

**BOARD OF  
SELECTMEN  
MEETING  
MINUTES**

**November 3, 2015**

Town Hall

Chairman Kenneth Picard; Selectman James Brochu; Town Manager,  
Blythe C. Robinson; Executive Assistant, Sandra Hakala

**INVITED GUESTS**

Chairman Picard called the meeting called to order at 5:00pm and invited the Director of Public Works to continue the discussion focused on the water and wastewater enterprise fund projects.

Chairman Picard requested a 5 minute recess.

James Brochu, aye, Ken Picard, aye.

Chairman Picard re- opened the meeting and after the pledge of allegiance reviewed the agenda.

**MINUTES**

**Motion #1:** Motion made by Selectman Brochu to approve the October 20, 2015 Regular Session Meeting Minutes as submitted.

Second: Selectman Picard, Majority action of the board.

**Motion #2:** Motion made by Selectman Brochu to approve the October 6, 2015 Executive Session Meeting Minutes as submitted.

Second: Selectman Picard, Majority action of the board.

**Motion #3:** Motion made by Selectman Brochu to approve the October 20, 2015 Executive Session Meeting Minutes as submitted.

Second: Selectman Picard, Majority action of the board.

**INVITED GUESTS**

**Pole Location Public Hearing**

Chairman Picard opened the public hearing at 6:05 requested by National Grid in order to install a 125' length of cable on Farrar Road to serve a house at #10. This development of houses has underground utilities, and during last winter the electrical service to the house at #10 failed. National Grid, on an emergency basis, installed an overhead line to temporarily feed the house until this action could be taken. The transformers in this neighborhood each feed two houses, and the one that serves this is on the property next door at #7 Farrar Road. In order to enable the customer to reduce the length of new cable to be installed from the transformer to their home, National Grid proposed that the conduit be run from #7 by 125' in front of the house at #10.

Mike Fraser was in attendance representing National Grid to answer questions from the Board.

42 DPW has reviewed the location and has no issue with the relocation. Chairman Picard asked if  
43 there were any questions. There were none. The hearing was closed at 6:10PM.

44  
45 **Motion #4:** Motion made by Selectman Brochu that the Town of Upton grants permission to  
46 National Grid to install approximately 125' of conduit to service existing house #10 to eliminate  
47 existing conductor going through house #7 property line.

48  
49 Second: Selectman Picard, Majority action of the board.

50  
51 Rick Binaco from the Men's Club was invited to discuss topics of mutual interest and ways the  
52 Club might lend support to the Town. They have raised over \$500,000 since inception for the  
53 benefit of Upton and it's residents and are seeking new members. The Men's Club sought input  
54 from the Selectmen on way to further contribute in the community both by volunteering and  
55 providing financial support. Ms. Robinson suggested

56  
57 The Land Stewardship Committee gave the Board an update on their efforts to have  
58 informational kiosks built and installed at various trail head locations in Town to make them  
59 more accessible to users and to make the trails much easier to locate, and make it less likely for  
60 hikers to get lost on the trails. The project will be completed primarily with funds from a grant of  
61 about \$17,000 that the Land Stewardship Committee received from the Recreational Trails  
62 Program a few years ago. Areas that will be receiving new signs include North Upton  
63 Conservation areas, Stefans Farm, Peppercorn Hill, Goss Pond, the Warren Street Parcel, Lake  
64 Wildwood and the open space parcel next to Kiwanis Beach.

65  
66 **MANAGERS REPORT**

67  
68 Application was made to the State for a grant from the sewer rate relief fund. The grant, if  
69 approved, would provide the Town with \$16,619.93 in funds to offset the cost of debt service  
70 owed on the Station Street pump station this year. Ms. Robinson thanked DPW Director Roy for  
71 bringing this to the Town's attention.

72  
73 Town Counsel offers free training on a variety of topics which includes training for public safety  
74 staff on the HIPPA law which is forthcoming.

75  
76 A \$5000 MIIA grant for a thermal imaging camera for use by the Fire and Code Enforcement  
77 department was approved. The full cost of the cameras is \$400 more than that, which will be  
78 covered out of the operating budget.

79  
80 Ms. Robinson participated in meeting with Grafton and Northbridge to talk about opportunities  
81 for sharing services. Discussed were Conservation Agent services for the future as well as  
82 working together on storm water management once the new MS4 permit is executed by the EPA.

83  
84 Monitor the number of dogs residing at 35B Pleasant Street given the Board's order that eight be  
85 removed and four could stay continues. The owner purports that seven have been removed and  
86 the Town is working with her to determine when the last one will be removed.

87

88 **DISCUSSION ITEMS**

89  
90 **Execute Contract Amendment for OPM Services for Town Hall – Vertex**

91 The Selectmen reviewed a contract amendment for The Vertex Companies, the OPM on the  
92 Town Hall project and the outstanding work items on the Project and remaining fund balance.

93  
94 The outstanding work includes but is not limited to the following: supplemental heating,  
95 sidewalk heave, repointing of brick around gas meter, heat trace at door openings to avoid ice  
96 dams, acoustic ceiling tiles, cork boards, cleaning of stored files, and AV equipment.

97  
98 There is a projected deficit in the non-CPA balance of \$9,177.12. Kelly McElreath, Town Hall  
99 Building Committee Chair requested a motion to ‘transfer’ \$12,000 from CPA to non-CPA  
100 balance of the project so these outstanding items can be paid when completed.

101  
102 The THRC recommended that the balance of \$56,000 in CPA monies from the Design phase be  
103 used to pay the agreed amount to Vertex as they provided full-time clerk of the work services  
104 which had initially had not been advised by the architect and recommended that once all of the  
105 projects are completed revisit the outstanding balances.

106  
107 **Motion #5:** Motion made by Selectman Brochu to transfer \$12,000 from CPA to non-CPA  
108 balance of the project so outstanding items can be paid when completed.

109  
110 Second: Selectman Picard, Majority action of the board.

111  
112 **Motion #6** Motion made by Selectman Brochu to pay forty-one thousand five hundred (\$41,500)  
113 to Vertex for the services of the full-time clerk.

114  
115 Second: Selectman Picard, Majority action of the board.

116  
117 **92 Hopkinton Road**

118 The Police and Fire/EMS departments responded to a 911 call at 92 Hopkinton Road on  
119 Tuesday, October 27<sup>th</sup>. Upon entering the home they observed conditions that caused them to  
120 call in the Board of Health, Code Enforcement, Animal Control and the MSPCA to inspect the  
121 home. The patient was transported to the hospital, and the MSPCA and Animal Control  
122 removed 14 cats and two rabbits. The Board of Health convened an emergency meeting later  
123 that day and based upon the oral reports of those present decided to issue an immediate  
124 condemnation order. The Board scheduled to meet on Friday the 30<sup>th</sup> to review the order to  
125 decide whether to reaffirm it or withdraw it. They will need Town Counsel services to represent  
126 the Town in Housing Court to have a judge formalize the order, so that the four residents cannot  
127 return if their decision is to reaffirm. The Town will then need to board up the property until the  
128 owner can take action to resolve the matter. The Town Manager recommended the Selectmen  
129 vote to provide the necessary support to the Board of Health to move forward as the Town has  
130 been involved with this property over two decades, and the situation at this time is such that  
131 more stringent action is needed.

133 **Motion #6** Motion made by Selectman Brochu to support the issuance of a condemnation order  
134 decision by the Board of Health and provide legal assistance from Town Counsel.

135  
136 Second: Selectman Picard, Majority action of the board.

137  
138 **Motion #7** Motion made by Selectman Brochu to support the Board of Health's request for  
139 funding presented to the Finance Committee to carry out the physical aspects of the  
140 condemnation order.

141  
142 Second: Selectman Picard, Majority action of the board.

143  
144 Review Board of Selectmen's Action Plan

145 Chairman Picard will distribute the first newsletter via the Upton Town Crier and Upton's  
146 website. The Selectmen will review the progress of the outstanding goals at their next meeting.

147  
148 Motion to Make Appointments - Per Diem Paramedics

149 The Board reviewed the resumes of Cory Blais and Keith Krongard that Chief Goodale and  
150 Blythe Robinson recommended be appointed to the position of per diem paramedics. This  
151 position is one that that was developed to hire fully qualified paramedics to fill shifts that for  
152 various reasons can't be filled by either full-time or call/volunteer town staff. The positions were  
153 advertised for and reviewed by the Personnel Board prior to being interviewed by and  
154 recommended by the Fire/EMS department.

155  
156 **Motion #8** Motion made by Selectman Brochu to support the Town Manager in the appointments  
157 of Cory Blais and Keith Krongard to the position of per diem paramedic.

158  
159 Second: Selectman Picard, Majority action of the board.

160  
161 Motion to Approve a Contract – Storm Water Mapping Services

162 The Federal Environmental Protection Agency is in the process of issuing an updated MS4  
163 permit that regulates storm water that will affect all communities in Massachusetts. The draft  
164 permit requires the Town to have fully mapped all storm water pipes and outflows. DPW  
165 Director Roy recommends this work to be done by BETA Engineering.

166  
167 **Motion #9** Motion made by Selectman Brochu to authorize the Town Manager to enter into  
168 contract with BETA engineering to map storm water pipes and outflows as required in MS4  
169 permitting.

170  
171 Second: Selectman Picard, Majority action of the board.

172  
173 Motion to Approve a Grant Application – Pre-Disaster Mitigation Plan Update

174 In 2012 the Town participated in a grant-funded program through CMRPC to put in place a pre-  
175 disaster mitigation plan for the Town. Having this plan enables the Town to apply for various  
176 grants to carry out such activities. The Town Manager recommended the Board approve  
177 participating in this process, and authorize the Chairman to send the attached letter.

178

179 **Motion #9** Motion made by Selectman Brochu to authorize the Chairman to Approve a Grant  
180 Application allowing CMRPC to put in place a pre-disaster mitigation plan for the Town dated  
181 November 3, 2015

182  
183 Second: Selectman Picard, Majority action of the board.

184  
185 Review Special Town Meeting Warrant Motions

186 The Board reviewed a draft of the motions for the special town meeting to be held on November  
187 17<sup>th</sup>.

188  
189 Review Animal Control – Dog Violation Service Fee

190 A common activity of the Animal Control Officer (ACO) is to take calls about dogs that are  
191 running loose, and at times go out to catch animals, check on their status regarding licensing and  
192 vaccinations, and either transport them to a kennel or back to their owners. According to Town  
193 Counsel, the Town may charge a reasonable fee to cover its costs when this service is needed.  
194 When considering the ACO's hourly rate of compensation and cost of the use of the vehicle, a  
195 service fee of \$25.00 was recommended.

196  
197 **Motion #10** Motion made by Selectman Brochu to adopt a service fee in the amount of twenty –  
198 five dollars (\$25.00) to additional cover costs when transporting animals to a kennel or back to  
199 their owners.

200  
201 Second: Selectman Picard, Majority action of the board.

202  
203 Discuss Heritage Park Conservation Restriction

204 This will be discussed at the December 1<sup>st</sup> meeting.

205  
206 **MEETING LOOK AHEAD TOPICS**

207  
208 **NEW BUSINESS**

209  
210 **EXECUTIVE SESSION**

211  
212 **ADJOURN MEETING**

213  
214 **Motion #11:** At 7:21pm motion was made by Selectman Brochu to adjourn the regular meeting.

215  
216 Second: Selectman Picard, Majority action of the board.

217  
218  
219  
220 Respectfully submitted,

221  
222  
223 Sandra Hakala  
224 Executive Assistant