

**BOARD OF  
SELECTMEN  
MEETING  
MINUTES**

**February 18, 2014**

Temporary Town Hall, 3 Milford Street

Fire & EMS Headquarters, 20 Church Street , Training Room

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

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

3  
4 **MANAGER'S REPORT**

5  
6 At this week's Finance Committee meeting the board voted to concur with DPW's  
7 recommendation to deficit spend the snow/ice account. Once this week's warrant is posted the  
8 Town Manager expects that less than \$15,000 will be available to address this week's storm.

9  
10 Last summer the Town Manager met with staff from BVT and a company retained by the Town  
11 of Mendon to market a parcel of land for development including a solar array. The company was  
12 looking to determine if there was interest by both BVT and the Town of Upton in purchasing net  
13 metering credits to support the development of the project. It was confirmed this week that there  
14 is capacity in that project, and that Upton will be able to participate, thus enabling Upton to save  
15 money on its electric bills in the future. Ms. Robinson anticipates that the highest users of  
16 electricity will be impacted with these savings which includes water & wastewater, police, fire,  
17 Town Hall and the Risteen building.

18  
19 CMRPC has reached out to Upton regarding two new DLTA (District Local Technical  
20 Assistance) projects. CMRPC has been notified of the Town's interest in being included in a  
21 DLTA grant application to seek funding to support energy efficiency projects. CMRPC staff has  
22 been informed that the Board of Selectmen is likely to decide next week whether or not to seek  
23 the Green Community Designation, and if so this might be a vehicle to get some technical  
24 assistance to carry that out. The second project would be a review of another of our priority  
25 development areas (PDA's), similar to the one done last year for the Route 140  
26 Industrial/Commercial corridor. This year CMRPC is proposing to study our downtown  
27 commercial area, and the Town Manager has told CMRPC that the Town is interested pursuing  
28 that.

29  
30 The Town Hall Renovation Committee met this week to work on technical aspects of the project;  
31 plans for the access control system for exterior doors that will likely be a combination of plastic  
32 key cards at some doors; traditional keys at doors that are primarily exit only; limited network of  
33 security cameras inside the building and wiring for exterior ones for the future; the replacement  
34 of the security alarm system that has been installed in the Treasurer's Office for years; and the  
35 equipment needed to permanently install audio and video for the Little Town Hall meeting room  
36 and the Main Hall as part of our cable TV system and our capabilities to tape events in the future.

37  
38 There is a salt shortage in the northeast region due in part of higher needs in other areas of the  
39 country. Deliveries are still coming in and with warmer weather forecasted a sufficient supply is  
40 anticipated.

41 A letter from the Central Mass Mosquito Control Project to the Conservation Commission in  
42 response to their request for information about the project is being circulated. The Conservation  
43 Commission opposed the Board of Health's request for funds at last year's Town meeting and  
44 raised concerns about the safety of the program. Whether or not the BOH will want to ask for  
45 approval again this year to join the regional initiative is uncertain at this time.

46  
47 There are several bids and RFP's in the works; curbside collection of trash and recycling through  
48 the BOH; an engineer is being sought for public works with the immediate project being the  
49 sewer master plan; and successor RFP's for ambulance billing services and IT services.

50  
51 Annual Scholarship letters seeking applicants went out to schools and announcements on the  
52 website for all residents was posted.

53

54 **DISCUSSION ITEMS:**

55

56 **JR Estates – Street Light Recommendation**

57 The developer has requested direction from the Town on the Board's preference as to the number  
58 of streetlights the Town wants installed at the new subdivision of five homes approved by the  
59 Planning Board on West River Street called JR Estates. This has been reviewed by both the  
60 Police Chief and DPW Director, and their advice is that in keeping with similar situations one  
61 streetlight be installed at the intersection of West River Street and the street serving the  
62 subdivision.

63

64 **Motion #1:** Selectman Picard motioned to approve one luminary consistent others in Town to be  
65 installed at the corner of Azalea Lane and West River Street as shown on the approved definitive  
66 subdivision plan.

67

68 Second: Selectman Fleming, Unanimous: Chairman Brochu.

69

70 **INVITED GUESTS**

71 **Public Hearing – Pole Location**

72 Chairman Brochu proceeded to open a Public Hearing at 6:15PM pertaining to the Petition by  
73 National Grid seeking approval to install joint owned P43-1 at Grove Street on side of road to  
74 service new house at #100 Grove Street.

75

76 Crystal Tognazzi was in attendance representing National Grid to answer questions from the  
77 Board.

78

79 DPW has reviewed the location and has no issue with the relocation. Chairman Brochu asked if  
80 there were any questions. There were none. The hearing was closed at 6:17PM.

81

82 **Motion #2:** Motion made by Selectman Picard that the Town of Upton grants permission to  
83 National Grid to install joint owned P43-1 at Grove Street on side of road to service new house at  
84 #100 Grove Street.

85

86 Second: Selectman Fleming, Unanimous: Chairman Brochu.

87 Public Hearing – Common Victualler

88 Public hearings were held to review the applications for licenses for those four businesses who  
89 have not previously been licensed and should be, as well as for one whose license had lapsed.  
90 Due to a change of owner the Ideal Pizza license had lapsed, thus requiring a public hearing to  
91 issue a new one. Emails from Code Enforcement, Board of Health and the Treasurer’s Office  
92 indicated that all five applicants have met the requirements of these offices.

93

94 Chairman Brochu opened the Public Hearing at 6:20PM to address the applications of a  
95 Common Victualler from;

96

- 97 • Blackstone Valley Regional Vocational Technical High School, Inc.
- 98 • Fox 4 Paintball, Inc.
- 99 • Gasco Energy LLC
- 100 • Veterans of Foreign Wars Post 5594
- 101 • Ideal Pizza

102

103 A legal notice was published in the Upton Town Crier on February 7, 2014, In conformity with  
104 Chapter 140 of the General Laws and notice is hereby given that a Public Hearing will be held  
105 on February 18, 2014 at 6:20pm Fire & EMS Headquarters, 20 Church St – 2nd floor.

106

107 Chairman Brochu asked if Ms. Sue Janson from Fox4 Paintball at 159 Milford Street was  
108 present. She contacted the office and due to the ensuing snow storm she was unable to attend.

109

110 The Selectmen took no action.

111

112 Georgis Fisseha, Owner of 44 Milford Street, Gasco Energy LLC, appeared before the Selectmen  
113 requesting approval of a Common Victualler. Mr. Fisseha confirmed that all abutters have been  
114 notified.

115

116 **Motion #3:** Motion made by Selectman Picard to authorize the issuance of a Common Victualler  
117 license to Georgis Fisseha, Owner of 44 Milford Street, Gasco Energy LLC.

118

119 Second: Selectman Fleming, Unanimous: Chairman Brochu.

120

121 Mr. David Kennedy representing Veterans Of Foreign Wars Post 5594, 15 Milford Street  
122 appeared before the Selectmen requesting approval of a Common Victualler. Mr. Kennedy  
123 confirmed that all abutters have been notified.

124

125 **Motion #4:** Motion made by Selectman Picard to authorize the issuance of a Common Victualler  
126 license to Veterans Of Foreign Wars Post 5594, 15 Milford Street.

127

128 Second: Selectman Fleming, Unanimous: Chairman Brochu.

129

130 Rasha Nasr, Manager, representing Ideal Pizza, 113 Main Street appeared before the Selectmen  
131 requesting approval of a Common Victualler. Mr. Nasr confirmed that all abutters have been  
132 notified.

133  
134 **Motion #5:** Motion made by Selectman Picard to authorize the issuance of a Common Victualler  
135 license to Rasha Nasr, Manager, Ideal Pizza, 113 Main Street.

136  
137 Second: Selectman Fleming, Unanimous: Chairman Brochu.

138  
139 Chairman Brochu recused himself from the next hearing and made himself available to answer  
140 inquiries. Selectman Fleming and Picard reviewed the application of Blackstone Valley Regional  
141 Vocational Technical High School, 65 Pleasant Street, and requesting approval of a Common  
142 Victualler license. Selectmen Brochu confirmed that all abutters have been notified.

143  
144 **Motion #6:** Motion made by Selectman Picard to authorize the issuance of a Common Victualler  
145 license to Blackstone Valley Regional Vocational Technical High School.

146  
147 Second: Selectman Fleming, Majority Action of the Board.

148  
149 The hearing was closed at 6:40PM.

150  
151 **DISCUSSION ITEMS:**

152  
153 Motion to Approve Red Rock Grill & Bar Extension of Hours February 22nd  
154 Sherry Berger appeared before the Selectmen requesting approval to extend their hours to serve  
155 alcohol until 1:00 AM on Saturday, February 22nd at Red Rock Grill and Bar to hold a  
156 fundraising event. The Town Manager recommends that it be approved.

157  
158 **Motion #7:** Motion made by Selectman Fleming to authorize the Red Rock Grill and Bar to  
159 extend their hours to serve alcohol until 1:00 AM on Saturday, February 22<sup>nd</sup> for a fund raising  
160 event.

161  
162 Second: Selectman Picard, Unanimous: Chairman Brochu.

163  
164 **DISCUSSION ITEMS:**

165  
166 FY 2014 – 2015 Budget Review  
167 COA Director Janice Nowicki presented the Center’s budget recommendations for next year.

168  
169 Accept Resignation of Matthew Bachtold – Land Stewardship Committee  
170 Mr. Bachtold resigned from this committee due to the fact that he is no longer an Upton resident.

171  
172 **Motion #8:** Motion made by Selectman Picard to accept with regret the resignation of Matthew  
173 Bachtold from the Land Stewardship Committee.

174  
175 Second: Selectman Fleming, Unanimous: Chairman Brochu.

176  
177  
178

179 Motion to Approve BVT One Day Liquor License  
180 Annually Blackstone Valley Tech holds a Superintendent's dinner which this year is scheduled  
181 on March 13th and they have requested a one day license to be able to serve wine at that event.  
182 The Town Manager recommends that their request be approved. Chairman Brochu recused  
183 himself.

184  
185 **Motion #9:** Motion made by Selectman Picard to grant Blackstone Valley Regional Vocational  
186 Technical High School, Inc. a special one day license to serve beer and wine on March 13<sup>th</sup>.

187  
188 Second: Selectman Fleming, Majority Action of the Board.

189  
190 Motion to Approve Request from the Risteen C Fund

191 The Selectmen reviewed the annual request from MURSD for funds from the Risteen C Trust to  
192 support their educational activities, specifically the ipad program. They are requesting \$20,000  
193 of the \$37,425.52 available in that fund. The Town Manager recommends that that this request  
194 be approved.

195  
196 **Motion #10:** Motion made by Selectman Picard to appropriate \$20,000 available in the Risteen  
197 C Trust fund to support MURSD's educational activities, specifically the ipad program.

198  
199 Second: Selectman Fleming, Unanimous: Chairman Brochu

200  
201 Motion to make various Selectmen's Appointments

202 As a follow up to the last meeting the Town Manager recommended that the Selectmen move  
203 forward to name Janice Nowicki, the COA Director as the Town's Senior Work Off Program  
204 Coordinator, and the Disability Affairs Grievance Coordinator. Both of these roles are normally  
205 performed by this position, and Ms. Nowicki has served as both with her past employers.

206  
207 **Motion #11:** Motion made by Selectman Picard to appoint Janice Nowicki as the Town's Senior  
208 Work Off Program Coordinator until the remainder of the fiscal year.

209  
210 Second: Selectman Fleming, Unanimous: Chairman Brochu

211  
212 **Motion #12:** Motion made by Selectman Picard to appoint Janice Nowicki as the Disability  
213 Affairs Grievance Coordinator until the remainder of the fiscal year.

214  
215 Second: Selectman Fleming, Unanimous: Chairman Brochu

216  
217 Review June 30, 2013 Audit

218 Town Accountant Kenny Costa presented the final audit for the prior fiscal year, and the  
219 recommendations from the auditors, Roselli Clark contained in the Management Letter.

220  
221 Town Treasurer/Collector Ken Glowacki, who was present at the meeting, objected to the  
222 auditor's opinion of the merits of appointing a treasurer/collector as opposed to electing one  
223 which was included in the Management letter. He said having a treasurer who is a local resident

224 provides benefits to the town. Mr. Glowacki said that the position is secure for the time being; as  
225 he has no plans to leave and will likely seek re-election next year.

226  
227 Mr. Costa said the report noted that Upton has a smaller talent pool from which to draw based on  
228 its population. The work a town treasurer/collector does is very technical; especially receivables  
229 and the tax process stated the Town Accountant.

230  
231 Selectman Fleming said the discussion was not a reflection on Glowacki himself, but rather a  
232 discussion of the town's future. He said the selectmen themselves, when they realized they could  
233 no longer run the town efficiently, advocated a switch to a town manager form of government.

234  
235 Board members agreed the matter needed further exploration.

236  
237 *Motion to Award Contract for Audit Services – FY 2014 - 2016*

238 The receipt of this past year's audit brings to a conclusion the three year contract with Roselli  
239 Clark for audit services. The Town Manager recommends that we execute a successor contract  
240 with them for another three years. Ms. Robinson noted that while it is a good business practice to  
241 change auditors so as to ensure a unbiased view of a government's operations, six years is also  
242 considered to be a reasonable amount of time before a change is made. The firm has requested a  
243 \$1,000 increase each year of the contract which she believes is reasonable given the size of  
244 Upton's organization and scope. Because the value of the total agreement exceeds \$25,000 Ms.  
245 Robinson requested approval and authorization to execute it on the Town's behalf.

246  
247 ***Motion #13:*** Motion made by Selectman Picard to authorize the Town Manager to execute on  
248 the Town's behalf a three year contract with Roselli Clark for audit services.

249  
250 Second: Selectman Fleming, Unanimous: Chairman Brochu

251  
252 *Discuss forming a Green Community Committee*

253 The Board of Selectmen has not reached a decision on whether to join the state's Green  
254 Communities program which provides funding for environmentally friendly initiatives.

255  
256 Selectmen Picard was initially concerned that the designation would impose environmental  
257 values on the town, but is relieved that this designation would require Town Meeting approval.

258  
259 Fleming said he believed the town would eventually have to comply with the program's  
260 requirements - which include a stretch building code - anyway. A stretch building code requires  
261 higher energy efficiency standards.

262  
263 Chairman Brochu said the town is already pursuing environmentally friendly measures, like  
264 increased energy efficiency at the renovated town hall and would like to get some compensation  
265 back for that.

266  
267 William Taylor, the chairman of the study committee, said the worst consequence of not meeting  
268 the program's requirements would be a loss of the "Green Community" designation. He said

269 you're only guaranteed the (initial grant of about) \$120,000, but there are other grants you'd be  
270 eligible for.

271  
272 The board will continue the discussion at their next meeting.

273 FY 2014 – 2015 Budget Review

274 DPW Director Jeff Thompson presented the Selectmen with his recommended budget.

275

276 RECOGNITION

277 The Selectman recognized the DPW's efforts for just getting things done under extreme weather  
278 conditions under the direction of its supervisors and the leadership of the Director.

279

280 MEETING LOOK AHEAD TOPICS

281 Strategic Leadership plan workshop on 3-4-14 at 5pm at TTH

282

283 ADJOURN MEETING

284

285 **Motion #14:** At 8:15pm motion was made by Selectman Fleming to adjourn the regular meeting.

286

287 Second: Selectman Picard, Unanimous: Chairman Brochu.

288

289

290

291 Respectfully submitted,

292

293

294 Sandra Hakala,

295 Executive Assistant