

**BOARD OF  
SELECTMEN  
MEETING  
MINUTES**

**March 5, 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 **MINUTES**

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6 Motion #1: Motion made by Selectman Brochu to approve the March 4, 2013 Executive Session  
7 Meeting Minutes.

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9 Second: Selectman Fleming, Unanimous: Chairman Picard.

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11 Motion #2: Motion made by Selectman Fleming to approve the February 19, 2013 Regular  
12 Session Meeting Minutes.

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14 Second: Selectman Brochu, Majority Action.

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16 **INVITED GUESTS**

17  
18 State Rep. George Peterson updated the Board of Selectmen on State budget projections. Gov.  
19 Deval Patrick's budget proposal is predicated on \$2 billion in new tax revenue and his sense was  
20 that there's not a strong appetite to raise revenue to that point. A counter budget proposal based  
21 on feedback from legislators is expected by April 10. Peterson said he is concerned about special  
22 education and school transportation costs and wanted to make sure those line items are funded  
23 appropriately. The Selectmen hoped for an early resolution for local aid so they could go through  
24 the budget process and to town meeting with some expectation.

25  
26 The Town Manager also asked Rep. Peterson if he had a sense of where the an application with  
27 the state gaming commission to build a casino at the intersection of Rte. 16 and I-495 in Milford  
28 stands. She asked that as abutters could a letter be sent to the commission outlining their  
29 concerns.

30  
31 Ken Elstein, Electricity Aggregate Specialist from the Hampshire Council of Governments was  
32 invited by the Board to give a presentation on Hampshire COG's work in the area of municipal  
33 power aggregation. Mr. Elstein explained that by joining this project cities and towns can secure  
34 lower-cost electricity for residents and businesses. The COG is creating a large single customer  
35 base by gathering participants from different communities. It plans to use this market clout to  
36 engage in bulk purchases of electrical power at lower rates.

37  
38 Mr. Elstein told the Board that even though customers hold the right to select alternative power  
39 supplies through their utilities, many do not. Individual customers can opt out of the plan, which  
40 costs enrolled municipalities nothing. A bigger customer base attracts more interest among  
41 suppliers. "The more companies bidding, the more likely it is you'll get better rates," Elstein told  
42 the Board.

43 The Selectmen will bring this option to the Annual Town meeting to be considered by the voters  
44 to bring electricity costs down for every resident, which needs a vote of Town Meeting to move  
45 forward.

46  
47 Chairman Picard invited Dave Rancatore from Holophane to give the Board an overview of LED  
48 lights and in particular options for street lights. He discussed the current development of energy  
49 efficient and environmentally friendly light emitting diode based (LED) lighting. Life cycles cost  
50 and easy to maintain options were discussed.

51  
52 **TOWN MANAGER'S REPORT**

53  
54 The first meeting of the newly appointed Cable Advisory Committee was held earlier that day  
55 and all three new members bring experience and enthusiasm to this role the Town Manager  
56 relayed to the Selectmen. They were given a host of information and will begin working on the  
57 replacement agreement with Comcast.

58  
59 Ms. Robinson reminded all that the warrant closes for the annual Town Meeting on March 15th.  
60 Currently there are 41 articles included. Ms. Robinson anticipates that any business that would  
61 have been the subject of a special meeting this spring will also be taken up that night rather than  
62 scheduling a second meeting. She asked if there is any business that needs attention this spring  
63 to please let her know.

64  
65 The Finance Committee will hold a joint session with the Board on Wednesday, March 20th.

66  
67 **DISCUSSION ITEMS:**

68  
69 **Discuss FY 13/14 Budget Submissions**

70 The Town Manager discussed the latest version of the budget. She noted the variance has grown  
71 from the last version which is attributable to two things. First, the anticipated increase in the  
72 assessment from BVT was higher than first plugged into the budget; and secondly, with another  
73 look at revenues, necessary adjustments were made to what is anticipated for next year. She will  
74 continue to work through the process and asked the Selectmen to examine the list of warrant  
75 articles and determine the priorities to fund this year and what can be addressed in another way  
76 or deferred until a future time. The Selectmen complimented the Town Manager on her  
77 involvement with the budget.

78  
79 **Motion to Approve Various Appointments**

80 Ms. Robinson recommended to the Selectmen the appointment of Patrick Sheridan for the  
81 position of full-time Communications Officer. Mr. Sheridan is a Grafton resident who comes  
82 highly recommended and possesses all necessary training and certifications for the position.

83  
84 **Motion #3:** Motion made by Selectman Brochu to appoint Patrick Sheridan as Communications  
85 Officer effective March 11, 2013 waiving the fifteen day waiting period.

86  
87 Second: Selectman Fleming, Unanimous: Chairman Picard.

88 With the departure of Fred Aponte as Town Accountant Ms. Robinson asked for the Board's  
89 concurrence to retain an Interim Town Accountant until this position can be filled permanently.  
90 She recommended that Kenny Costa be appointed. Mr. Costa comes highly recommended by the  
91 Town auditors and with a strong background in municipal finance in Massachusetts. He will be  
92 working one day a week so that there is no interruption in services to our other town  
93 departments.

94

95 **Motion #4:** Motion made by Selectman Brochu to appoint Kenny Costa as Interim Town  
96 Accountant effective March 18, 2013 waiving the fifteen day waiting period.

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98 Second: Selectman Fleming, Unanimous: Chairman Picard.

99

100 *Discuss Purchase of 62 Knowlton Circle – Chapter 40B Property*

101 The Selectmen reviewed a letter from the property owners of 62 Knowlton Circle. The owner is  
102 seeking to sell the unit and since it was acquired under the 40B program the Town has first right  
103 of refusal to buy it. Ms. Robinson told the Board that there is a willing buyer for this property if  
104 they do not wish to pursue it.

105

106 **Motion #5:** Motion made by Selectman Fleming to decline any interest with intent to purchase  
107 62 Knowlton Circle as submitted under CHAPA 40B.

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109 Second: Selectman Brochu, Unanimous: Chairman Picard

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111 *Review Proposed FY 13/14 Water and Wastewater Rates*

112 DPW Director Jeff Thompson was invited to discuss his proposal regarding water and  
113 wastewater rates for the FY 13/14 year. Mr. Thompson indicated that increases to meet the  
114 budget obligations are 9% for the water system, and 29% for wastewater.

115

116 The Director recommended new rates which allow the Water Enterprise Fund and Wastewater  
117 Enterprise Fund user receipts to accommodate anticipated wages, expenses and capital outlays in  
118 FY 2014.

119

120 Mr. Thompson told the Selectmen the FY 2013 water rates are based on a water rate study  
121 conducted by Russell Consulting of Newburyport, MA in the spring of 2012. The FY 2013  
122 wastewater rates were developed by in-house staff in the spring of 2012.

123

124 The FY 2013 water receipts are expected to exceed the projected/budgeted amount by  
125 approximately \$49,000; this is due to several factors including last year's mild winter and the

126

127 decision not to implement more stringent water use restrictions during the summer. Conversely,  
128 the FY 2013 wastewater receipts are expected to fall significantly short of the projected/budgeted  
129 amount by approximately \$110,000.

130

131 Mr. Thompson said this may "seem surprising given the higher than expected water revenues;  
132 however, the wastewater customers represent a distinctly different base. In addition, a far less  
133 precise methodology was utilized to establish the current wastewater rates compared to the

134 methods that were used to determine appropriate water rates. In generating appropriate rates for  
135 FY 2014, a new model was created using historical consumption data at the customer level. This  
136 allows for a far more accurate projection of revenues given various rate structures. In addition to  
137 updating the rates for current needs, another goal has been to convert the current semi-annual  
138 billing frequency to a quarterly billing frequency. Although this change will not affect the annual  
139 amount paid by customers, it will half the size of individual payments. The Collector/Treasurer is  
140 in agreement that this change can be made without significant impact.”

141

142 The Board will continue to review the rates at their next meeting.

143

144 Annual Town Meeting Update

145 Ms. Robinson outlined the current draft of articles for the ATM, which includes an article to  
146 address any budget shortfalls that need to be addressed this year since a special town meeting for  
147 that purpose has not been scheduled.

148

149 The warrant closes March 15th, and some articles may drop off as the budget is finalized.  
150 Tentatively a meeting the morning of Monday, April 22nd is scheduled to sign the warrant.

151

152 Town Hall Renovation Update

153 The Town Hall Renovation Committee met again this week to work on the project details prior  
154 to the project going out to bid on March 13th. Both the Massachusetts Historical Commission  
155 and the Mass. Architectural Access Board have given their approvals to the project which is  
156 critical to move forward. Ms. Robinson is drafting a lease for the consideration of the Diocese  
157 of Worcester to consider for Holy Angels Church, having confirmed that the space meets our  
158 needs for temporary space. The Building Committee received an updated design for the United  
159 Parish parking lot and based upon the site review, lot lines and wetlands, it shows a few less  
160 parking spaces but the church is still amenable. Also received was the latest project estimate  
161 from the outside consultants and for the most part the project is right on track. There were larger  
162 than expected increases in the HVAC and electrical sections which the OPM and the architect  
163 will be analyzing in more detail to see if they can be modified and reduced.

164

165 The CPC will be having a public hearing and open house at Town Hall on May 1<sup>st</sup>.

166

167 Discuss Joining the Green Communities Program

168 Blythe Robinson told the Selectmen the Conservation Commission had been approached by the  
169 State about becoming a Green Community. Ms. Robinson is planning on attending a sustainable  
170 community's conference in April, and hopes to get more information about the program there.

171 The Board was intrigued by the program but is unsure if they are ready to jump on board right  
172 now stated Chairman Picard.

173

174 In addition to being good for the environment, the designation would be beneficial for grant  
175 applications; help the Town of Upton save money on utilities, and receive funding for  
176 infrastructure improvements. Part of the grant application includes a baseline study and  
177 evaluating the energy efficiency improvements at municipal buildings. Grant money may be  
178 awarded for this.

179

180 The Board asked Ms. Robinson to arrange a visit by the Green Communities program  
181 coordinator from Mendon to a future BOS meeting to give the Board more information about the  
182 program.

183

184 **RECOGNITION**

185

186 Select Brochu thanked Mrs. Brown's 4<sup>th</sup> grade class for inviting him to read to the class and  
187 wished BVT's Boy's Hockey and Girls' basketball teams' good luck in the semifinals.

188 Chairman Picard went on to thank Barbara Burke for her many contributions and thanked her for  
189 her many year of service to the Town.

190

191 He stated that she has always called Upton her home except for one year and is fondly known  
192 around town as "Mother Upton". Mrs. Burke's many accomplishments include School librarian-  
193 1963-1991 began in the original "Memorial School which branched out to Ball School-Clough  
194 and finally Miscoe Hill and actually began the libraries when they were open daily. She was  
195 Town library trustee 1973-1981 and chair 1974-1981. Ms. Burke was an election worker for 41  
196 years, an elected Constable from 2004-2012, served on the Historical Commission 1975-2012,  
197 and chair 1980-2012; began serving on the Upton Heritage Weekend Committee in 1986 and  
198 was chair for twelve years. Mrs. Burke was a member Citizen's Emergency Response team 2003  
199 and a member of the Police Chief search in 2007. She was also Chair of Upton's 275  
200 Anniversary Committee in 2008-2010 and was active in the publication of Upton's "Heritage,  
201 and Upton's Pictorial. Barbara Burke is presently working on fifth history of Upton, a  
202 compilation of memories shared by our citizens.

203

204 **MEETING LOOK AHEAD TOPICS**

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206 Review sample of a by-law regarding nuisance properties  
207 Continue Discussion – Upton Cemetery Maintenance by DPW

208

209 **EXECUTIVE SESSION**

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211 **Motion #6:** At 7:55pm Chairman Picard motioned to enter into Executive Session under MGL  
212 c.30A, S. 21 exceptions #2: to conduct contract negotiations with non-union personnel (Town  
213 Clerk, Kelly McElreath). Upon completion of this executive session, the Board will reconvene  
214 only to adjourn.

215

216 Ken Picard, aye, Jim Brochu, aye, Robert Fleming, aye.

217

218 **Motion #8:** At 8:45pm Chairman Picard motioned to reconvene the regular meeting.

219

220 Second: Selectman Brochu, Unanimous: Selectman Fleming.

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222 **ADJOURN MEETING**

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224 **Motion #5:** At 8:45pm Motion was made by Selectman Brochu to adjourn the regular meeting.

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226 Second: Selectman Fleming, Unanimous: Chairman Picard.

227

228

229 Respectfully submitted,

230

231

232 Sandra Hakala

233 Executive Assistant