

**BOARD OF  
SELECTMEN  
MEETING  
MINUTES**

**February 17, 2015**

Town Hall

Chairman Robert J. Fleming; Selectman Kenneth Picard; Selectman James Brochu; Town Manager, Blythe C. Robinson; Executive Assistant, Sandra Hakala, Attorney David Jenkins, Town Counsel.

1 The meeting was called to order at 6:00pm. Chairman Fleming opened the meeting and after the  
2 pledge of allegiance he reviewed the agenda.

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4 **MINUTES**

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6 ***Motion #1:*** Motion made by Selectman Brochu to approve the January 27, 2015 Executive  
7 Session Meeting Minutes as submitted.

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9 Second: Chairman Fleming, Majority Action of the Board.

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11 ***Motion #2:*** Motion made by Selectman Brochu to approve the February 5, 2015 Executive  
12 Session Meeting Minutes as submitted.

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14 Second: Selectman Picard, Unanimous Chairman Fleming.

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16 ***Motion #3:*** Motion made by Selectman Brochu to approve the February 5, 2015 Regular Session  
17 Meeting Minutes as submitted.

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19 Second: Selectman Picard, Unanimous Chairman Fleming.

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21 ***Motion #4:*** Motion made by Selectman Brochu to approve the February 11, 2015 Regular  
22 Session Meeting Minutes as submitted.

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24 Second: Selectman Picard, Unanimous Chairman Fleming.

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26 **INVITED GUESTS**

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28 Norman Ringdahl owner of the Prints and the Potter Art Gallery in Worcester presented his  
29 concept based on the Selectmen's input for installing historical and color prints to the public  
30 spaces and offices of Town Hall. The overall theme provides a historical pictorial of Upton. He  
31 explained there would be two phases of the project and proposed budget respectively and  
32 proposed a layout design and showed examples of the type of prints that are being considered.

33  
34 The Selectmen were in agreement to the thematic approach presented and suggested that old  
35 versus new subjects be incorporated as well. They also want to focus on colored prints of Upton  
36 specifically and not include all prints of general Blackstone Valley locations. The Selectmen will  
37 continue the discussion at their next meeting.

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39 **MANAGER'S REPORT**

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41 The cost of the late January storm that brought over two feet of snow based on FEMA's rates is  
42 \$73,701.07. Upton's declaration to FEMA is submitted and in the past when approved is

43 reimbursed at 75% of the total. Arrangements with a local trucking firm to pick up loads of salt  
44 on behalf of the Town when the salt vendor can accommodate private haulers in order to keep up  
45 with our needs have been made. The Finance Committee approved the Town Manager's request  
46 to deficit spend the snow/ice account. A local contractor to remove snow from some of town  
47 building roofs (Police Station, COA, Town Hall and DPW) has been contracted. We're also  
48 looking at work to be done at the DPW. MIIA has announced a 2% insurance premium credit for  
49 this work.

50  
51 CMRPC announced that the Physical Development Committee (PDC) approved funding for  
52 Phase I of the Village District Zoning Bylaw Development Initiative. This Phase I will allow  
53 CMRPC Staff to develop a Model Village District Zoning Bylaw for the Central MA Region. It  
54 is hopeful that the State will release the 2nd half of DLTA funding July 1st, which will allow  
55 Phase II to go forward of the freight trail project that the Town had expressed an interest in.  
56 Phase II will allow them to work directly with the Town and apply the Village Zoning District to  
57 the specific conditions in Upton's Village Center.

58  
59 Bids were opened for the renovation of the tennis and basketball courts at Kiwanis Beach. Four  
60 bids were received, the lowest was \$129,000 and it is anticipated the Recreation Commission  
61 voting at their early March meeting to go forward.

62  
63 Ms. Robinson and Bill McGrath, of BETA Engineering, attended the CMMPO meeting where  
64 they reviewed the status of various TIP road projects, including the one for Upton encompassing  
65 Hartford Avenue North/High Street/Hopkinton Road. The presentation was positive and they  
66 were encouraged that at least one phase of the project should be included in the TIP for federal  
67 fiscal year 2019 which starts in October, 2018.

68  
69 Most of the outstanding electrical work required at Town Hall has been completed. The ground  
70 floor conference room is now enabled for power point presentations to the television. Wireless  
71 technology for the Little Town Hall Conference Room will be utilized.

72  
73 The DPW Director Interview panel convened and interviewed five candidates for the position.  
74 Three have been selected to continue to a second round that will be structured as an assessment  
75 center in the next week or two.

76  
77 **DISCUSSION ITEMS**

78  
79 Discuss Appointments to the Historical Commission  
80 Tabled.

81  
82 Manager's Annual Performance Evaluation  
83 Chairman Fleming will meet with Ms. Robinson to review the evaluation.

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85 **Motion #5:** Motion made by Selectman Picard to accept the Town Manager's performance  
86 evaluation from January through December 2014.

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88 Second: Selectman Brochu, Unanimous Chairman Fleming.

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FY 2015/2016 Budget Discussion

The Board would like to invite the Assessors, Town Account and Treasurer Collector to discuss the Auditor’s letter at an upcoming meeting.

Discuss Proposed Animal Control Bylaw

In 2012 the State passed an extensive overhaul of the animal regulations, specifically those relating to dogs that would replace Upton’s and be in compliance with these regulations. The Board reviewed a draft of a bylaw developed by staff and reviewed by Town Counsel in preparation for the Annual Town Meeting warrant.

Review Class II/Used Car Vehicle Allotments at Various Locations

The number of vehicles allowed at businesses in Town for which the Board has issued Class II licenses was discussed at a meeting last fall. That discussion revolved around the number of cars for sale as well as those for repair when a business performs both functions.

The Zoning Board of Appeals is set to have a hearing on February 18th where the owner of the BP Gas station will be meeting with them to ask for approval to have more cars for sale than the current permit allows which is a required step before the owner comes to the Board of Selectmen.

Ms. Robinson asked for the Board’s guidance in preparation of this meeting. Chief Bradley has weighed in on this topic and has concerns as well. The Board would like to develop a bylaw that would be fair and equitable and throughout town and work with the ZBA.

Motion to Approve – Town Clerk’s Award Nomination:

**Motion #6:** Motion made by Selectman Picard to nominate Kelly McElreath for Town Clerk of the Year to the Massachusetts Town Clerk’s Association and approve the application submitted.

Second: Selectman Brochu, Unanimous Chairman Fleming.

**MEETING LOOK AHEAD TOPICS**

- Review Stormwater coalition letters
- Meet with appointed/elected boards

**OTHER TOPICS NOT REASONABLY ANTICIPATED**

Motion to Approve – Emergency Fuel Request

**Motion #7:** Motion made by Chairman Fleming to authorize payment for a fuel delivery by Osterman’s in the amount of \$171.43 from the Ella Risteen Welfare Fund to a family in need in Upton.

Second: Selectman Picard, Unanimous Selectman Brochu.

135  
136 2 Grove Street  
137 **Motion #9:** Motion made by Selectman Brochu to authorize payment to the Town of Upton for  
138 the balance of taxes owed at 2 Grove Street in the amount of \$1,300.82 from the William  
139 Knowlton Trust Fund.

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141 Second: Selectman Picard, Unanimous Chairman Fleming.

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143 **EXECUTIVE SESSION**

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145 **Motion #10:** At 7:40pm Chairman Fleming opened the Executive Session under MGL c.30A, S.  
146 21 exceptions #3: to discuss strategy with respect litigation if an open meeting may have a  
147 detrimental effect on the litigating position of the public body and the chair so declares.

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149 Poll taken: James Brochu, aye, Kenneth Picard, aye, Robert Fleming aye.

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151 **ADJOURN MEETING**

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153 **Motion #10:** At 8:45pm motion was made by Selectman Brochu to adjourn the regular meeting.

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155 Second: Selectman Picard, Unanimous: Chairman Fleming

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157 Respectfully submitted,

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159 Sandra Hakala  
160 Executive Assistant