

BOARD OF SELECTMEN MEETING MINUTES

March 16, 2021

Virtual Meeting

Chairman Brett A. Simas; Selectman Maureen Dwinnell; Selectman Stephen A. Matellian; Town Manager, Derek S. Brindisi; Executive Assistant, Sandra Hakala

CALL MEETING TO ORDER

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.

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 will be conducted via remote participation to the greatest extent possible. We will strive to provide access to such meetings via a link to call in, or other similar option. In the event we are unable to accommodate the same, despite best efforts, we will post recorded sessions of the meeting as soon as possible following the same.

As a preliminary matter, this is Brett Simas – 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. *Stephen Matellian, aye, Maureen Dwinnell, aye,*
- Staff, when I call your name, please respond in the affirmative. Derek Brindisi, Town Manager aye, *State each staff members' name.*
- Anticipated Speakers on the Agenda, please respond in the affirmative. *None*

Public Comment

None

Guest Presentations

[Community Center Presentation - Jim Brochu](#)

The scope of work for the community center, as far as the appearance and layout has not changed much with respect to the building. Changes have made due to feedback from several town committees on the playground. Peter Turowski reviewed the slides in the presentation.

[Review VFW Shared Parking Agreement](#)

The Selectmen will discuss supporting this Article once the agreement is finalized with the VFW. The VFW are waiting for their legal team to review it.

Board Discussion Items

40 Discuss North Street Property and Article for Annual Town Meeting

41 As discussed by the BoS at the previous meeting, the North Street property is a new property
42 acquired through Tax Title and selling of land is a way of offsetting some of the taxpayer impact
43 for the community center. The town-owned land, known as the Forest Heights property, totals
44 100 acres of land, worth just over \$700,000.

45 Bill Taylor inquired if it is feasible or preferable to include language in the warrant article that
46 would memorialize the general agreement to develop part of the property, and preserve part of
47 it, as well. Mr. Brindisi will consult with Town Counsel.

49
50 **Motion #1:** Motion made by Selectman Matellian to include moving the North Street property
51 under the care and custody of the BoS on the ATM warrant.

52
53 Second: Selectman Dwinnell, Unanimous, Chairman Simas
54 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

55
56 [Vote execute Kelly Property Purchase and Sale Agreement](#)

57 **Motion #2:** Motion made by Selectman Dwinnell to execute Kelly Property Purchase and Sale
58 Agreement.

59
60 Second: Selectman Matellian, Unanimous, Chairman Simas
61 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

62
63 [27 James Road 40B PROJECT](#)

64 Presented this last month, the layout had multiple driveways coming out on to James Road,
65 which was not looked upon favorably by the board. Dean Harrison presented a redesigned
66 version redesigned to have one road coming off James Road. The driveways themselves, which
67 are off the cul de sac, and basically the main driveway would be a typical driveway. This would
68 be set up as a homeowner's association.

69
70 Chairman Simas was not comfortable to think that one can go into any neighborhood that has a
71 lot with a few acres and people can carve it up and put a 40 B. Mr. Matellian does not see this
72 fitting into the Affordable Housing Plan, Ms. Dwinnell was also not in favor of writing a letter of
73 support for this proposal.

74
75 Dean Harrison stated he will pursue the sale of the eligibility with Mass Housing. Without a
76 letter of support from the BoS, the difference there is that the Town will be notified when they
77 submit an application to the state and the town will have 30 days to make comments. Mr.
78 Harrison believes from a State standpoint, the items raised is not enough to consider this
79 property does not go in front of the Zoning Board of Appeals.

80
81 [Discuss request Park Bench at Heritage Park- Don Spargo and Howard Glassman](#)

82 The Historic Commission is seeking \$2,000 of CPA funding to purchase a park bench to honor
83 the late Barbara Burke to be located at Heritage Park.

84
85 **Motion #3:** Motion made by Selectman Dwinnell to support the installation of a bench at
86 Heritage Park honoring the work of Barbara Burke and inclusion on the ATM warrant seeking
87 CPC funding.

88
89 Second: Selectman Matellian, Unanimous, Chairman Simas
90 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

91
92 [Discussion on Draft Annual Town Meeting Warrant](#)

93 **Motion #4:** Motion made by Selectman Dwinnell to accept Article 7 (to transfer \$436,49 into
94 the Stabilization Fund) on the draft warrant.

95
96 Second: Selectman Chairman Simas, Majority Action
97 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, nay

98
99 The tree line item within the DPW is approximately \$18,000, therefore the Town Manager
100 recommends withdrawing Article 18 and replacing it with an Article regarding the North Street
101 Property.

102
103 **Motion #5:** Motion made by Selectman Dwinnell to remove Article 18 (tree cutting) from the
104 ATM Warrant.

105
106 Second: Selectman Matellian, Unanimous, Chairman Simas
107 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

108
109 The school department has rendered their assessment, voted by the school committee last
110 night, and they assessed the town an additional 1.4 million dollars.

111
112 **Motion #6:** Motion made by Selectman Dwinnell to include an override on the ATM Warrant to
113 fund the schools.

114
115 Second: Selectman Matellian, Unanimous, Chairman Simas
116 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

117
118 [Approve Various Grant Application for Fire Department](#)

119 **Motion #7** Motion made by Selectman Matellian to award the Emergency Management
120 Performance Grant (EMPG) FY20 grant of \$2,700 to purchase a large video touch display
121 monitor allowing review traditional blueprint paper documents electronically to be used in
122 conjunction with recently purchased Bluebeam software.

123
124 Second: Selectman Dwinnell, Unanimous, Chairman Simas

125 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

126

127 **Motion #8** Motion made by Selectman Matellian to apply for the FY 21 Firefighter Safety
128 Equipment Grant seeking a respirator fit testing machine to perform proper face piece tests on
129 staff in-house.

130

131 Second: Selectman Dwinnell, Unanimous, Chairman Simas
132 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

133

134 **BOS meeting schedule**

135 The Board will meet next on March 30, April 13, and April 27, and May 6. They will resume their
136 regular schedule on May 18.

137

138 **Town Manager Report**

- 139 • Governor Baker signed a law today that allows municipalities to move the date of the
140 election.
- 141 • Rep. Muradian and the Senate, and others from the State delegation were able to the
142 press the Governor to re-institute regional Covid clinics.
- 143 • A \$15,000 grant award from MIIA was received to conduct a full facility's assessment of
144 town hall, the fire department, and the police department structures.
- 145 • 50 yards of soil was transported off site, and a soil analysis conducted of the Thompson
146 gravel lot.
- 147 • An agency has been hired for this coming summer to remove the geese from the
148 Kiwanis Beach area.
- 149 • Great work from the treasure collector office that has collected \$40,000 in back taxes,
150 and executed 14 payment agreements, not just trying to recover the money, but
151 working with residents who may be in some type of hardship.
- 152 • The library is going to open for browsing starting next week.

153

154 **Adjourn Meeting**

155 **Motion #9:** At 9:42 Selectman Dwinnell made motion to adjourn.

156

157 Brett Simas, aye, Maureen Dwinnell, aye, Steve Matellian, aye

158

159 Respectfully submitted,
160 Sandra Hakala, Executive Assistant