

**BOARD OF
SELECTMEN
MEETING
MINUTES**

March 4, 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 5:00pm. Chairman Brochu opened the meeting.

2
3 **DISCUSSION ITEMS:**

4 **Leadership Strategic Plan**

5 The Selectmen discussed the rationale of two strategic initiatives. The first, identified by the
6 input received from the many boards and commissions, focused on creating a general by-law to
7 regulate the amount of monetary compensation part-time elected officials receive annually. The
8 Selectmen will invite all boards and commissions to attend a meeting on the 25th to join this
9 discussion.

10
11 The second strategic initiative discussed recommends that the Town considers a town meeting
12 vote and legislative action to amend the selection method of its Town Treasurer/Collector to an
13 appointment by the Town Manager. Selectmen Picard presented the rationale to the Board
14 members mentioning the recommendations of other communities, the Towns' auditors and the
15 DOR citing that this is a growing trend to ensure that the office holders processes the experience
16 and qualifications for the position and to expand the pool of potential candidates for the job. The
17 Selectmen also pointed out that the present Treasurer/Collector possesses the skills necessary to
18 support this position but future elected Treasurer/Collectors may not.

19
20 The Selectmen will invite the Treasurer/Collector to attend their next meeting on the 18th to join
21 this discussion.

22
23 Selectmen Picard then reviewed Leadership Impact Balanced Scorecard for CY2014 and asked
24 that the documents pertaining to this workshop be put on the website.

25
26
27 **Motion #1:** At 5:45PM Chairman Brochu motioned to recess the regular meeting for 15 minutes
28 and reconvene at Fire & EMS Headquarters, 20 Church Street.

29
30 Poll taken: James Brochu, aye Robert Fleming aye, Kenneth Picard, aye.

31
32 Chairman Brochu reopened the meeting at the Fire Station at 6:00PM and after the pledge of
33 allegiance he reviewed the agenda.

34
35 **Motion #2:** Motion made by Selectman Picard to approve the February 4, 2014 Regular Session
36 Meeting Minutes as submitted.

37
38 Second: Selectman Fleming, Unanimous: Chairman Brochu.

39
40 **Motion #3:** Motion made by Selectman Picard to approve the February 18, 2014 Regular Session
41 Meeting Minutes as submitted.

42
43 Second: Selectman Fleming, Unanimous: Chairman Brochu.

44
45 **INVITED GUESTS**

46
47 **Personnel Board**

48 Mr. Bob Carnegie of the Personnel Board presented the Classification and Compensation Study
49 completed last week and accepted by the Personnel Board. He reviewed the major points of the
50 plan, suggested implementation, and the Board's recommendation for the FY 14/15 cost of living
51 adjustment (COLA) of 2.5% which is consistent with the union contract COLA.

52
53 The Personnel Board will be presenting the plan to the Finance Committee next week and the
54 consultant as well as members of the Personnel Board will roll out the plan to all employees at an
55 informational meeting as well.

56
57 **Common Victualler License – Fox4 Paintball**

58 The owner of Fox Paintball was present to for the hearing which was not acted on at the last
59 meeting due to the weather conditions.

60
61 Chairman Brochu opened the Public Hearing at 6:20PM to address the application of a Common
62 Victualler from Fox 4 Paintball, Inc.

63
64 A legal notice was published in the Upton Town Crier on February 7, 2014, In conformity with
65 Chapter 140 of the General Laws and notice is hereby given that a Public Hearing will be held
66 on February 18, 2014 at 6:20pm Fire & EMS Headquarters, 20 Church St – 2nd floor.

67
68 Chairman Brochu asked if Ms. Sue Janson from Fox4 Paintball at 159 Milford Street was present
69 and she appeared before the Board. Ms Janson confirmed that all abutters have been notified.

70
71 ***Motion #4:*** Motion made by Selectman Picard to authorize the issuance of a Common Victualler
72 license to Ms. Sue Janson, Fox4 Paintball at 159 Milford Street

73
74 Second: Selectman Fleming, Unanimous: Chairman Brochu.

75
76
77 **DISCUSSION ITEMS**

78
79 **Motion to Approve Meritorious Bonus Program Awards**

80 The Selectmen reviewed a memo from the Personnel Board Chairman recommending that three
81 employees receive merit bonuses voted on by the Personnel Board last week. The Town has
82 \$5,000 in the budget for this program, and the Board is recommending that half of these funds be
83 used this year. The Board has recognized that this program lacks supervisors' participation and
84 to that end is considering ways to support supervisors and is considering performance appraisal
85 training workshops.

86

87 **Motion #4:** Motion made by Selectman Picard to approve the Meritorious Bonus Program
88 Awards to the three individuals recommended by the Personnel Board.

89
90 Second: Selectman Fleming, Unanimous: Chairman Brochu.

91 **MANAGER’S REPORT**

92
93 The Library has closed for renovations and will not reopen again until Tuesday April 1st.
94 Limited services from the Fay Room on the 2nd floor of the Risteen Building will be offered
95 during this period.

96
97 This week all thirteen of the Town Managers/Administrators from the BVT School District had a
98 meeting with Dr. Fitzpatrick to discuss the proposed capital expansion project and the budget in
99 general including the future financial obligations of the towns to paying for increased enrollment
100 if the project is approved. It was clear from the meeting that at least several towns plan to go the
101 route of scheduling a debt exclusion ballot vote on the expansion project as they have financial
102 constraints that do not allow them to include additional debt in their operating budgets.

103
104 The Town Hall Renovation Committee has increased construction job meetings from bi-weekly
105 to weekly for the next month. Attic insulation should be complete in the next two weeks as well
106 as underpinning in the basement. All new wood bearing walls are constructed in the lower level
107 that replaces walls that were deemed to be unable to continue to carry the load required.
108 Waterproofing work has commenced, and we should be able to have base stone installed in the
109 ground floor ahead of the pouring of the new basement floor in the next two weeks. The total
110 amount of approved change orders has increased to \$172,000.

111
112 The snow/ice deficit is at about \$70,000 with what was processed on this week’s warrant. It is
113 anticipated that the number will increase.

114
115 The Town Manger and DPW Director will attend a meeting with CMMPO (Central Mass.
116 Metropolitan Planning Organization) to discuss the TIP project. They are looking for an update
117 and reiterate the Town’s dedication to this project and desire to see it move forward as
118 expeditiously as possible.

119
120 CMRPC has informed the Town Manager that both DLTA projects are going to be funded. The
121 planning work on the Town’s downtown priority development area will likely start this summer.
122 Creating a Green Community Committee will drive whether the Town participates in planning
123 assistance for that project. Upton was one of the four communities that directly supported this
124 grant application, therefore, will be given first priority to get underway with technical assistance.

125
126
127 **DISCUSSION ITEMS**

128
129 **FY 2014 – 2015 Budget Review**

130 The Selectmen will meet with the Finance Committee on March 26th to discuss the budget.

131

132 Annual Town Meeting Update

133 The Town Meeting warrant closes on March 15th. The Town Manager asked the Selectmen for
134 their feedback on the order of these and their priorities. The Selectmen would like to move
135 forward on two initiatives that were identified in the Strategic Leadership Plan workshops.
136 Selectmen Picard will draft a bylaw to set the compensation for all PT elected officials to be
137 included in the warrant and the Board will invite all PT elected officials to join in the discussion
138 on a meeting to be held on March 25th. Selectman Picard also asked that the the funding in
139 Article 32 be increased.

140
141 The second warrant article the Selectmen proposed was also identified in the development of the
142 Strategic Leadership Plan initiatives and the Town Auditor's management letter. Selectman
143 Fleming asked that a placeholder be put on the warrant so that the Board can include an article
144 for the Town to consider a town meeting vote and legislative action to amend the selection
145 method of its Town Treasurer/Collector to an appointment by the Town Manager. The Selectmen
146 concur with a number of Massachusetts communities that are trending in favor of this
147 appointment for a variety of reasons; operational positions where a certain skill set is required.
148 The Selectmen were clear that this is not a reflection on the present Treasurer/Collector's
149 performance but there is no guarantee that a person possessing the necessary knowledge and
150 capabilities will seek and win election.

151
152 The Town Manager addressed a few concerns and has asked the Capital Budget committee for a
153 consensus on Article 20 and 25; the impact of Article 31, the debt inclusion for building
154 renovations for BVT; and Article30 the impact on the future for the Library feasibility study.
155 Ms. Robinson also addressed the articles requiring by-law changes.

156
157 Discuss forming a Green Community Committee

158 At a recent meeting the Board heard an in depth report from the study committee and their
159 recommendation that the Town pursue the Green Community designation. Chairman Brochu said
160 he felt it was important that selectmen reach a decision. Selectman Picard reiterated his
161 opposition to the designation, saying he felt the town could pursue "green" projects without
162 limiting itself to the requirements of the state program, which include a stricter building code and
163 commitment to decrease municipal energy use by 20 percent over five years. He was concerned
164 that it could pigeon-hole the Town. Selectmen Fleming disagreed, stating that with all the
165 requirements, we're either doing them or would be mandated to do them in the future. Chairman
166 Brochu thought there are more benefits to the town than negatives and with all the sizable
167 efficiency measures with town hall renovations felt the town should receive funding for that.

168
169 **Motion #4:** Motion made by Selectman Fleming to accept the recommendations of the Green
170 Community Designation Study Committee and adopt a Green Community Designation.

171
172 Second: Chairman Brochu.

173
174 Poll taken: Kenneth Picard, no, Robert Fleming, aye, James Brochu, aye.

175
176 The board discussed forming a committee to seek the designation. Bill Taylor, the chairman of
177 the study committee, said four of the five members of his group had expressed interest in

178 serving. Selectmen said they wished to open the process up to see if additional citizens are
179 willing to apply. Those interested are asked to contact the town manager's office by March 18th.

180

181 Discuss FY 14/15 Proposed Water & Wastewater Rates

182 DPW Director Jeff Thompson recommended a slight increase in the rates for both enterprise
183 funds next year. The rates have changed very slightly from what was first proposed to equal the
184 cost of living increase over the prior 12 months. The Selectmen will review the proposal and
185 vote at the March 18th meeting.

186

187 Discuss the possible closure of Lower Warren Street to Through Traffic

188 In late January a letter went out to all abutters to the Town Hall asking for their input on the
189 possible closure of this street after the renovation project for the Town Hall is complete. Chief
190 Bradley, Chief Goodale, DPW Director Thompson and the Town Manager recommend that
191 closing the street to through traffic will improve the safety of the intersection with Main Street
192 by significantly limiting the number of vehicles at that intersection, and a further benefit of that
193 is that it will enable us to use the paved area to increase the number of parking spaces for Town
194 Hall from 14 to 24.

195

196 Selectmen Picard is a proponent to close the street stating he put value on the input he received
197 from Upton's public safety officials. Selectman Fleming felt the effect of the closure on
198 surrounding roads hadn't been examined enough. Chairman Brochu wanted more information to
199 make a decision and suggested the town do a traffic study. The Selectmen will revisit the matter
200 at a later date and took no action.

201

202 Motion to Accept a Gift for the Council on Aging

203 A resident has donated \$100 to Council on Aging and this point we do not have a grant gift
204 account for the COA. In order to comply with MGL Chapter 44, Section 53A the Town Manager
205 recommend s that the Board authorize the Town Accountant to set up this fund and deposit this
206 check as well as thank the donor. The Town Manager also suggested that the Board make a
207 decision about a threshold below which staff would be able to deposit each gift and thank the
208 donor, and above which each gift would be voted on by the Board.

209

210 **Motion #5:** Selectman Fleming motioned to accept with gratification a donation to the COA.

211

212 Second: Selectman Picard, Unanimous: Chairman Brochu

213

214 **Motion #6:** Selectman Fleming motioned to authorize the Town Accountant to set up an account
215 in compliance with MGL Chapter 44, Section 53A to deposit donations to the COA in excess of
216 \$100.00 and the COA directly manage all donations under \$100.

217

218 Second: Selectman Picard, Unanimous: Chairman Brochu

219

220 **RECOGNITION**

221 Chairman Brochu thanked Diane Tiernan, Town Manager, Jay Buyer and BVT in working
222 together to write an RFP seeking a cost savings to trash removal services.

223

224 **OTHER TOPICS NOT REASONABLY ANTICIPATED**

225

226 **Motion #7:** Selectman Fleming motioned to accept with regret the resignation of Jonathan
227 Meager from the Historical Commission.

228

229 Second: Selectman Picard, Unanimous: Chairman Brochu

230

231 **Motion #8:** Selectman Picard motioned to accept the disclosure statement from the Town Clerk
232 to be employed by the School Committee with a stipend.

233

234 Second: Selectman Fleming, Unanimous: Chairman Brochu.

235

236 Chairman Brochu announced that he will be seeking reelection to the Board of Selectmen.

237

238 **MEETING LOOK AHEAD TOPICS**

239 Selectmen Picard and Bill Taylor attended a class on the topic of utility costs and how they can
240 be managed more efficiently. Selectman Picard would like to pursue some of the methods
241 suggested in the class.

242

243 **EXECUTIVE SESSION**

244

245 **Motion #9:** At 8:15PM Chairman Brochu motioned to enter into executive session in accordance
246 with M.G.L. Chapter 30A, Section #21, Exception #3 – To discuss strategy with respect to
247 litigation if an open meeting may have a detrimental effect on the litigating position of the public
248 body.

249

250 The Board will reconvene to regular session only for adjournment.

251

252 James Brochu, aye, Robert Fleming, aye, Kenneth Picard, aye

253

254 **ADJOURN MEETING**

255

256 **Motion #10:** At 8:45pm motion was made by Chairman Brochu to adjourn the regular meeting.

257

258 Second: Selectman Fleming, Unanimous: Selectman Picard.

259

260 Respectfully submitted,

261

262

263 Sandra Hakala, Executive Assistant

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265