

The meeting was called to order at 7:11 p.m., by Chairman, Sherry Berger. Also in attendance were; Al Holman, Member; Richard Desjardins, Member; and Asst. Public Health Supervisor, Diane Tiernan.

Richard Robinson was present.

**Motion one** – Richard made a motion to accept the minutes from the previous meeting held on 3/21/13. Sherry seconded the motion. Minutes were approved.

Vouchers were reviewed and signed. Sherry asked Diane if we could stop paying for a beeper since we all have cell phones. Diane stated the beeper was a requirement for emergency preparedness, but she would look into her request.

Richard stated he visited the railroad today to check the progress of the noise adjustments. He found that they have put up the wall around the outside pumps about three feet high so far, they have changed the direction of the exhaust so that the noise it makes is now bouncing on itself instead of outside. They have also covered the silo pumps up top as well. Quite a lot of progress has been made. Board discussed the request from Jon Deli Prescolli and Michael Polselli, for another two weeks to complete all the work they want to do. Board agreed to extend the deadline to rectify the noise issues to May 1<sup>st</sup>, since they have gone beyond what was originally requested of them, and the progress has been significant. Clerk will notify Jon and Michael of the new extended deadline.

Large animal permits were reviewed and signed for B. Chigniola-23 Westboro Road, A. Lane-4 Westboro Road, L. Gauvin-22 Glenview Street, P. Goodrich-16 Crocket Road, T. Whitney-2 Williams Street, S. Achorn – 267 North Street, P. Polinski-6 Williams Street, P. Kutzer-96 Fowler Street, A. Suazo-36 Milford Street, T. Ferguson-109 Westboro Road, and K. Ober-117 Westboro Road.

A garbage and offal permit for Able Septic services of Hopkinton was reviewed and signed.

Food permits were reviewed and signed for; Kelly's Farm Stand- Milford Street, Upton Men's Club- Fireworks Display, JJ's Creamery-Milford Street, and Upton Youth club-Snack shack at VFW and Loyalty Day Parade.

7:30 p.m. the Upton Conservation Commission arrived.

Chris Scott stated the Con. Comm. came tonight to request a transfer of monies from the joint beaver fund. They are in need of 5000.00 to fund the salary of their agent, for the remaining months in this fiscal year. The current balance in the beaver fund is \$7,300.00. The town manager and Fin. Com. requested the monies be transferred instead of asking for more money from the town. Al asked why there was a shortage. Chris stated the revenue from filing fees is way down this year. They are increasing the cost of filing fees for the future, which will be more in line with other towns.

The beaver maintenance program is working well Chris stated, which is why they have not had to use a lot from the beaver account. Al stated he understands their request to transfer the money, but is hopeful in the future the Commission can keep better track of the accounts so this doesn't happen again. The BOH has been forced to make cuts; we almost lost our town nurse, we've increased the cost of the trash bags, we have gone out of our way to try to make ends meet. You shouldn't be blindsided by this. Mike Penko stated they have been trying to resolve this issue now for several months; they've been working with the town manager.

Chris stated that the Cross Winds project is moving forward which will bring in quite a bit of revenue to the Commission. Mike stated they are fortunate to be able to share Ashland's agent with Upton, otherwise they could not afford it. Al suggested they work with the Code Enforcement Dept., to incorporate a fee on the building permits to cover Con. Com reviews.

**Motion two** - Richard made a motion to allow the Conservation Commission to transfer \$5000.00 from the beaver fund to the Con. Com.'s salary account. Al seconded the motion and Sherry made the motion unanimous. Motion was approved.

Chris asked the Board if they knew when the Con. Com. might be able to utilize the new scanner. Diane stated that although the machine is now working, we are waiting for information on external storage necessary to scan all the plans. We have not started our own scanning yet.

8:00 p.m., the Con. Com. thanked the Board and left.

A septic permit for Christian Hill Road, Ed Milch was reviewed.

**Motion three** – Richard made a motion to approve the design and Al seconded the motion. Sherry made the motion unanimous.

A well permit application was reviewed again for Lot # 2 Prospect Street.

**Motion four** – Richard made a motion to approve the application and Al seconded the motion. Sherry made the motion unanimous.

A letter was reviewed from Claudia and Kerry Miller of 4 Wood Street, who are concerned with the fact that a variance was issued to 6 Wood Street for 7 seven horses. The Millers have numerous complaints about run off and odors at the 6 Wood Street property. Board requested Diane have the Animal Control officer perform another inspection of the property and then follow it up with a response to the Millers.

Board again discussed the proposed nuisance by-law. Richard and Al stated they do not support the proposal. It is too restrictive; these laws have a tendency to go too far. Al stated he doesn't want anyone telling him when to cut his grass. Sherry stated she understand we need something but she

agrees the proposal is too strict. Diane was asked to respond to the town manager that the Board does not approve the proposed by-laws as submitted; it has the possibility to overstep the original purpose of the law as it was meant to be. We are in favor as a Board in supporting a nuisance law that's directed to abandoned/foreclosure properties, but are leery of having landscape police in the town of Upton.

Board discussed the Hazardous Waste Day to be held on April 20<sup>th</sup>.

**Motion five** - Richard made a motion to adjourn and Al seconded the motion. Sherry made the motion unanimous.

8:44 p.m., the meeting was adjourned.

Respectfully Submitted,

Diane Tiernan, Asst. Public Health Supervisor