

**BOARD OF
SELECTMEN
MEETING
MINUTES**

September 8, 2014

Nipmuc Regional High School, PDC, Pleasant Street

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

1 The Regular session meeting was called to order at 5:00pm.

2

3 **Motion #1:** At 5:00 pm Chairman Fleming opened the Executive session of Board of Selectman
4 meeting in accordance with M.G.L. Chapter 30A, Section 21, reason #1 to discuss the physical
5 condition or mental health of an employee.

6

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

8

9 **Motion #2:** Motion made by Chairman Brochu at 5:30 pm, to close the Executive Session under
10 M.G.L. Chapter 30A, Section 21, reason #1 to discuss the physical condition or mental health of
11 an employee.

12

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

14

15 Chairman Fleming opened the regular meeting at 5:30pm and after the pledge of allegiance he
16 reviewed the agenda.

17

18 **MINUTES**

19

20 **Motion #3:** Motion made by Selectman Brochu to approve the August 26, 2014 Regular Session
21 Meeting Minutes as submitted.

22

23 Second: Selectman Picard, Unanimous Chairman Fleming.

24

25 **Motion #4:** Motion made by Selectman Brochu to approve the August 27, 2014 Executive
26 Session Meeting Minutes as submitted.

27

28 Second: Selectman Picard, Unanimous Chairman Fleming.

29

30 **DISCUSSION ITEMS**

31

32 **Town Hall**

33 Invitations have been mailed for the September 21st “soft opening” event at Town Hall. The
34 Selectmen reviewed the draft of the program and pictures that are being considered to show the
35 historical aspects of the building next to spaces that are new for the public dedication on the
36 23rd.

37

38 At a recent meeting a draft of the rules and regulations to using the building were submitted.
39 This was again a tabled action by the Board scheduled to make motion at the next meeting. The
40 regulations will take effect on 1-1-15 with regards to the Main Hall.

41

42 **Motion to Appoint Various Positions**

43 Two positions were recommended for appointment at this meeting.

44

45 The Town Manager recommended appointing Alan Rainville to the position of part-time van
46 driver for the COA. Alan comes recommended from the Blackstone COA where he is also a
47 driver, and has applied to work for us one day per week. Included in this year's budget is a
48 second position at 8 hours/week.

49

50 **Motion #5:** Motion made by Selectman Brochu to authorize the Town Manager to appoint Alan
51 Rainville as a COA van driver waiving the 15 day waiting period.

52

53 Second: Selectman Picard, Unanimous Chairman Fleming.

54

55 The Selectmen also reappointed Scott Hein to the open space committee per his application.

56

57 **Motion #6:** Motion made by Selectman Brochu to appoint Scott Heim to the Land Stewardship
58 committee.

59

60 Second: Selectman Picard, Unanimous Chairman Fleming.

61

62 Mr. Richard Desjardins has indicated to the Board his interest in serving on the Affordable
63 Housing Trust. Mr. Desjardins having served in many capacities in Upton for quite a while
64 needed no introduction, thus the Town Manager recommended the appointment. Subsequently
65 the Board appointed themselves so the Trust's work could get underway.

66

67 **Motion #7:** Motion made by Selectman Picard to appoint Richard Desjardins to the Affordable
68 Housing Trust until May 2015.

69

70 Second: Selectman Brochu, Unanimous Chairman Fleming.

71

72 **Motion #8:** Motion made by Chairman Fleming to appoint James Brochu to the Affordable
73 Housing Trust until May 2015.

74

75 All in favor: James Brochu, aye Kenneth Picard, aye Robert Fleming aye.

76

77 **Motion #9:** Motion made by Selectman Brochu to appoint Kenneth Picard to the Affordable
78 Housing Trust until May 2015.

79

80 All in favor: James Brochu, aye Kenneth Picard, aye Robert Fleming aye.

81

82 **Motion #10:** Motion made by Selectman Picard to appoint Richard Fleming to the Affordable
83 Housing Trust until May 2015.

84

85 All in favor: James Brochu, aye Kenneth Picard, aye Robert Fleming aye.

86

87 Selectmen Picard will initiate the first meeting.

88

89 **INVITED GUESTS**

90 **Heritage Day** – Lisa Brochu was invited by the Selectmen to discuss Heritage Day in Upton to
91 be held this year on September 27th. The event will be held on the Common again this year,
92 along with the Library book sale across the street at the Risteen building, and limited tours of the
93 Town Hall.

94
95 **Eagle Scout Presentations** – Two Eagle Scout candidate’s joined the meeting to discuss their
96 projects. Derek Mager discussed his work to assist with the planting at Heritage Park, and Nolan
97 Hobart explained the bridge he will be constructing in the Peppercorn Hill Conservation Area.
98 The Selectmen applauded their efforts.

99
100 **DISCUSSION ITEMS**

101
102 *Discussion – Private Ways – Repairs and Snow Plowing*

103 The Board reviewed the revised draft policy regarding the plowing of private ways as discussed
104 at the last meeting. The revisions concern two areas, plowing of ways created by permit of the
105 Planning Board or ZBA, and the language regarding ways that do not have sufficient access for
106 emergency vehicles. Per the Board’s discussion, the ways created by special permit have been
107 changed so they are not to be provided with plowing services. The language regarding ways
108 with insufficient access for emergency vehicles now reads that if some homeowners are willing
109 to allow access and sign an agreement to this effect, these roadways would be eligible for
110 plowing. Mr. Thompson of DPW led meetings on site with property owners on Breton Road and
111 Bouthiette Lane this week to determine if these issues can be resolved. Selectmen Picard and
112 Brochu attended these meetings respectively and reported positive progress and were encouraged
113 that a good outcome for those involved would be found.

114
115 The Selectmen will proceed with a motion at the next meeting.

116
117 *Discuss Fuel Efficient Vehicle Replacement Policy*

118 Mr. Bill Taylor joined the meeting to discuss this draft policy because part of the application to
119 become a green community requires that there be a policy on this topic. The draft proposed by
120 the committee was reviewed and will be ready for motion at the next meeting.

121
122 *Motion to Transfer Historical Commission Donations to a Gift Account*

123 Tabled until 9-22-14.

124
125 The Historical Commission has asked the Selectmen for a letter in support to the State Historical
126 Society to designate Upon Center as a historical district. This State designation does not impose
127 any covenants on the property owners in this area, only a local designation could do so.

128
129 *Discuss Holding a Dangerous Dog Hearing*

130 The Selectmen discussed an email from Kathy Perkins of 101B Main Street, regarding an
131 incident involving the dog living next door to her and her fiancé that she alleges attacked and bit
132 him; documents showing Kopelman & Paige’s recent advice on such matters; and background
133 from the Dog Officer/Animal Control Officer on the dog in question. At this point, the dog has

134 been quarantined as is required, and no issues have ensued since that time. The Board decided,
135 based on the information provided so far, to hold a “dangerous dog hearing”. Both Ms. Perkins
136 and the dog owner will be notified the meeting.

137
138 **Motion #12:** Motion made by Selectman Brochu that the Board schedule a public hearing to
139 determine whether the dog owned/or kept by Elizabeth Willis in the Town of Upton is a
140 Nuisance Dog or Dangerous Dog as those terms are defined in the Massachusetts General Laws.

141
142 Second: Selectman Picard, Unanimous Chairman Fleming.

143
144 **OTHER TOPICS NOT REASONABLY ANTICIPATED**

145 Chairmen Fleming would like to arrange a meeting with the Hopedale and Mendon Board of
146 Selectmen for each a joint meeting.

147
148 The Chairman would like the Town Manager to remind all Town boards, committee, and
149 commissions their obligation to under MGL to submit their meeting minutes to the Town Clerk.

150
151 **MEETING LOOK AHEAD TOPICS**

152 Street light replacement program
153 Paperless initiatives
154 149 Main Street
155 Warren Street Closing

156
157 **ADJOURN MEETING**

158
159 **Motion #11:** At 7:12pm motion was made by Chairman Fleming to adjourn the regular meeting.

160
161 Second: Selectman Brochu, Unanimous: Selectman Picard.

162
163 Respectfully submitted,

164
165
166 Sandra Hakala
167 Executive Assistant

168