

# BOARD OF SELECTMEN MEETING MINUTES

September 19, 2023

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

## 1 CALL MEETING TO ORDER

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

3

## 4 DEPARTMENT/BOARD UPDATES AND REQUESTS

### 5 Fiske Ave Water Main Replacement Project Update – DPW Director

6 DPW Director Dennis Westgate will provide the Board with an update on the project. The  
7 following was posted on the DPW News and Announcement Page:

8

9 *The Fiske Avenue water main replacement starts on Monday, September 18, with delivery of  
10 pipe and other materials for the project, mark outs, and other pre-construction activities. A  
11 notice (a “door hanger”) with more details will be delivered to the residents on Fiske Avenue,  
12 Hazeltine Road, Whitney Lane, Laurel Lane and Spruce Drive by Friday, September 15. The  
13 notice will have a tentative schedule and, more importantly, will provide residents with a direct  
14 way to contact the DPW to resolve any unexpected issues that arise during construction (i.e.,  
15 fuel delivery, Meals on Wheels, other deliveries, and doctor and other appointments.)*

16

17 *Fiske Avenue will remain open during the entire project, though it may be closed briefly at times  
18 to move equipment. Our goal is to keep the neighborhood accessible throughout the project.*

19

20 *The work will be performed by CJP and Sons Construction. CJP met with the DPW and the Fire  
21 and Police Chiefs earlier this month to discuss Police details, school buses, pedestrians,  
22 construction schedules, and related issues.*

23 *The DPW website will be updated regularly as the project continues.*

24

### 25 Community Compact Grant Submission, Capital Plan Update – Town Manager

26 Staff is working on pulling together an application for updating the Town's Capital Plan using  
27 the Community Compact Grant Program and will present information at the meeting.

28

29 **Laura Hebb MOVED** Board of Selectmen vote to authorize the Town Manager to submit an  
30 application to the Community Compact Grant Program for updating the Town's Capital Plan.

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

32

### 33 MassHousing Grant Submission – Dir. of Land Use & Inspectional Services\*

34 The Land Use & Inspectional Services Department proposes to apply for a MassHousing  
35 technical assistance for the purpose of retaining a consultant to educate the Zoning Board of  
36 Appeals on their role in reviewing comprehensive permit applications. With the submission of  
37 a new Comprehensive Permit Application (40B), this assistance will be important since the

38 Board of Selectmen recently appointed three new members (2 regular members and one  
39 associate member).

40

41 **Brett Simas MOVED** the Board of Selectmen vote to authorize the Dir. of Land Use &  
42 Inspectional Services to submit an application to MassHousing for technical assistance for the  
43 Zoning Board of Appeals.

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

45

#### 46 **UPTON ELECTRIC AGGREGATION PLAN UPDATE**

##### 47 **Update from Colonial Power Group on the Town's Electric Aggregation Plan Submission**

48 Representatives of Colonial Power, the Town's Electric Aggregation Plan consultant, attended  
49 the meeting to present an update on the Town's electric aggregation plan, which has been  
50 submitted to the Department of Public Utilities.

51

52 On August 15, the DPU issued a detailed set of proposed "guidelines" for municipal  
53 aggregations, which seek to establish rules governing program operations (includes approved,  
54 currently active plans). The DPU claims that the "guidelines", along with a template form  
55 Aggregation Plan, will facilitate its review of new and amended plan filings.

56

57 Colonial Power Group has serious concerns with what the DPU is proposing. Not only does it  
58 solidify (and even worsen) the DPU's micro-management of program operations, but it further  
59 limits local flexibility/control and adds more restrictions for new programs who petition for  
60 approval to launch. Many times, these are town/city run programs and each municipality  
61 should have the ability to decide how their program operates Colonial Power believes. Their  
62 fear is that the DPU's "guidelines" and template will interfere with that and, ultimately, hinder  
63 program operations. This includes establishing launch dates, pre-identifying and locking in  
64 product selections, adding costs for repetitive mailings and an inability to take advantage of  
65 favorable market conditions (from an economical and/or renewable perspective).

66

67 Their hope is that municipalities (along with their legislators) will be willing to submit comments  
68 that express their concern with what the DPU has outlined and support their alternative. This is  
69 important because municipal-based comments will certainly carry more weight with the DPU  
70 and the Administration than those submitted by the consultant.

71

#### 72 **TOWN MANAGER REPORT**

##### 73 **PROJECT UPDATES**

74

75 Fiske Ave Water Main Project – On Monday, September 18, 2023, work started on the Fiske Ave  
76 Water Main Project. The contractor is laying down temporary service before opening the road.

77 DPW Staff prepared a pamphlet that was hand delivered to each household in the project area.  
78 The contractor estimated the project will take 120 days to complete but anticipates initial work  
79 being done by the winter and loam and seeding being completed in spring 2024.

80  
81 Town Website Redesign – We will be launching the new Town Website the end of next week.  
82 Kathleen Bern is working with departments on finishing touches. I would also like to thank staff  
83 for maintaining two different pages for the last two months preparing for the switch.

84  
85 EEE - West Nile Virus – The Town's Board of Health has been fielding questions pertaining to  
86 EEE and West Nile Virus. The State Department of Public Health has issued High Risk Warning  
87 of EEE in the towns of Sutton, Douglas, and Oxford. The Towns of Grafton, Northbridge and  
88 Uxbridge have been identified at a Moderate Risk for EEE. While Upton is currently identified as  
89 low risk for EEE, Upton is identified as at moderate risk for West Nile Virus. Recognizing  
90 mosquitos do not respect town boundaries, the BoH recommends residents take precautions,  
91 such as to be aware of peak mosquito hours, use bug repellent, and wear protective clothing.

92  
93 Personnel Classification and Compensation Study – GovHR, the consultant working on the  
94 Classification and Compensation Study, has completed interviews and position assessment  
95 stage of the project. They are moving into the next phase on data collection from benchmark  
96 towns. The study is on schedule with a report and presentation due in November.

97 Upton Apartments/ 40B at 45-51 Main Street –The applicant has filed a Comprehensive Permit  
98 Application with the Zoning Board of Appeals for the Upton Apartments 40B. The hearing is  
99 scheduled for October 18, 2023, starting at 6:30 PM in the Upton Community Center Great  
100 Room.

101  
102 Community Center – Our DPW Director and Building Committee continue to work out issues  
103 with the HVAC system and recently met with manufacturing representatives to escalate an  
104 issue with an air handling unit. We continue to review a draft plan for the UCC parking lot to  
105 add additional handicap spaces and to increase total number of spaces. We also are working to  
106 get final Board of Health sign offs for the kitchen.

107  
108 **PUBLIC COMMENT**

109 None.

110  
111 **BOARD OF SELECTMEN DISCUSSION**

112 **VFW Post 5594 - Upton VFW Run to Remember 5K Road Race\***

113 The Board reviewed the Road Race Application for the Upton VFW Run to Remember 5K Road  
114 Race that is scheduled for Saturday, October 7, 2023.

115

116 **Laura Hebb MOVED** that the Select Board vote to approve the road race application for Upton  
117 VFW Run to Remember 5K Road Race to be held on Saturday, October 7, 2023 at 9:00 am.  
118 **Second: Member Simas, Unanimous Chair Dwinnell**

119

#### 120 **Review of Draft Special Town Meeting Articles**

121 The Board reviewed the second (2<sup>nd</sup>) draft of the November 7<sup>th</sup> Special Town Meeting Warrant.  
122 This does not include articles submitted on September 8<sup>th</sup> which will be discussed as part of  
123 Agenda Item 6B.

124

#### 125 **Presentation by Proponents of Articles submitted to the warrant.**

126 The following articles were submitted for the November 7, 2023 Special Town  
127 Meeting warrant. Mike Pento and Marcella Stassa presented the following articles.

- 129 • Management and water quality monitoring plan for Pratt Pond and Mill Pond (\$50k) –  
130 CPC
- 132 • Repair and upgrade an existing trail bridge in the Warren Brook Watershed  
133 Conservation Area (\$5K) - CPC
- 135 • Water Quality Sampling and Testing (\$9,350) – CPC
- 137 • Zoning Bylaw Amendment - Large-scale ground-mounted solar photovoltaic installations  
138 – Planning Board
- 140 • Zoning Bylaw Amendment – Table of Uses; Uses in the Upton Center Business District  
141 (UCBD) – Planning Board
- 143 • General Bylaw Amendment – Wetland Bylaw Public Hearing Notification Process
- 145 • Educational Materials for Mosquito and Tick-borne Diseases (\$1,000) - Mosquito Control  
146 Board

147

#### 148 **Discussion of Paid Family and Medical Leave**

149 The Board reviewed the email and attachments prepared by the Town's HR Director providing  
150 information on MA Paid Family and Medical Leave. The Board asked the HR director to prepare  
151 a draft parental leave policy to consider at a future meeting.

152

#### 153 **MINUTES**

154 **Laura Hebb MOVED** that the Board of Selectmen vote to approve the meeting minutes of  
155 Junen23, July 12, August 22, and September 5.

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

157

158 **ADJOURNMENT**

159 **Laura Hebb MOVED** to adjourn the meeting of September 19, 2023, at 8:44PM.

160 **Second: Select Member Simas, Unanimous, Chair Dwinnell.**

161

162 Respectfully submitted,

163 Sandra Hakala, Executive Assistant