

**BOARD OF
SELECTMEN
MEETING
MINUTES**

February 5, 2015

Town Hall

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

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.

3
4 **INVITED GUESTS**

5
6 State Representative David Muradian, the newly elected State Representative asked to appear
7 before the Board as he begins his first term to formally introduce himself. Representative
8 Muradian relayed that the Governor would be a strong advocate for Massachusetts' cities and
9 towns and offered reassurances that they will not have to shoulder the burden of state budget cuts
10 and also signed an executive order that seeks to strengthen ties between state government and
11 local communities. Representative Muradian also reiterated that the Governor Baker released
12 \$100 million in local Chapter 90 highway funds that had been held back by the previous
13 administration.

14
15 Representative Muradian has asked to come before the Board on a regular basis to respond to
16 constituent inquiries and will work closely with local municipalities to promote economic
17 development.

18
19 **MINUTES**

20
21 ***Motion #1:*** Motion made by Selectman Brochu to approve the January 6, 2015 Regular Session
22 Meeting Minutes as submitted.

23
24 Second: Selectman Picard, Unanimous Chairman Fleming.

25
26 ***Motion #2:*** Motion made by Selectman Brochu to approve the January 6, 2015 Executive
27 Session Meeting Minutes as submitted.

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29 Second: Selectman Picard, Unanimous Chairman Fleming.

30
31 ***Motion #3:*** Motion made by Selectman Brochu to approve the January 27, 2015 Regular Session
32 Meeting Minutes as submitted.

33
34 Second: Chairman Fleming, Unanimous Action of the Board.

35
36 **INVITED GUESTS**

37
38 ***Historical Commission & Historical Society***

39 Members of both the Commission and the Society were invited this meeting for an open
40 conversation about the role of both in town government. Cathy Taylor, Chair of the Historical
41 Commission and Tom Bair, President of the Historical Society each described their perspective
42 roles.

43
44 Paperless Meeting Technology Discussion
45 Linda Arthur joined the discussion on paperless meeting technology and described the various
46 programs that were investigated to enable the town to migrate to “paperless” meetings. Ms.
47 Arthur suggested solutions that range from simple to really elaborate; that accept contributions
48 from people who are external to the town, or internal people only. A "relatively robust" solution
49 would likely cost about \$400 a month.

50
51 Town Manager Blythe Robinson said this was a good time to examine this possibility, as the
52 town is also looking to refresh its website and she would factor this matter into the town's budget
53 for the upcoming fiscal year if the selectmen desire to do so.

54
55 **MANAGER'S REPORT**

56
57 Extra equipment to help haul snow away from intersections to improve site lines for drivers, and
58 to dig out fire hydrants in the hydrant district was brought in. The snow/ice budget is still intact
59 and the Town has submitted an application for FEMA federal disaster assistance which will be
60 forthcoming due to the high amounts of snow.

61
62 Every employee as well as elected and appointed volunteers must take the State Ethics test. The
63 Town Clerk has sent out the directions for this to all to complete and turn in certificates of
64 completion to her.

65
66 Bernadette Denson is the new Department Specialist at the COA. Bernadette is an Upton
67 resident who brings terrific experience to this job, and was even a volunteer at the center in the
68 past.

69
70 The contract to provide Hopedale with 911 ring down service has gone very well over the past 2
71 years. That contract is up for renewal in July and the town has proposed an increase in the fee
72 they pay of 10% a year which Hopedale has agreed to.

73
74 **DISCUSSION ITEMS**

75
76 Discuss Appointments to the Historical Commission

77 Tabled until next meeting.
78

79 Motion to Approve BVT request for one day liquor license

80 The Selectmen reviewed the request from BVT for a one-day liquor license that will enable them
81 to serve wine at the annual Superintendent's dinner held in March. The Town Manager
82 recommended approval of this request. Selectman Brochu recused himself from this matter as he
83 is an employee of the school district.

84
85 **Motion #4:** Motion made by Selectman Picard to grant a one-day liquor license to include a
86 liquor liability policy to BVT on March 12, 2015 at the Superintendent's dinner.

87
88 Majority Action, Chairman Fleming.

89

90 Discuss Acquisition of Conservation Land - North Street

91 Bill Taylor was in attendance to discuss a parcel of land on North Street that straddles the
92 Massachusetts Turnpike. The owners of the parcel have contacted the Conservation Commission
93 seeking to donate it to the Town. It is the opinion of Town Counsel that land for such purposes
94 may be acquired by a majority vote of the Board of Selectmen. The Selectmen agreed that the
95 land would serve no purpose to the Town, is landlocked and currently provides a tax base of
96 \$3300.

97

98 **Motion #5:** Motion made by Selectman Brochu to take no action.

99

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

101

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

103

104 Manager's Annual Performance Evaluation

105 The evaluation will be reformatted for the next meeting.

106

107 FY 2015/2016 Budget Discussion

108 The budget books include the Town Manager's recommendations of all of the departments and
109 divisions that are the responsibility of the Town Manager and Board of Selectmen. There are
110 still a number of budgets due from elected boards and the regional schools. Ms. Robinson gave
111 an overview of the budget and scheduled a public hearing to discuss water/sewer rates.

112

113 The Town Manager suggested that a discussion ensue with the Finance Committee to find a way
114 to streamline the process after the special town meeting.

115

116 Motion to Approve - Run For Their Future 5K

117 The Mendon Upton Regional Teacher's Association has submitted an application to hold their
118 annual "Run for their Future 5K" on May 2nd beginning and ending at Nipmuc High School.
119 The Selectmen reviewed the completed application and the Town Manager recommended
120 approval of this event in accordance with the Town's policy on this topic.

121

122 **Motion #6:** Motion made by Selectman Brochu to support the annual "Run for their Future 5K"
123 on May 2nd beginning and ending at Nipmuc High School.

124

125 Second: Selectman Picard, Unanimous: Chairman Fleming.

126

127 Motion to Approve – Town Clerk's Award Nomination:

128 Tabled until next meeting.

129

130 Review Board of Health's public announcement on the Town's position on the G&U RR

131

132 The Board of Health asked the Board of Selectmen to consider joining them in putting out a
133 statement to residents about the Town's position on the G&U RR, specifically the noise issues

134 related to the pellet plant. The draft of the statement prepared by the BOH was submitted to
135 Town Counsel.

136
137 Town Counsel recommends the following proposed by the Board of Health. “The recent decision
138 of the Surface Transportation Board in the matter of the Grafton-Upton Railroad concluded that
139 the railroad operation is pre-empted from local regulation. This decision confirms that local
140 regulation of the Railroad and its operations is prohibited. Therefore, the Board of Health has
141 determined that no further action will be taken with respect to regulating noise resulting from the
142 Railroad operations. We are aware that significant modifications were made by the owner of the
143 Railroad to decrease the noise levels at the Maple Avenue rail station. It is the intent of the
144 Board of Health to continue its communication with the Grafton-Upton Railroad in an effort to
145 maintain a cooperative relationship.”

146
147 **Motion #7:** Motion made by Selectman Picard to reaffirm the position of the Surface
148 Transportation Board in the matter of the Grafton-Upton Railroad and the position of the Board
149 of Health that no further action will be taken with respect to regulating noise resulting from the
150 Railroad operations.

151
152 Second: Selectman Brochu, Unanimous Chairman Fleming.

153
154 **RECOGNITION**

155
156 Selectman Brochu recognized the DPW in their tireless efforts to keep the streets safe during the
157 most recent storms.

158
159 Chairman Fleming recognized the Town Manager, Blythe Robinson’s election to MMA’s
160 Benefit’s Health Trust during the MMA annual meeting

161
162 **MEETING LOOK AHEAD TOPICS**

163
164 Meet with appointed/elected boards
165 Invite art consultant

166
167 **EXECUTIVE SESSION**

168
169 **Motion #8:** At 7:45pm Chairman Fleming opened the Executive Session under MGL c.30A, S.
170 21 exceptions #3: to discuss strategy sessions with respect to collective bargaining if the chair
171 declares an open meeting will have a detrimental effect on the Town’s bargaining position and
172 under MGL c.214, S.1B exception #7 and MGL c.4,S.7, clause 26C where a person shall have a
173 right against unreasonable, substantial or serious interference with his privacy.

174
175 Poll taken: James Brochu, aye, Kenneth Picard, aye, Robert Fleming aye.

176
177 **OTHER TOPICS NOT REASONABLY ANTICIPATED**

178

179 **Motion #9:** Motion made by Selectman Brochu to donate fifteen thousand dollars to the Upton
180 Fire and EMS Association C/O Marchand Family Fund from the Ella Risteen Welfare Fund.

181
182 Second: Selectman Picard, Unanimous: Chairman Fleming.

183
184

185 **ADJOURN MEETING**

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187 **Motion #10:** At 8:35pm motion was made by Selectman Brochu to adjourn the regular meeting.

188
189 Second: Selectman Picard, Unanimous: Chairman Fleming

190
191 Respectfully submitted,

192 Sandra Hakala

193 Executive Assistant