerships for Growth (also known as the Economic Development Bill) passed the Massachusetts Legislature in December 2020 and was signed by Governor Baker in January 2021 •
- Bill included a range of housing provisions including lowering the threshold for Town Meeting vote for certain zoning provisions
- Section 18 of the Economic Development Bill includes section 3A which encourages designated MBTA communities to adopt zoning districts where multi-family zoning is permitted by-right, plus meet other requirements set forth in the statute

Board Discussion Items (no public comment)

Motion to Execute Annual Town Election Warrant

Motion #1: Motion made by Selectman Simas to Execute Annual Town Election Warrant.

Second: Selectman Matellian, Unanimous, Chair Dwinnell
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Motion to Execute

2021-2024 Upton DPW Hourly CBA

2021-2024 Upton DPW Supervisor's CBA

Passover.

Discussion on Men's Club Request for Funding for Town Traffic Island Plantings

Motion #2: Motion made by Selectman Simas to fund Men's Club Request for Funding for Town Traffic Island Plantings from the Risteen Beautification Trust Fund.

Second: Selectman Matellian, Unanimous, Chair Dwinnell
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Motion to Authorize Library to Spend Up to \$800 From the Lora Dearth Trust Fund to Purchase Books in FY22

Motion #3: Motion made by Selectman Matellian to Authorize the Library to Spend Up to \$800 From the Lora Dearth Trust Fund to Purchase Books in FY22.

Second: Selectman Simas, Unanimous, Chair Dwinnell
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Motion to Accept Various Donations

COA

Motion #4: Motion made by Selectman Matellian accept \$250 from Brett Simas to be used towards the Senior Prom being held on April 22.

Second: Chair Dwinnell, Majority Action
Maureen Dwinnell, aye, Steve Matellian, aye

Recreation

Motion #5: Motion made by Selectman Matellian accept the generation donations of two kayaks, two kayak paddles, one croquet set, around 20 various types of sport balls, and four life vests from Lynn Mulhern.

Second: Selectman Simas, Unanimous, Chair Dwinnell
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Discussion on Various Appointments

CPC – Member

Motion #6: Motion made by Selectman Simas to appoint Brittany Bessler to the CPC.

Second: Selectman Matellian, Unanimous, Chair Dwinnell
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Discussion on Crockett Road Easement

A resident on Crockett road has a failed septic system. Many homes on Crockett road are situated along the pond and have very little square footage of property. This particular house

happens to own land on the other side of the road they have applied for a title 5 system to be located across the road, require a private entity (being the homeowner) crossing the public way. The town would be required to provide an easement, where other homes on this street have already done this without having an easement. This is not unique according to KP. The only hiccup in this particular situation is timing. The homeowner is ready to sell the property and town meeting must approve this which would be in the Fall.

The DPW director is recommending working with KP to produce a legal document that requires the next owner of the property to follow through.

Motion to Designate Surplus to Auction

DPW - Ford Motor Serial #17175c-12-HC/Model 300 GFV-6001-ER with a Rockford Power Take-Off serial #544780, Model PTA-31153C2J2-7275A.

Motion #7: Motion made by Selectman Simas to Designate Surplus to Auction Ford Motor Serial #17175c-12-HC/Model 300 GFV-6001-ER with a Rockford Power Take-Off serial #544780, Model PTA-31153C2J2-7275A.

Second: Selectman Matellian, Unanimous, Chair Dwinnell
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Town Manager Report/Updates

Snow & Ice Update

As of today, our snow & ice expenses total \$94,629.51 beyond the annual appropriation. As you are aware, Article 10 of the FY23 Annual Town Meeting addresses the snow & ice deficit with an anticipated overage amount of \$125,000. The number above was calculated internally and remains to be reconciled with the Finance Director.

Ch90 Update

On February 17, Upton received the annual commitment letter from Gov. Baker informing the town of our annual Ch90 contract. It is anticipated that Upton will receive \$314,650. In addition, word from our delegates suggest a supplemental appropriation is in the works with Upton potentially receiving an additional \$215,654 bringing our FY23 Ch90 allocation to \$530,304.

GURR Update

My Wastewater Superintendent and I recently met with Michael Milanoski of the GURR to revisit our conversations regarding the town's wastewater line that runs through the railyard. As a reminder to the board, there town maintains a very old 15" clay pipe via a granted utility easement. The railroad has indicated in past years of their intent to add rail spurs in several locations that will travel over the sewer line. Our conversations with the railroad halted about 2 years ago when we notified the railroad of our concerns for the condition of the pipe and the potential consequences of increasing activity over such old infrastructure. At that time, we hired Truax Co. to video the line and document its condition. The video showed both intrusions and sags within the line.

Our conversation picked up where it left off with Mr. Milanoski except there now appears to be a desire for the railroad to assist the town with rehabbing the old clay line. Our conversation indicated the GURR would be willing to consider potentially paying for the rehab provided the town assist with the design and as built. We are working on scheduling a subsequent meeting with additional staff from both sides in an attempt to more accurately define costs and responsibilities at which time, we will have something more concrete to present to the BOS for consideration.

TIP Update

The construction associated with phase II of the TIP project began on Monday. During the winter, the signalization contractor was able to continue working on the signals at 140. Although not complete, the new lights were installed and are operational. There is still much to be done in phase II and there remains a punch list of outstanding issues in phase I. Now that work has resumed, I will be meeting with the state and contractor to review the remaining issues in phase I as well as the work schedule for phase II.

Board Discussion Items (no public comment)

Motion to Execute Town Manager Contract

Motion #8: Motion made by Selectman Matellian to execute an employment agreement with Joseph T. Laydon, Town Manager.

Second: Selectman Simas, Unanimous, Chair Dwinnell
Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

Adjourn Meeting

Motion #9 At 8:45 PM Selectman Matellian made motion to adjourn.

Second: Selectman Simas, Unanimous, Chair Dwinnell

Respectfully submitted,
Sandra Hakala, Executive Assistant