

**BOARD OF  
SELECTMEN  
MEETING  
MINUTES**

**October 1, 2013**

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 **MINUTES**

5  
6 **Motion #1:** Motion made by Selectman Picard to approve as submitted the September 10, 2013  
7 Regular Session Meeting Minutes.  
8

9 Second: Selectman Fleming, Unanimous: Chairman Brochu  
10

11 **Motion #2:** Motion made by Selectman Picard to approve as submitted the September 17, 2013  
12 Regular Session Meeting Minutes.  
13

14 Second: Selectman Fleming, Unanimous: Chairman Brochu  
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16 **Motion #3:** Motion made by Selectman Picard to approve the 5:00pm September 17, 2013  
17 Executive Session Meeting Minutes.  
18

19 Second: Selectman Fleming, Unanimous: Chairman Brochu  
20

21 **Motion #4:** Motion made by Selectman Picard to approve the 5:30pm September 17, 2013  
22 Executive Session Meeting Minutes.  
23

24 Second: Selectman Fleming, Unanimous: Chairman Brochu  
25

26 **Motion #5:** Motion made by Selectman Picard to approve the 7:49pm September 17, 2013  
27 Executive Session Meeting Minutes.  
28

29 Second: Selectman Fleming, Unanimous: Chairman Brochu  
30

31 **INVITED GUESTS**

32  
33 **Town Hall Renovation Committee**

34 Kelly McElreath, Chair, Steve Rakitin and Tim Tobin were present to update the Board on the  
35 Town Hall Renovation project. Kelly McElreath gave a pictorial presentation of the construction  
36 progress. They review the construction schedule, budget, and change orders that have been  
37 approved and are pending. They have approved a \$15,000 change order to clean up the bat  
38 guano, and this together with various items in the basement including the removal of the  
39 additional ledge, accounts for 20% of the contingency monies spent. The contractor still believes  
40 he will make the deadline despite these issues.  
41

42 **Heritage Day Update**

43 Seema Kenny and Lisa Brochu, members of the Heritage Day Planning Committee gave an  
44 overview of the activities planned on Saturday, October 5<sup>th</sup>. The day will begin with a 5k Run to  
45 Remember at the VFW, followed by various activities at the Common, a book fair at the Library,  
46 open house at the Fire Station, and the 2<sup>nd</sup> Annual Apple Crisp bake-off. The Committee also  
47 thanked the numerous volunteers, public safety officials and residents for their support.

48  
49 **TOWN MANAGER'S REPORT**  
50 Payment from FEMA for the February 8/9, 2012 snow storm that brought about two feet of snow  
51 to Upton was received. The \$52,675.58 received will assist with Free Cash for the prior fiscal  
52 year.

53  
54 The Animal Control Officer has given notice to resign to the Board of Health. The Town  
55 Manager is working with the Board of Health to determine the best way to fill this role (consider  
56 regionalizing, hire a new person just for Upton) and update the Board as to what is determined.  
57 Recruitment for a Heavy Equipment Operator and a Director for the Council on Aging has also  
58 begun.

59  
60 The Town was notified from the attorneys for the Grafton & Upton railroad with a copy of a  
61 filing in Superior Court to have the easement granted to Highland Ridge Company (Vahan  
62 Sarkisian) to cross the railroad tracks at Station Street rescinded. The Planning Board is aware  
63 of this as it relates to the Crosswinds subdivision currently being built. The Town is continuing  
64 to work with all parties to affect a meeting with the State regarding that crossing and what  
65 equipment it should have.

66  
67 The Police Chief, Fire/EMS Chief, Hopedale Chiefs, Town Coordinator and Town Manager met  
68 for the quarterly review of the dispatch services that Upton provides to Hopedale. Hopedale  
69 affirmed that they are pleased with the service they are getting and they discussed some joint  
70 training opportunities for the future. Upton dispatchers report that the increased call volume has  
71 actually been helpful to them, as they are using their skills more frequently, and this helps in  
72 staying sharp on how to handle such calls in the best way possible. They will utilize an additional  
73 dispatcher on Saturday due to the fairs scheduled in both Hopedale and Upton.

74  
75 A meeting was held with Vertex and the Library Director to discuss the scope of work to make  
76 the renovations to the Library and carry out the recommended repairs to the building and to  
77 determine whether Vertex will be able to serve as the project manager to complete the work and  
78 move forward.

79  
80 **DISCUSSION ITEMS:**

81  
82 **Discuss the South Street Gravel Pit Permit**

83 The Town Manager discussed the progress on the negotiations with the owner on the successor  
84 permit and addressed some concerns the citizens raised at a previously held public meeting.  
85 Among the issues was a mechanism for punishment for non-compliance. Three documented  
86 complaints would be the trigger to stop the operation and have a hearing to see how the Town  
87 proceeds. The property owners agreed to have their trucks clearly identified by signs and not to  
88 truck in material to the area for processing. They also proposed having the trucks enter the pit in

89 the period between the first and second bus runs, load up while the second bus run takes place  
90 and leave after as a solution to the scheduling concerns and safety issues raised by citizens.

91  
92 A letter was received from the Army Corps of Engineers indicating they have no issue with the  
93 owner continuing to mine the gravel pit while the Consent to Easement process takes place.

94  
95 The Selectmen considered extending the permit for another 30 days while working towards a  
96 document satisfactory to both parties.

97  
98 **Motion #6:** Motion made by Selectman Fleming to extend the permit to November 13, 2013 in  
99 order to continue negotiations.

100  
101 Second: Selectman Picard, Unanimous: Chairman Brochu

102  
103 Discuss Milford Casino Process  
104 The Town Manager has been working closely with the planning agency (CMRPC) and neighbor  
105 to the east (MAPC) to utilize their services to review the plans by Foxwoods Massachusetts for  
106 the proposed casino in Milford. One of the services they can offer is to assist with negotiations  
107 on behalf of the surrounding communities. Although the commissions have considerable  
108 expertise in terms of traffic and other area impacts, Ms. Robinson was concerned about their  
109 negotiating acumen and asked the board whether it wished to use town counsel to negotiate  
110 Upton's surrounding community agreement.

111  
112 Upton can only negotiate from mid-November (the date of the Milford referendum) to the end of  
113 December. The Selectman agreed to stay involved and continue to use the agency's help but also  
114 involve Town Counsel to draft a letter to Foxwoods to be on the record with saying we'd like to  
115 be in the line for mitigation.

116  
117 Review Draft List of Articles for the November 19th Special Town Meeting  
118 Ms. Robinson presented to the Selectmen a draft list of articles for the upcoming special town  
119 meeting. The warrant closes on October 1st and asked for their input on the order of the articles  
120 and proposed scheduling a brief extra meeting at the end of the month so that the warrant can be  
121 signed and obtain Finance Committee input on recommendations.

122  
123 Review a Draft of the FY 14-15 Budget Schedule  
124 Ms. Robinson reviewed the draft of the budget schedule. The primary change from previous  
125 years is to insert more time in the process for a review of the capital plan. She intends to provide  
126 that to the Selectmen as well as the other committees by mid-October.

127  
128 Discuss the Cleaning of the WWI Monument on the Town Common  
129 The Selectmen reviewed an email from Mike Goodwin, Veteran's Grave Officer suggesting that  
130 the Town expend some Risteen Beautification Trust funds to have the monument on the common  
131 cleaned. The Town Manager concurred with his recommendation and suggested that the funds  
132 be drawn from this fund.

133

134 **Motion #7:** Motion made by Selectman Fleming to expend \$250.00 from the beautification fund  
135 to treat the World War monument.

136  
137 Second: Selectman Picard, Unanimous: Chairman Brochu

138  
139 **BOARD OF SELECTION'S ACTION PLAN REVIEW**

140  
141 Selectmen Picard will continue to define the process and move it forward.

142  
143 **RECOGNITION**

144  
145 Chairman Brochu paid tribute to Donald Wellman and offered his condolences to the family.  
146 Marion Wellman and Donald Wellman died peacefully at home, on September 8 and September  
147 11, 2013 respectively. They were married for 65 years. Don served the community as Registrar  
148 of Voters, an Associate member of the Zoning Board, and on the Mendon-Upton School Board,  
149 Board of Fire Engineers, Military Draft Board, and the Boys Club.

150  
151 **EXECUTIVE SESSION:** None.

152  
153 **ADJOURN MEETING**

154  
155 **Motion #8:** At 7:30pm motion was made by Selectman Picard to adjourn the regular meeting.

156  
157 Second: Selectman Fleming, Unanimous: Chairman Brochu.

158  
159 Respectfully submitted,

160  
161 Sandra Hakala, Executive Assistant