

# BOARD OF SELECTMEN MEETING MINUTES

**June 21, 2023**

Chair Maureen Dwinnell; Select member Brett Simas; Select member Laura Hebb; Town Manager Joseph Laydon; Executive Assistant Sandra Hakala.

## **CALL MEETING TO ORDER/ PLEDGE OF ALEGENCE**

Chair Dwinnell opened the regular meeting at 7:00 PM.

## **DEPARTMENT/BOARD UPDATES AND REQUESTS**

### **DPW Director – Update on Grove Street Bridge**

Dennis Westgate stated that the most recent grant opportunity would not be realized but it will be again offered in the Spring.

## **TOWN MANAGER REPORT/ UPDATES**

The following is the Town Manager’s Report for the June 21, 2023 Board of Selectmen Meeting.

**Town Website Redesign** – Staff has been attending virtual training sessions for the last two weeks. The sessions will be completed by June 26<sup>th</sup>. Currently the “go live” date is scheduled for July 18<sup>th</sup>. A screenshot of the website is included at the end of this memo.

**Upton Community Center**– Sod has been installed at the bottom of the “bowl” at the end of the slides. Our DPW Director continues to work with the project engineers to resolve lighting and HVAC code errors. Staff is meeting internally to develop the exercise room policy to bring before the board at a future meeting. UCC Building Committee continues to meet to review final close out punch list.

**ADA Improvements** - Work is occurring under a MOD Grant to complete ADA Access Improvements at the Police Station, Fire Station, and DPW Admin Trailer.

**Route 140 TIP Project** – Staff attended a meeting with project engineers and officials to review amended roadway cross-section plans for parking on one side of the street and a striped bike lane on the other. Plans will be revised and submitted to Upton to review with officials, emergency responders and businesses.

**Human Resources** – End of the fiscal year also means it is time for departments to conduct annual evaluations. I have met with direct reports to the Town Manager’s Office to set goals for the next year and to evaluation performance for the past year. While formally this is an annual process, communications and discussions regarding goals occurs throughout the year.

**Planning Department** – The Town was awarded a \$30K grant for zoning bylaw assistance for inclusionary zoning and MBTA Communities.

**Housing Production Plan** —. Most recent meeting occurred on June 15<sup>th</sup> and they started to review the draft plan and implementation matrix.

**DPW** – Conducting annual field maintenance activities at various soccer fields in town.

## **HEARINGS**

### **Public Hearing to set Water and Sewer Rates for FY 2023 – Noticed for 7:05 PM**

**Chair Dwinnell MOVED** that the Board open the public hearing, in accordance with General By-laws Chapter 274 Water, Section 274-12, Rates for connection and use of the Town's public water supply system, and under said General By-laws Chapter 223 Sewer, Section 223-4 Rates for connection and use of the Town's public sewer system, to review the water and sewer rates proposed by the Director of Public Works for FY 2024.

**Second: Member Simas, Unanimous Member Hebb.**

LEGAL NOTICE

PUBLIC HEARING

WATER & SEWER RATES

TOWN OF UPTON

BOARD OF SELECTMEN

Please be advised that the Board of Selectmen in accordance with General By-laws Chapter 274 Water, Section 274-12, Rates for connection and use of the Town's public water supply system, and under said General By-laws Chapter 223 Sewer, Section 223-4 Rates for connection and use of the Town's public sewer system, will hold a public hearing to review the water and sewer rates proposed by the Director of Public Works for Fiscal Year 2024 on Tuesday, June 20, 2023 at 7:05 pm at Town Hall, Room 203, One Main Street, Upton, MA 01568.

Included in the Board's packet are proposed water and sewer rates for FY2024. The rates are calculated to cover the cost for the operation of the water and sewer departments. The Director proposes an increase of 5% over the prior rates. It should be noted that there are discounts for veterans and seniors off the customer service charge respectively.

**Brett Simas MOVED** the Select Board vote to approve the FY 2024 Water and Sewer Rates as proposed by the Director of Public Works.

**Second: Member Hebb, Unanimous Chair Dwinnell**

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

Andrea Malm, 99 Christian Hill Road is seeking a reduction in the speed limit to 25 MPH. Dennis Westgate explained that the process to seek a speed reduction. He suggested instead to engage an engineer to conduct a traffic study instead and suggest calming measures.

## APPOINTMENTS

### Annual Re-Appointments

### Annual New Appointments

#### ONE YEAR APPOINTMENTS

2023

**Brett Simas MOVED** to appoint

KP Law	1X
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**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

#### DISABILITY AFFAIRS GRIEVANCE COORDINATOR

Maggie Gundersen	1X
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**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

#### ECONOMIC DEVELOPMENT COMMITTEE

Eugene Bernat	1X
Pierre Cote	1X
David Brooks	1X
Craig Weinfuss	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

#### GREEN COMMUNITY COMMITTEE

Robert Jordan	1X
Dominique Ross	1X
William Taylor	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

#### HOUSING PRODUCTION PLAN ADVISORY COMMITTEE

Board of Selectmen representative Laura Hebb	1X
Conservation Commission representative Christine Scott	1X
Economic Development Committee representative Eugene Bernat	1X
Planning Board representative Katherine Robertson	1X
Community at large member Alan Rosenfield	1X
Community at large member Steve Matellian	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

#### Lake/Pond Committee

Recreation Commission Member Debbie Amorelli	1X
Conservation Committee Member Mike Penko	1X
Board of Health Member Linnea Loft	1X
DPW Member Bill Taylor	1X
Resident Ed Bergman	1X
Resident Gary Strichartz	1X
Sally Kent	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**Land Stewardship Committee** subcommittee of Conservation

Eric Reustle	1X
Scott Heim	1X
Michael Penko	1X
Bill Taylor	1X
Mary Overholt	1X
Marcella Stassa	1X
Libba Moore	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**Open Space Committee** subcommittee of Conservation

Mike Penko	1X
Christine Scott	1X
<b>Bill Taylor</b>	1X
Alan Miano	1X
Todd Dodd	1X
Cheryl MacIndoe	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**RECORDS ACCESS OFFICER**

M. Denise Smith	1X
Michael Bradley	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**TECHNOLOGY COMMITTEE**

Jeff Boss	1X
David Brooks	1X
John Daly	1X
David Lane	1X
Steven Rakitin	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint  
**TREE WARDEN**

Dennis Westgate	1X
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**Second: Member Hebb, Unanimous Chair Dwinnell**

**TWO, THREE- & FIVE-YEAR APPOINTMENTS**

**Brett Simas MOVED** to appoint

**AFFORDABLE HOUSING TRUST (2 YEAR TERM)**

Kathy Robertson	2024
Jeannie Brooks	2025
BoS CHAIR Maureen Dwinnell	2024

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**CONSERVATION COMMISSION (3 YEAR TERM)**

Michael Penko	3X
Christine Scott	3X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**COUNCIL ON AGING (3 YEAR TERM)**

Margaret Watson	3X
Richard Provost	3X
Laurie Fantini	3X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**CULTURAL COUNCIL (3 YEAR TERM x2 - 1 yr off)**

Kate Baden	3X
Robin Jokela	3X
Shelly Glassman	3X
Jennifer Conrad	3X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**CUSTODIAN OF TAX TITLE PROPERTIES**

Treasurer/Collector (3 YEAR TERM) Jessica Gomez	3X
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**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**HISTORICAL COMMISSION (3 YEAR TERM)**

Edward Phillips	3X
Katherine Worsham	3X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**OBEB Trust**

Jessica Gomez	3X
Maureen Dwinnell	1X

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**PERSONNEL BOARD** (3 YEAR TERM)

Scott van Raalten	3X
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**Brett Simas MOVED** to appoint

**REGISTRAR OF VOTERS** (3 YEAR TERM)

Amy Bonina	3X
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**Second: Member Hebb, Unanimous Chair Dwinnell**

**Brett Simas MOVED** to appoint

**ZONING APPEAL BOARD**

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Stedman Briggs	8/31/2023
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**Second: Member Hebb, Unanimous Chair Dwinnell**

## **LICENSING**

### **Common Victualler License and Entertainment License, Nipmuc Rod and Gun Club**

The Board reviewed the applications the Common Victualler License and Entertainment License for Nipmuc Rod and Gun Club at 88 Fiske Mill Road, Upton.

**Laura Hebb MOVED** the Select Board vote to approve the annual Common Victualler License and annual Entertainment License for Nipmuc Rod and Gun Club at 88 Fiske Mill Road, Upton.

**Second: Member Simas, Unanimous Chair Dwinnell**

## **BOARD OF SELECTMEN DISCUSSION**

### **Road Race Application – Hot to Trot 5K, Tri-County Regional Chamber, Applicant**

Included in the Board's packet is the Road Race Application for Tri-County Regional Chamber's Hot to Trot 5K Road Race that is scheduled for Saturday, July 29, 2023 at 8:00 am.

**Brett Simas MOVED** the Select Board vote to approve the road race application for the Hot to Trot 5K road race submitted by Tri-County Regional Chamber of Commerce to be held on Saturday, Saturday, July 29, 2023 at 8:00 am.

**Second: Member Hebb, Unanimous Chair Dwinnell**

### **Review and Approval of Projects to be Funded Through ARPA**

At the Board's June 7th meeting, the Board discussed the funding of various projects including the replacement of AC (asbestos-cement) pipe in Fiske Road. During the Board's discussion, the question was raised on how the project could be funded without using ARPA funds. The question was posed to DPW Director Dennis Westgate and Finance Director Kenny Costa.

Kenny Costa provided a breakdown of debt service payments. According to calculations run by the DPW Director, debt service would require a 8% increase in rates on top of the typical 5% annual increase.

The Board reviewed an updated memo with possible ARPA projects. Included on the list is a new project to conduct a feasibility study for possible pedestrian connections to define possible routes for a pedestrian path/facility that would improve connections between the schools and West Upton.

**Laura Hebb MOVED** that the Board vote to authorize up to \$1,073,898 for Fiske Ave Water Main Replacement Construction and \$106,600 for Construction Administration Services, both to be funded from the Town's APRA allocation.

**Second: Chair Dwinnell, Majority Action of the Board**

**Brett Simas MOVED** to allocate \$53,116 and 124,463 to the milling and paving of the police and fire parking lots from ARPA funds.

**Second: Member Hebb, Unanimous Chair Dwinnell**

#### **Review and Approval of Intermunicipal Agreement Between Upton and Blackstone for Public Health Nurse Services**

**Laura Hebb MOVED** the Board of Selectmen vote to execute the Intermunicipal Agreement Between Upton and Blackstone for Public Health Nurse Services, for the period of July 1, 2023 through June 30, 2024.

**Second: Member Simas, Unanimous Chair Dwinnell**

#### **Approval of FY 2024 RetroFit Town and Public Safety IT Contracts**

The Technology Committee will be reviewing the proposed FY 2024 proposal at their June 22, 2023 meeting. The Board reviewed two proposals from Retrofit for IT Services for the Town and Upton Public Safety (Police and Fire).

Services for FY 2024 are the same as FY 2023. The Town contract increased by \$2,041.80 and the Public Safety Contract increased by \$960.

The town manager recommends the Board's vote to be conditional provided the Technology Committee provides a favorable recommendation and does not expect any issues to be raised that would delay execution of the contract.

This item is being brought before the Board because under the Town of Upton Town Manager Act, contracts over \$25,000 must first be approved by the Board of Selectmen.

**Brett Simas MOVED** that the Board of Selectmen vote to authorize the Town Manager to finalize and execute the contract with Retrofit for network monitoring and IT service for the Town and for Public Safety in the amount of \$51,955.2 and \$12,960 respectively, for the period of July 1, 2023 through June 30, 2024, pending the Technology Committee's favorable recommendation.

**Second: Member Hebb, Unanimous Chair Dwinnell**

#### **Approval of Community Planning Grant Contract**

The Massachusetts Community Planning Grant is a program to support local planning efforts. This year the state announced additional funds through this grant program to assist with MBTA Communities. The grant request of \$30,000 was submitted to support Upton's efforts to comply with the MBTA Communities requirements. The grant money will be used to contract with a consultant to provide the Planning Board a feasibility study regarding the incorporation of Inclusionary Zoning within any new MBTA Community, Multifamily, by-right district as well as technical support for compliance. The grant does not require any local matches and is 100% funded through the program. Acceptance of the funds is not contingent upon Town Meeting approval of any future zoning bylaw changes.

The value of the contract is \$30,000 and therefore requires the Board of Selectmen to approve the contract.

**Laura Hebb MOVED** that the Board of Selectmen vote to authorize the Town Manager to execute the contract with the Commonwealth of Massachusetts for the Community Planning Grant in the amount of \$30,000.

**Second: Member Simas, Unanimous Chair Dwinnell**

#### **Liaison Assignments**

**Brett Simas MOVED** that the Board of Selectmen vote to approve the liaison assignments as follows:

Maureen L. Dwinnell	Brett A. Simas	Laura Hebb
Board of Assessor	BVT	Board of Health
Finance Committee /Capital Budget	Planning Board	Library Trustees
Affordable Housing Trust	ZBA	Recreation Commission
MURSD		

**Second: Member Hebb, Unanimous Chair Dwinnell**

**Fall Special Town Meeting Schedule**

The following is a draft schedule for a special town meeting on November 7<sup>th</sup>, 2023.

Deliverable	Due Date	Notes
Warrant Opens for the Special Town Meeting	Monday, August 7, 2023	Vote taken at July 25th BOS Meeting
Warrant Closes for the Special Town Meeting	Friday, September 8, 2023	Warrant Closes at noon.
Warrant Review period begins	Monday, September 11, 2023	BOS, FinCom, CBC review Warrant
BOS reviews Warrant w Committee Recommendations	Tuesday, October 3, 2023	BoS Mtgs 9-19 and 10-3
Execute STM Warrant and Post	Tuesday, October 17, 2023	Law requires at least 14 days prior to STM, must be posted on or before 10-24.
Special Town Meeting	Tuesday, November 7, 2023	

**MINUTES**

**Passed Over.**

**ADJOURNMENT**

**Brett Simas MOVED** to adjourn the meeting of June 21, 2023, at 9:06PM.

**Second: Select Member Hebb, Unanimous, Chair Dwinnell.**

Respectfully submitted,

Sandra Hakala, Executive Assistant