

**BOARD OF
SELECTMEN
MEETING
MINUTES**

August 5, 2014

Fire & EMS Headquarters, 20 Church Street , Training Room
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 July 21, 2014 Executive Session
7 Meeting Minutes as submitted.

8
9 Second: Selectman Picard, Unanimous Chairman Fleming.

10
11 ***Motion #2:*** Motion made by Selectman Brochu to approve the July 21, 2014 Regular Session
12 Meeting Minutes as submitted.

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14 Second: Selectman Picard, Unanimous Chairman Fleming.

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16 **MANAGER'S REPORT**

- 17
- 18 • A contract for electricity at 7.12 cents/kwh has been in place for the past couple of years
19 will be ending. Ms. Robinson has reached out to a different consulting firm based on the
20 recommendation of the BVT Business Manager and hopes to obtain a competitive price.
 - 21 • The Christian Hill drainage project near #72 started; the contractor for the road projects is
22 on both Plain and North Streets, both were full reclamation projects where the road was
23 taken up and replaced. Notice of their schedule was not provided and has been frustrating
24 for residents. A section of Westborough Road and West River Street will start and
25 signage will be out to notify people.
 - 26 • Northbridge opened bids for custodial services this week. The cost to perform the work
27 at the COA is competitive to what we had budgeted for having this work done by an
28 employee. Northbridge is checking references, and depending on the outcome this work
29 may be contracted out.
 - 30 • A tentative move in date for Town Hall is Friday, September 12th. The construction
31 process is very busy with finishes being installed, site work being wrapped up, and all the
32 other components on going. In early August the progress will be assessed to see if the
33 timeline is on track.
 - 34 • The list of candidates for the COA Social Services Coordinator has been narrowed down
35 to three. Second interviews will be conducted Friday.
 - 36 • The process to update the Capital Improvement Program for FY 2016 – FY 2021 so it can
37 be reviewed this fall by the various boards has begun.
- 38

39 **DISCUSSION ITEMS**

40 ***Motion to Appoint Various Positions***

41 Chief Goodale was invited by the Selectmen to give an overview of the selection process. The
42 Town Manager concurred with his recommendation of the two candidates for the

43 Firefighter/Paramedic positions; both have excellent experience as paramedics, and one is a fully
44 qualified firefighter. They participated in an extensive interview process, and as a result have
45 accepted conditional offers of employment.

46
47 **Motion #3:** Motion made by Selectman Picard to authorize the Town Manager to appoint Robert
48 Johnson and James Earle as Firefighter/Paramedic waiving the 15 day waiting period.

49
50 Second: Selectman Brochu, Unanimous Chairman Fleming.

51
52 **Motion #4:** Motion made by Selectman Picard to authorize the Town Manager to appoint Clinton
53 Moyer as a COA van driver subject to the 15 day waiting period.

54
55 Second: Selectman Brochu, Unanimous Chairman Fleming.

56
57 Town Hall

58 A certificate of occupancy is expected by September 5th; furniture is scheduled to be delivered on
59 September 8, 9 and 10; September 10th has been targeted for a “soft opening” event at Town
60 Hall for former town hall employees and town officials; followed by moving in on the 12th; and
61 the public dedication on the 23rd. The selectmen will make suggestions as to that event's guest
62 list as soon as possible to move forward with event planning.

63
64 The Selectmen addressed a draft proposal by the Town Manager addressing the rules and
65 regulations to use the building. It is modeled after a town that recently updated its Town Hall,
66 as well as some aspects of the former policy. The Selectmen gave feedback on the proposal,
67 application and reviewed the anticipated meeting schedule so that a final version can be
68 implemented. The Selectmen agreed that a fee schedule should be implemented and that
69 scheduling events in the main hall would begin in January 2015 which would give priority to
70 Town boards and committees to schedule meetings in the building's and conference rooms this
71 Fall.

72
73 Discussion – Private Ways – Repairs and Snow Plowing

74 The Selectmen reviewed the first draft of a policy prepared by the Town Manager regarding the
75 plowing of private ways as requested by the Board at their last meeting. The draft is modeled
76 after several other examples from other towns, and consultation with town counsel Ms. Robinson
77 said.

78
79 A spreadsheet of all of the private ways, and how they would be handled was discussed. The
80 town does not currently plow nine roads, and the new criteria would only add two roads to that
81 sum. When an emergency event occurs the town will make every effort to get up the driveway
82 that will not change. The town is limited by law to making only "temporary" repairs to private
83 ways.

84 Ms. Robinson gave the Selectmen a sample by-law for temporary repairs to private ways. This
85 was provided by Town Counsel and follows the requirements of the law, and where appropriate,
86 leaves blank the options that are a local decision.

87

88 About 25 residents attended the meeting to hear the board deliberate on new policies governing
89 the paving and repairing of private ways. Chairman Fleming did not take questions from
90 residents immediately following the discussion; he encouraged residents to attend a public forum
91 at the Nipmuc Regional High School on August 26th. All residents of public ways will be
92 notified by mail of this public meeting and the draft policy. The draft and other informational
93 materials will also be available on the town's website.

94
95 Motion to Approve Blackstone River Valley Greenway Challenge

96 The Blackstone River Valley National Heritage Corridor asked approval to start the Greenway
97 Challenge in Upton. The event coordinator outlined the plans for the event with Nipmuc High
98 School and the Police Department.

99
100 **Motion #5:** Motion made by Selectman Brochu to approve the request by the Blackstone River
101 Valley National Heritage Corridor to start the Greenway Challenge in Upton on September 27th
102 with a rain date of October 4th.

103
104 Second: Selectman Picard, Unanimous Chairman Fleming.

105
106 Motion to Approve Audit Contract

107 The Town Manager recommended that the town continue with Roselli Clark for review of the
108 financial records, and that the Selectmen authorize Ms. Robinson to execute a successor
109 agreement with them. During the budget process this year an engagement letter was requested
110 specifically outlining pricing to continue servicing the Town of Upton for the next three years;
111 audit services are exempt from Chapter 30B, and it is fairly standard practice to have the same
112 auditor for 5-6 years before making a change. Therefore Ms. Robinson recommended
113 continuing with this firm, and that you authorize her to execute a successor agreement with them
114 since they have provided valuable guidance on improving financial policies and procedures.

115
116 **Motion #6:** Motion made by Selectman Picard to authorize Ms. Robinson to execute a successor
117 agreement with Roselli Clark for review of the financial records for the next three years.

118
119 Second: Selectman Brochu, Unanimous Chairman Fleming.

120
121 Motion to Transfer Historical Commission Donations to a Gift Account

122 Starting around 2003 and annually there appeared on the Town Meeting warrant an article to
123 either approve a revolving fund or gift/donation account for the Historical Commission; which
124 was not voted the same way each year. In 2011, Town Counsel advised that the article proposed
125 that year was for a gift/donation account which does not require town meeting action. It was
126 removed from the warrant and there has been no vote since. In speaking with the current Chair
127 of the Commission, it is clear that what the Commission receives are actually gifts/donations for
128 a variety of purposes and a gift account is appropriate. Thus the Chair has requested that we take
129 action to transfer the remaining balance of \$3,749.11 to a gift account. The Town Accountant is
130 in agreement so long as the Board votes to do so. The Selectmen have tabled this request to
131 ensure that all donations are honored as they were intended. Selectman Picard will look into this
132 matter with the Historical Commission and also inquire as to the Commission's actions in
133 pursuing designation from the National Register.

134 Review One Day Liquor License Application for BVT
135 Selectman Brochu recused himself from the following discussion. The application from
136 Blackstone Valley Tech for a one day license to have beer and wine at an event on October 25th
137 was then reviewed by the other board members. It is their intent to hold a 50th Anniversary
138 celebration of the founding of the school. The Selectmen asked the Town Manager to discuss
139 with the BVT business manager how liquor liability can be added to their policy and the Town
140 be named as an additional insured. The Selectmen will review this at their next meeting.

141
142 Vote to open a Warrant for a State Primary to be held on September 9, 2014
143 **Motion #8:** Motion made by Selectman Picard to execute the warrant for state primary
144 scheduled for September 9th.

145
146 Second: Selectman Brochu, Unanimous Chairman Fleming.

147
148 Discuss Selectmen's September Meeting Schedule
149 The Selectmen will meet on the 8th and 22nd in September.

150
151 **MEETING LOOK AHEAD TOPICS**

152 Warren Street
153 Town Hall
154 Rules and Regulations

155
156 **EXECUTIVE SESSION**
157 **Motion #9:** At 7:50PM Chairman Fleming motioned to enter into executive session in
158 accordance with M.G.L. Chapter 30A, Section #21, Exception #6 - To consider the purchase,
159 exchange, lease or value of real estate, if the chair declares that an open meeting may have a
160 detrimental effect on the negotiating position of the body.

161
162 The Board will reconvene to regular session only for adjournment.

163
164 Robert Fleming, aye, Kenneth Picard, aye, James Brochu, aye.

165
166 **ADJOURN MEETING**

167
168 **Motion #10:** At 8:04 pm motion was made by Chairman Fleming to adjourn the regular meeting.

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170 Second: Selectman Brochu, Unanimous: Selectman Picard.

171
172 Respectfully submitted,

173
174
175 Sandra Hakala
176 Executive Assistant

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