

**BOARD OF
SELECTMEN
MEETING
MINUTES**

January 22, 2013

Fire & EMS Headquarters, 20 Church Street , Training Room
Chairman Kenneth Picard, Selectman James Brochu, Selectman Robert J.
Fleming Town Manager, Blythe C. Robinson, Executive Assistant,
Sandra Hakala

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

3
4 **INVITED GUESTS**

5
6 Erika Davidson was invited by the Chairman to participate in the discussion at the public hearing
7 regarding a Class II License to sell used cars. Patrick Davidson has had a license to sell used
8 cars for the past three years, but failed to complete the paperwork in time to renew the license at
9 the end of 2012 Ms. Davidson told the Board. The Davidson's were also requesting a name
10 change on the license.

11
12 ***Motion #1:*** Motion made by Selectman Fleming to authorize the issuance of a Class II license to
13 Davidson Truck and Equipment on the premises described and recognizing the restrictions as
14 stated on the previous license.

15
16 Second: Selectman Brochu, Unanimous: Chairman Picard

17
18 Senator Louis Bertonazzi was invited by Chairman Picard to present his foundation's
19 Outstanding Citizenship Award which is given to the Town that has the highest percentage of
20 registered voters participate in five elections over the past two years. He presented the Town
21 Clerk with a check for \$1,000 to be used to encourage voter participation in the future. The
22 Town also received a banner noting that Upton is the "Best Voting Community 2011-2012."

23
24 Kelly McElreath, Steve Rakitin, Timothy Tobin, Michelle Goodwin and Michael Howell of the
25 Town Hall Renovation Building Committee along with Wendell Kalsow and Doug Manley of
26 McGinley Kalsow & Associates and Steve Kirby of Vertex Construction Services were invited
27 to give the Board an update on the progress they are making towards a warrant article at the
28 annual town meeting for construction of this project. The architects have completed the design
29 development phase of the project and have obtained a second independent cost estimate that is
30 within 5% of the estimate obtained last spring. This current cost estimate puts the project at
31 around \$5.5 million, but that could be paid for with Community Preservation money the
32 Committee stated. Ms. McElreath has met with the CPC several times and that Committee has
33 voted to fund 100% of the CPA eligible costs, and put \$1.5 million in funds as a down payment
34 on the project. She also stated that this sort of project was in line with the purpose of community
35 preservation funds.

36
37 The Historical Commission "unanimously and enthusiastically endorses the plan set forth by the
38 Town Hall Building Committee" as well. The Historical Commission believes that "the Town
39 Hall renovation will constitute an outstanding use of available and future Community
40 Preservation Act funds".

41

42 The Committee also met this week with the capital budget committee as they will provide input
43 to Town Meeting on their opinion as part of the process. The meeting was well attended by
44 capital budget, community preservation, the building committee and the architects/consultants.
45 The Committee reviewed the building design and the latest cost estimates, and asked thoughtful
46 questions about each. The meeting ended on a positive note, though no vote was taken by
47 Capital Budget.

48
49 Selectman Robert Fleming stated that the proposal would not raise taxes in town. He felt this was
50 a strong selling point. Citizens of Upton would not be taxed for an increase of \$5.1 million.
51 Selectman Brochu and Chairman Picard acknowledged how CPC funds would be utilized and
52 commended the Committee.

53
54 Chairman Picard called for a five minute recess at 6:55.

55
56 Chairman Picard invited Chief's Goodale and Bradley, and DPW Director Thompson to present
57 their departmental five year capital budget plans. First Ms. Robinson presented an overview of
58 the Five Year Capital Plan, noting the plan is incomplete. It does not include building
59 improvements for town-owned buildings other than the police station and Town Hall next year,
60 other public works responsibilities such as dams and sidewalks, or any items related to the water
61 and wastewater enterprise funds. A review of all town-owned buildings that will focus on roofs,
62 generators, boilers and other big ticket items will need to be considered to give a truer picture of
63 future capital budget needs Ms. Robinson told the Board.

64
65 Ms. Robinson pointed out that the biggest single item in the CIP facing the Town is roads. With
66 tight budgets over the years, the Town has not been able to invest in roads to a level needed to
67 maintain them.

68
69 Secondly she described the two Town building projects are included for next year – the long
70 considered Town Hall Renovation, and exterior repairs to the Police Station. A majority of the
71 Town Hall project will come out of CPC funds, but there is a balance to be borne by the general
72 fund. The police station repairs are included at \$160,000 and also require general fund dollars.

73
74 Lastly, Ms. Robinson noted the Fire Department budget includes equipment only, but that adds
75 up to \$1.44 million in this five year period, and about \$3 million through FY 31/32. The only
76 item for this next year is to replace the Chief's vehicle. In the following year the replacement of
77 both the ladder truck and Engine #2, which the Chief is proposing to do with one combined
78 vehicle. The engine will be 27 years old by 2015, and the ladder 30 years old, both past their
79 planned useful life. Fourth, over the last few years the Town has made a significant investment in
80 vehicles and equipment. The replacement schedule for the Police Department has been
81 maintained, and investments in highway equipment have reduced repair costs, down time of
82 equipment, and enabled the mechanic to focus his time on preventative maintenance instead of
83 emergency repairs. The only item not funded last year that needs to be addressed this year is the
84 replacement of a field mower.

85
86 Ms. Robinson asked for the Selectmen's feedback on the priorities for the coming five years and
87 asked them to discuss the funding mechanisms available to the Town.

88 Chief Bradley discussed that his plan included the renovation the exterior of the Police
89 Department at a cost of \$160,000. The project includes replacement of doors and windows and
90 repair of sidewalk and railings. The Chief said three options were considered. Option 1 was to
91 remove everything at a cost of \$200,000, option 2 was to repair and recoat at \$160,000 and
92 option three was to just repair existing damaged area. All agreed that option 2 appears most
93 logical.

94
95 Chief Goodale reviewed his plan next with the Board. He advocated looking at things that can
96 significantly impact his budget in any one year now as he is now faced with addressing the
97 sealcoating/crack sealing of his parking lot, and issues with the roof; and by proposing to
98 combined two vehicles in 2015 and replace it with one. Moving forward Chairman Picard asked
99 the Chief to analyze the use of master box fire alarms versus a central station for discussion at a
100 later time.

101
102 Director Thompson was next in discussing his CIP with the Board. He stated that the Town has a
103 huge backlog in roads estimating \$8 million is needed over the next few years to stop the
104 degradation. He is hopeful the governor will increase Chapter 90 highway funding this fiscal
105 year that would provide Upton with \$480,000, leaving us to find an additional \$320K. The
106 budget includes just \$520K at this point until the state budget is resolved as well as the Town's.

107
108 Director Thompson also discussed ways to fund and to maintain and improve the Moe Capistran
109 Veteran's Memorial playground, develop a pilot sidewalk maintenance plan and restoration of
110 School Street, Main Street and Mendon Street.

111
112 The Selectmen responded to the presentations and thanked the department heads for their input.
113 Selectmen Fleming stated it difficult to access the Town as a whole. Here sits the Town's biggest
114 departments he noted and it would make for better dialogue if the Selectmen had information all
115 boards and departments. He said they would be better served if the information was centralized
116 and suggested moving forward that be considered. Selectman Brochu and Chairman agreed and
117 that something needs to be done to address a capital stabilization account.

118
119 TOWN MANAGER'S REPORT

120
121 The Governor has announced two budget initiatives that could have significant impact on the
122 Town of Upton in the future Ms. Robinson informed the Board. The first is a \$13 billion
123 transportation investment plan for the Commonwealth. Included in the plan is an increase in
124 Chapter 90 funding of \$100 million dollars, or 50% greater than this year. Upton received about
125 \$320,000 this year, so if this was funded it would rise to about \$480,000. Upton like many
126 communities have not been able to keep up with road repairs in our annual budgets to the extent
127 we should and these funds would be quite helpful. Funding is proposed as part of the Governor's
128 call for higher taxes.

129
130 Secondly, the Governor is calling for changes to retiree health insurance benefits for state and
131 municipal employees. Currently our retirees are eligible for health insurance for themselves and
132 their spouse once they have met the minimum requirements for a pension (age 55 and 10 years of
133 service). The Town pays 50% of this cost for life. The Governor is proposing that these levels

134 be increased to age 60 and 20 years of service, for all but those employees very close to
135 retirement. These changes would have an impact on our future obligations for this benefit, but it
136 is hard to quantify until the details are worked out.

137
138 The Town Manager submitted the Town's website to MMA for their first annual website award
139 program. Ms. Robinson informed the Board that unfortunately Upton didn't win – that went to
140 the Town of Chatham, but is still pleased with how well received the new site has been.

141
142 On Wednesday Ms. Robinson attended a quarterly meeting for Town Managers with the Director
143 of CMRPC. CMRPC has been working to expand the services they offer to their member
144 communities which includes an on line forum to share ideas and questions on various topics,
145 taking on bidding out a number of services and commodities used by DPW's so that each Town
146 is not doing this individually, and GIS services. She is exploring the GIS service option closely,
147 as it may be a very cost effective way to implement some tools that would be very helpful to the
148 Town.

149
150 Ms. Robinson announced that Deb LaRose who has been with the Town almost 12 years as a
151 Communications Officer and for most of us the daytime voice of the Police Department when
152 you call or stop by is retiring. The Town Manager wished her all the best in her retirement and is
153 sorry to see her depart. She told the Board that applications to fill the position are due by
154 January 29th.

155
156 Ms. Robinson thanked all who have submitted their Annual Reports, but there are still a few
157 outstanding and asked those to please submit them to Sandy using the new template, and contact
158 her if you have any questions.

159
160 **DISCUSSION ITEMS:**

161
162 Discuss Town Hall Building Project, Temporary Town Hall, moving, storage/surplus issues
163 Ms. Robinson is considering very carefully the safety aspects of moving to Memorial School
164 during the construction process to ensure the Town is doing everything possible to maintain
165 school safety while we are there. We plan to attend the next MURSD School Committee
166 meeting on January 28th to review the plans in more detail.

167
168 Ms. Robinson reviewed a list of equipment and furniture that may no longer have use to the
169 Town that has been identified in Town Hall. The Selectmen reviewed the list and stated that
170 what cannot be absorbed through Town offices should be auctioned off.

171
172 Motion to open the Annual Town Meeting Warrant on February 1, 2013
173 This year the Annual Town Meeting will be held on Thursday, May 9, 2013. In anticipation of
174 that Ms. Robinson asked that the Board vote to open the warrant on February 1st and keep it
175 open until March 15, 2013.

176
177 **Motion #2:** Motion made by Selectman Fleming to open the Annual Town Meeting warrant to
178 be held on Thursday, May 9, 2013 which will close on March 15, 2013.

179

180 Second: Selectman Brochu, Unanimous: Chairman Picard

181 Discuss a Potential BYOB Policy

182 A local business had inquired about having a "bring your own bottle" alcohol policy. Ms.
183 Robinson said that through her research she learned that communities with BYOB policies had
184 typically sold all the licenses to serve alcohol that they were able to sell. Upton has several
185 available licenses and since several restaurants in town have paid for the license Ms. Robinson
186 asked the Selectmen is it fair to the license holders to allow other establishments to have alcohol
187 and not have to control it.

188
189 Selectman Robert Fleming said he was definitively against allowing the practice, claiming
190 restaurants would be unable to control alcohol consumption unlike those that have licenses and
191 there is an obligation to control it. Selectman James Brochu said he was also against the practice
192 citing the risk. Chairman Picard questioned whether it would be appropriate for Upton prior to
193 exhausting all our liquor licenses.

194
195 Ms. Robinson will draft a draft a policy prohibiting BYOB practices in the Town.

196
197 Blackstone Valley Tech School – One Day Liquor License Request

198 The Selectmen reviewed One Day Liquor License Request by BVT so that they can serve wine
199 at the Superintendent's dinner in March. Selectman Brochu recused himself noting that he is
200 employed there.

201
202 **Motion #3:** Motion made by Selectman Fleming to approve a One Day Liquor License Request
203 by BVT so that they can serve wine at the Superintendent's dinner on Thursday March 14, 2013.

204
205 Chairman Picard, Majority action of the Board.

206
207 Discuss and Approve – Town Manager's Action Plan - 2013

208 The Selectmen reviewed the latest version of the action plan based upon the feedback provided
209 at the last meeting.

210
211 Discuss Membership for the Affordable Housing Trust

212 At the last Annual Town Meeting the affordable housing trust document was approved and that
213 document required that the trust have seven members. The Selectmen have asked that the
214 membership be reduced to 5 be presented at the next annual town meeting and that the members
215 be appointed from (2) selectmen, (1) ZBA member, (1) CPC member and (1) planning board
216 member or their designee's.

217
218 **RECOGNITION**

219 Selectman Brochu thanked the Upton's Men Club for purchasing 21 LED personal protection
220 flashlights for the fire department at a cost of \$3150.

221
222 Selectman Fleming on behalf of the Board of Selectman asked to recognize one of Upton's most
223 dedicated servants, Richard Henderson.

224

225 “After having retired from active involvement in the Fire Department, Richard Henderson
226 dedicated over 41 years of his life to the fire department, serving in many capacities.

227 He asked that there be no special recognition and that his retirement from active participation be
228 low key. We the BOS don’t see it that way. The people of Upton should know of his service and
229 of his many contributions that have been made to the town.

230
231 Born and raised in Upton, as a young man, Dick and his twin brother Bob began, as most young
232 kids do, “hanging out at the fire station”. Having witnessed dedication and sacrifice by the
233 members of the department, even as a child he wanted it to be a part of his life.

234
235 He served in many different positions throughout his youth, each time making strides in
236 contribution to the fire department. He was recognized in 1978 when the BOS appointed him to
237 the Board of Fire Engineers. The structure of the Department was different back then and it was
238 the 3 member BOE who elected the Chief and with the Chief jointly ran and managed the Fire
239 department.

240
241 His management skills were immediately recognized and he became a strong advocate and voice
242 for his fellow firemen. This talent was witnessed by his peers and fellow members of the BOE,
243 who in 1984 appointed him as Chief of the Fire Department. This is a position he held with
244 distinction for the next 16 years, during which he set high standards, provided strong leadership,
245 improved training, fought for better equipment and facilities and was a mentor to those around
246 him. There were times that Dick and I would go head to head on issues, but I always knew and
247 respected that it was about the department and not Dick himself. Simply put, he fought strongly
248 for what he believed in.

249
250 It needs to be recognized that the Chief’s position during Dick’s tenure was not a full time
251 position, but most certainly required much commitment of time and personal sacrifice.

252
253 He voluntarily stepped down as Chief in 2000, after accepting a position to work with FEMA the
254 Federal Emergency Management Agency, which he knew would require extensive travel over
255 long periods of time. It was not about him, it was about what was good for the Department.

256
257 Dick is officially retired from the Fire Department and now serves as the Special Operations
258 Coordinator, a volunteer position, where he provides assistance to the department in the
259 communications and alarm systems.

260
261 Despite his retirement, he can’t let go and still provides valuable assistance to Upton, whether it
262 be during the Hurricane of 2011, or hopping on to the Oshkosh to plow snow in winter storms.
263 It’s in his blood, an intrinsic value that drives him.

264
265 Fire Chief Goodale sums up Dick’s character in saying, “Adjectives for Dick are Leader,
266 Manager, Energetic, Experienced, and Knowledgeable.

267
268 Today we are fortunate to have an outstanding Fire Department facility, staffed by talented and
269 dedicated fulltime and Call personnel. Much of this has come to fruition because of the efforts of
270 Dick Henderson, along with his passion and commitment to the department he loves.

271 Dick, you have added to the quality of life for Upton’s citizens and we the BOS, on behalf of the
272 town, are grateful for everything you’ve done. We respect your wish for no large ceremony, but
273 what you have given this town needs to be recognized.

274
275 Dick Henderson, Thank you from all the citizens of Upton.”

276
277 **MINUTES**

278
279 **Motion #4:** Motion made by Selectman Brochu to approve the January 8, 2013 Regular Session
280 Meeting Minutes with a minor amendment on lines 187-188 to thank and recognize Mike
281 Andrews.

282
283 Second: Selectman Fleming, Unanimous: Chairman Picard.

284
285 **MEETING LOOK AHEAD TOPICS**

286
287 Review sample of a by-law regarding nuisance properties
288 Storm water by-law regulations
289 Invite Mendon BOS to future meeting

290
291 **ADJOURN MEETING**

292
293 **Motion #5:** At 8:31pm Motion was made by Selectman Brochu to adjourn the regular meeting.

294
295 Second: Selectman Fleming, Unanimous: Chairman Picard.

296
297
298 Respectfully submitted,

299
300
301
302 Sandra Hakala
303 Executive Assistant