

**BOARD OF
SELECTMEN
MEETING
MINUTES**

March 17, 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 **MINUTES**

5
6 **Motion #1:** Motion made by Selectman Brochu to approve the February 17, 2015 Regular
7 Session Meeting Minutes as submitted.

8
9 Second: Selectman Picard, Unanimous Chairman Fleming.

10
11 **Motion #2:** Motion made by Selectman Brochu to approve the February 17, 2015 Executive
12 Session Meeting Minutes as submitted.

13
14 Second: Selectman Picard, Unanimous Chairman Fleming.

15
16 **Motion #3:** Motion made by Selectman Brochu to approve the February 24, 2015 Regular
17 Session Meeting Minutes as submitted.

18
19 Second: Selectman Picard, Unanimous Chairman Fleming.

20
21 **Motion #4:** Motion made by Selectman Brochu to approve the February 24, 2015 Executive
22 Session Meeting Minutes as submitted.

23
24 Second: Selectman Picard, Unanimous Chairman Fleming.

25
26 **Motion #5:** Motion made by Selectman Picard to approve the March 3, 2015 Regular Session
27 Meeting Minutes as submitted.

28
29 Second: Chairman Fleming, Majority Action of the Board.

30
31 **MANAGER'S REPORT**

32 The Veteran's Agent, Robin Fletcher informed Ms. Robinson that currently fifty veterans in
33 Upton were receiving Federal Veteran's benefits totaling approximately \$135,000.

34
35 Sidewalk snow removal operations on Main Street towards Town Hall as well as a few other
36 locations are now clear. Crews also put hot asphalt mix down on High Street to address some of
37 the more serious potholes that have resulted from this difficult winter.

38
39 Ms. Robinson reminded all the open meeting law training was rescheduled to March 23rd.

40

41 The Recreation Commission awarded a contract to Vermont Recreation to renovate the tennis
42 and basketball courts at Kiwanis Beach scheduled to be completed before summer programs
43 begin in June.

44
45 The Selectmen will be meeting with the Finance Committee this week. The gap is over \$1.2
46 million and it is anticipated that an override question will be placed on the annual election ballot
47 for May 1st.

48
49 Upton is to be named a Purple Heart Community. Leo Agnew, Commander of the Massachusetts
50 division of the Military Order of the Purple Heart will be at the Board's April 7th meeting to
51 award the proclamation which honors military personnel wounded or killed on combat.

52
53 Governor Baker has announced a Chapter 90 bond bill for this season of \$200 million. This,
54 along with the \$100 million he released from a prior year will mean approximately \$520,000 in
55 road repair funds for Upton this year.

56
57 **INVITED GUESTS**

58
59 Public Hearing – Class II License – Upton Getty
60 Chairman Fleming re-opened the Public Hearing at 6:05PM that was recessed at the last meeting
61 because the applicant Bassam Younes was not present.

62
63 Mr. Younes was present and explained to the Board that this application to increase the number
64 of cars available for sale from the four that the Board has approved in past licenses to nine
65 vehicles. As required the owner obtained approval from the ZBA last month. Mr. Younes
66 told that Board that the Getty station had suffered financial difficulties from loss of business due
67 to fuel prices and was seeking to supplement his revenue by selling additional cars on the lot.

68
69 Selectman Brochu's stated he had strong concerns over whether Mr. Younes would abide by the
70 number of cars allotted in the proposed application because he has seen an excess of cars on the
71 licensed premise than the current license allows.

72
73 Selectman Picard concurred with the Police Chief's recommendation which would safely allow
74 6-7 vehicles. Chairman Fleming referred to a past discussion whereby the Board in conjunction
75 with the Zoning Board of Appeals could find a way to standardize the methodology in how many
76 vehicles would be allowed on the licensed premise.

77
78 **Motion #6:** Motion made by Selectman Picard to amend the Class II license at 115 Main Street
79 to "no more than four cars" to "no more than seven cars" for a probationary period to be
80 reviewed in July.

81
82 Second: Selectman Brochu, Unanimous Chairman Fleming.

83
84 The hearing was closed at 6:12PM.

85
86 Public Hearing FY 2015/2016 Water & Sewer Rates

87 Chairman Fleming re-opened the Public Hearing at 6:12PM which was recessed at the last
88 meeting until all Selectmen were present.

89
90 The Board reviewed the rates for the enterprise fund budgets for both water and wastewater for
91 the upcoming year. With the change made at the November Special Town Meeting to the water
92 and wastewater bylaws, the Board imposed upon itself a public hearing process before the rates
93 are set. The Town Manager outlined the recommendation of the rate structure proposed which
94 will meet the obligations of both funds for next year.

95
96 The Town Manager discussed the following proposed water and sewer rates for FY2016:
97

Gallons Used Quarterly	Water Rates	Sewer Rates
Customer Service Charge (CSC)	\$17.73	\$71.57
0 - 3,000 gallons	\$3.44	\$8.32
3,001 - 7,500 gallons	\$4.61	\$8.32
7,501 - 20,000 gallons	\$5.99	\$8.32
More than 20,000 gallons	\$8.45	\$8.32
Second Meter Charge	\$8.45	N/A

98
99 The Chair closed the public hearing at 6:18PM.

100
101 **Motion #7:** Motion made by Selectman Brochu to approve the FY 2016 Water and Wastewater
102 rates as proposed.

103
104 Second: Selectman Picard, Unanimous Chairman Fleming.

105
106 **DISCUSSION ITEMS**

107
108 Discuss Acceptance of a Gift from the Upton Police Association

109 The Upton Police Association presented six wooden ice rescue ladders to the Town to be placed
110 around bodies of water in the event someone should fall through the ice. The materials were
111 purchased by the UPA and department members worked to construct and paint the ladders.

112
113 The Selectmen recognized the Department for their initiative and volunteerism and graciously
114 accepted their gift.

115
116 Appointments

117 Director of Public Works
118 Ms. Robinson recommended the hiring of Mr. Vincent Roy as the next Director of Public Works
119 and outlined the process in her memo to the Board dated March 12, 2015;

120
121 “Utilizing a variety of advertising opportunities we received 17 applications, of which 6 were
122 qualified by the Personnel Board. As a result of the interview process, background check,

123 references and other pre-employment requirements I recommend that Mr. Vincent Roy be hired
124 as the next Director of this department.

125
126 The interview panel (Engineering Consultant, Personnel Board Member and I) invited the six
127 candidates for a first round screening interview to determine their knowledge and technical skills
128 critical to the job. Based upon their performance in this round, three were invited back for a day
129 long assessment center, of which two accepted. That was conducted by the myself, the Police
130 Chief, Fire/EMS Chief, and member of the Personnel Board. The purpose of the assessment
131 center was to replicate real world incidents and determine which candidate was best able to
132 manage those situations. The exercises included three oral exercises where the candidates played
133 the role of the Director, dealing with an employee discipline issue, an angry resident, and a
134 negotiation with a union steward over disciplining an employee who had been involved in an
135 accident. The candidates also were given written assignments to complete during the day which
136 included a press release about a water ban, and to prepare a capital budget presentation based on
137 a given set of facts. They then presented the CIP and press release to the interview panel and
138 responded to questions.

139
140 The panel unanimously agreed that both candidates performed very well, but that Mr. Roy best
141 displayed the attributes we are looking for in a Director. He handled the situations put before
142 him in a manner that we believe showed his skills as a manager, and his knowledge of the
143 requirements of the job. While the other candidate did well, Mr. Roy showed an eagerness for
144 the position, and a style that likely to be a good fit for the community and employees, as well as
145 consultants and other public works officials. The panel was also impressed with his motivation
146 to complete his master's degree this year in public administration and strong knowledge in the
147 areas of water and sewer utilities.

148
149 As mentioned earlier, we were fortunate to have two qualified candidates to consider. Both
150 possess the educational background required, have management level experience in public works
151 or some aspect of it, and one is an engineer. Having been Town Manager for almost five years,
152 some of it managing the department directly, it was important to me to find a Director that has
153 the right skills and background to manage quite a wide variety of responsibilities. I believe that
154 it is not necessarily important to be an engineer, but to have someone with the education &
155 skills/abilities to manage the department, and technical skills in water and sewer is a priority.
156 Mr. Roy has worked for three different towns in Massachusetts, gaining experience and
157 responsibility in all. He has primarily focused in utilities, but as part of the Public Works
158 departments in each, he is knowledgeable on a wider range of topics. I was very impressed in
159 the several meetings we had about his enthusiasm and his drive to provide a high level of service
160 and professionalism to his community. His references echoed this, indicating that at times he
161 needs to be encouraged to set a more deliberate pace to accomplish his goals. I believe he has
162 the overall management skills will enable him to quickly come up to speed on whatever topic he
163 needs to, and he has the resources and network to rely on in Massachusetts to accomplish what is
164 required.

165
166 Vincent's references speak well of him, giving him praise for being knowledgeable in his field,
167 hardworking and motivated to perform at a high level, good with people, and handles difficult
168 situations with the appropriate tact and empathy. All felt that he was a fast learner, had a strong

169 work ethic, and would hire him again without reservation if given the opportunity. Our former
170 DPW Consultant was one of his references. His advice, knowing both Vincent and our
171 organization in particular, was to make no hesitation in hiring Vincent. He believes Vincent will
172 be a good fit with our organization, and will adapt well into the role of Director. We provided
173 Vincent with a tour of our facilities and chance to meet some of our staff. He admits that it will
174 be an adjustment to a smaller community with limited resources available to perform the work,
175 but he impressed me with his enthusiasm about the opportunity to utilize those resources to make
176 a real impact on our community as our Director.”

177
178 **Motion #8:** Motion made by Selectman Brochu to affirm the recommendation by the Town
179 Manager, Blythe Robinson to appoint Vincent Roy to the position of Director of Public Works
180 waiving the 15 day waiting period.

181
182 Second: Selectman Picard, Unanimous Chairman Fleming.

183
184 Discuss Town Hall Usage Fee

185 In response to some citizen concerns regarding the fee schedule for the use of spaces in Town
186 Hall, the Chairman asked that this item be discussed. The Selectmen reviewed the current
187 regulations and will meet with community members for more input. The Selectmen will continue
188 the discussion on the usage fee at their next meeting. Members of the Bloomer Girls were
189 present and provided the Selectmen with input how the rates and insurance requirements would
190 impact their group.

191
192 Appointment of Temporary F/T Firefighter/EMT

193 Currently a Firefighter/EMT is on a Family & Medical Leave creating a need to backfill this
194 position on a temporary basis until his return. The application of Peter Strauss, a call/volunteer
195 member was recommended by the Fire Chief and Town Manager. Peter possesses all of the
196 required certifications and is able to work on the assigned schedule for this position.

197
198 **Motion #9:** Motion made by Selectman Picard to affirm the recommendation by the Town
199 Manager, Blythe Robinson to appoint Peter Strauss to the position of Temporary
200 Firefighter/EMT waiving the 15 day waiting period.

201
202 Second: Selectman Brochu, Unanimous Chairman Fleming.

203
204 FY 2015/2016 Budget Discussion

205 The Town Manager gave a status report on the budget which is in deficit by approximately \$1.2
206 million which will be discussed with the Finance Committee tomorrow night at a joint meeting.
207 The Selectmen will also consider the override ballot to be held after the Annual Town Meeting so
208 all voters are well informed.

209
210 Review Annual Town Meeting List of Warrant

211 The warrant for the Annual Town Meeting closes on March 15th. Ms. Robinson prepared a list
212 of articles in order to begin to draft the warrant document.

213
214 Discuss Proposed Animal Control Bylaw

215 At the last meeting this draft by-law was discussed. Since that time there has been discussion by
216 the Board of Health and Recreation Commission as to where dogs are allowed to be and under
217 what conditions. This version is less restrictive than what is the general by-laws now in that
218 dogs would be allowed at Kiwanis Beach (non-summer months),Town Green, Risteen Building
219 lawn, athletics fields and parks as long as they are leashed. Ms. Robinson pointed out that dogs
220 are allowed on State park land, but they must be leashed there as well.

221
222 The Selectmen asked to confirm that service animals are exempt.

223
224 *Discuss Proposed Nuisance Bylaw*

225 The most recent draft of a bylaw that gives the Town latitude to address nuisance properties was
226 discussed. The purpose of the bylaw is to give us the ability to get property owners to address
227 issues that fall outside of either the building code or regulations under the responsibility of the
228 Board of Health.

229
230 *Discuss Response to the Historical Commission – 2 Grove Street*

231 The Board discussed the drafted response and agreed to send it out.

232
233 *Motion to Approve Meritorious Bonus Awards*

234 The Personnel Board has taken up its annual process to review the performance evaluations of
235 employees whose supervisor has recommended to receive a bonus for their work over the
236 previous year that is worthy of commendation. The Selectmen reviewed their recommendations
237 to which Ms. Robinson concurred.

238
239 ***Motion #10:*** Motion made by Selectman Picard to affirm the recommendation by the Personnel
240 Board to award a meritorious bonus as outlined in their letter dated March 2, 2015 to three
241 deserving employees.

242
243 Second: Selectman Brochu, Unanimous Chairman Fleming.

244
245 *Discuss Schedule to Meet with other Town Boards & Committees*

246 In the past the Board has expressed an interest in setting up a schedule of times to attend the
247 meetings of other boards and committees and discuss issues of mutual interest or concern. A list
248 of these boards will be prepared for the next meeting.

249
250 *Motion to Approve Cable Television Agreement with Comcast*

251 Tabled

252
253 **RECOGNITION**

254
255 Selectman Picard congratulated the Juniors DECA team Brooke Bukunt and Megan McElreath
256 who qualified to compete at the International Career Development Conference (ICDC)to be held
257 in late April in Orlando, Florida.

258
259 **EXECUTIVE SESSION**

260

261 **Motion #11:** At 7:45pm Chairman Fleming opened the Executive Session under MGL c.30A, S.
262 21 exceptions #3: to discuss strategy sessions with respect to collective bargaining if the chair
263 declares an open meeting will have a detrimental effect on the Town's bargaining position.

264

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

266

267 **ADJOURN MEETING**

268

269 **Motion #12:** At 8:45pm motion was made by Selectman Brochu to adjourn the regular meeting.

270

271 Second: Selectman Picard, Unanimous: Chairman Fleming

272

273 Respectfully submitted,

274

275 Sandra Hakala

276 Executive Assistant