

**BOARD OF
SELECTMEN
MEETING
MINUTES**

April 16, 2013

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

1 The meeting was called to order at 6:02pm. Chairman Picard opened the meeting and after the
2 pledge of allegiance asked for a moment of silence for the victims of the explosions at the
3 Boston Marathon yesterday. He then reviewed the agenda.

4
5 **MINUTES**

6
7 March 19, 20, April 2, 2013 Regular Meeting Minutes Passed over.

8
9 **Motion #1:** Motion made by Chairman Picard to release the Executive Session Meeting Minutes
10 pertaining to the contract negotiations for the Town Manager.

11
12 Majority Action of the Board: Selectman Brochu.

13
14 **TOWN MANAGER'S REPORT**

15
16 This week the Public Safety Dispatch Policy Advisory Committee met to review 911 calls taken
17 by Upton on behalf of Hopedale. Upton began taking calls for Hopedale and dispatching them to
18 their staff on January 2nd at the third meeting since January, the committee reported that the
19 service is going smoothly. They reviewed several calls and determined that all protocols are
20 being followed, and Hopedale is pleased with the service they are receiving. Based upon this the
21 committee decided to transition to a quarterly meeting, the next one to be held in June.

22
23 The Town Manager attended the Quarterly Town Manager's meeting with CMRPC. She
24 reported that the Commission is expanding the services it offers to communities, some of which
25 Upton has already taken advantage of (electronic permitting grant, analysis of the Route 140
26 priority development area, etc), and others that may be helpful in the future. CMRPC represents
27 a number of smaller communities and they are targeting efforts that will be of benefit to them.
28 Upton will be joining their GIS effort in FY 13/14; they will be putting out to bid a number of
29 DPW services and commodities so that communities do not have to do this individually, and they
30 are looking at shared services. In the area of shared services they are contemplating hiring staff
31 that could then be utilized in several communities more cost effectively than each community
32 hiring their own. Such services contemplated include assessing, town planners, accounting,
33 human resources and IT services.

34
35 The snow storm of February 8/9, 2013 has not been forgotten with regard to communities in the
36 State receiving FEMA aid to recover some of their costs the Town Manager reported to to the
37 Selectmen. The Governor's Office has taken the necessary step of requesting federal assistance
38 as the minimum thresholds were met in most counties in the State, including Worcester. Upton
39 may be eligible for snow assistance which would cover 75% of our eligible costs during a 48-
40 hour period. Statewide, damage and costs was about \$8.9 million for this storm. The funds will
41 come in until after the fiscal year closes.

42

43 The Town Manger gave the Selectmen a copy of the new fee schedule set by the Conservation
44 Commission for wetlands filings. The Commission took another look at these recently and has
45 increased some and set some new requirements. There is a shortfall in fees this year that help pay
46 for ½ of the wetlands agent salary, and it is anticipated this change will help mitigate that. These
47 fees are in line with what other towns are doing in this arena.

48
49 The Town did not receive any bids for the renovation of the exterior of the Police Station despite
50 a number of contractors taking out plans. The architect is going to reach out to those firms to
51 find out why, and advise the Town on the timing of rebidding the work. The cost will be
52 revisited so the warrant can be finalized.

53
54 The Town Manager asked the Selectmen to consider a ribbon cutting ceremony and naming of
55 the 3rd Wellfield scheduled to be completed sometime in June.

56
57 The TIP project is 25% done although the engineers will be reviewing the Pratt Pond area and
58 will have both plans available for the Selectmen’s review in June.

59
60 **DISCUSSION ITEMS:**

61
62 *Discuss FY 13/14 Budget*

63 The Town Manager reviewed the latest version of the budget with the Selectmen. Changes have
64 been made to the warrant article page to reflect the year end transfers, the anticipated cost of the
65 Police Station exterior renovations, and the amounts that are anticipated to transfer to various
66 stabilization funds. This will be updated again after the bid opening of the Police Station, the
67 final figures are known for snow/ice, and whether or not to reduce revenues by the amount of
68 additional state monies that may/may not be voted as proposed by Governor Patrick. The
69 Finance Committee intends to vote on its recommendation of this budget at their meeting on
70 April 17th. The Selectmen agreed to the funding sources and lines items reflected in the
71 proposed budget.

72
73 *Review Draft Annual Town Meeting Warrant*

74 Ms. Robinson reviewed the third draft of the warrant for the annual town meeting with the
75 Selectmen. The articles have been amended after comments from Town Counsel and the
76 Selectmen then considered which member would handle the reading at Town Meeting.

77
78 *Discuss Special Legislation for Town Clerk’s Position*

79 The Selectman asked Town Clerk Kelly McElreath to join in their discussion on Article 12. The
80 purpose of Article 12 on the warrant is to change the Town Clerk’s position from being elected
81 to appointed. As part of that process, the Town Meeting needs to consider the special act of the
82 legislature that would follow a favorable Town Meeting vote in order to make this change. Ms.
83 McElreath addressed the Board and stated that she was approached by the Chairman and
84 discussed the proposed changes to the position of Town Clerk. Ms. McElreath was in favor of
85 the legislation. She stated that the role of the Town Clerk has progressed over the years and
86 agreed that it was important for the Town to ensure that qualified individuals are in positions that
87 they are serving. She also stated that the Town Clerk is governed by State law and would then be
88 overseen by the Selectmen/Town Manager. All agreed that this would provide the best form of

89 government for the Town. The Town Manager had looked at samples of a similar special act that
90 passed for the Town of Freetown, and suggested using this for Upton.

91
92 Town Hall Renovation Update
93 The bid opening for the project was held earlier in the day have come in higher than expected.
94 Seven construction bids were received. The low bid was \$5,165,000, and the high bid was
95 6,822,507. The Town Manager is exploring various funding options for the additional funds; the
96 town had intended to finance the project largely through community preservation funds, and that
97 a higher amount than planned could be taken from those funds.

98
99 Town Hall Renovation Committee Chair Ms. McElreath said several factors led to the higher-
100 than-expected figure; \$200,000 in unforeseen structural issues; \$230,000 in heating and air
101 conditioning; and the cost for the protection of documents. The professional cost estimate was
102 low which could be attributed to a recovering economy.

103
104 Chairman Ken Picard said he believed the project should move forward this project has been
105 delayed for many years and he stated now is the time to do it, before the economy is truly
106 booming. He also noted the current building is not handicapped accessible and has antiquated
107 offices. Selectman Brochu concurred.

108
109 The Selectman reviewed the analysis of the operating costs for the renovated building. The
110 analysis is thorough, and estimates the costs based on the building being fully heated/cooled for
111 60 hours a week. Ms. Robinson’s sense of this is that 60 hours may be high, and that actual costs
112 will be less than this, particularly where the heat/cool of the main hall is the same temperature as
113 offices. Ms. Robinson will add the existing cost to this analysis as requested by the Chair.

114
115 Review Risteen B Trust Fund Application
116 The Selectmen reviewed an application for funds from the Risteen B fund to assist a resident in
117 need. In keeping with procedures this application was made by the Council on Aging Director
118 after an interview with the applicant and a review of their financial situation. The Town
119 Manager concurred with his recommendation that an award be made from this fund.

120
121 **Motion #2:** Motion made by Selectman Brochu to support the Council on Aging’s
122 recommendation to assist the resident as outlined in the application submitted and presented in
123 the amount of \$1740 from the Risteen B fund.

124
125 Majority Action of the Board: Chairman Picard.

126
127 Motion to Approve Inter Municipal Agreement with Town of Spencer – Storm Water Grant
128 The Town Manager reviewed with Selectmen the proposed Inter Municipal Agreement with the
129 Town of Spencer. Upton participated in a State grant spearheaded by the Town of Spencer to
130 obtain funds to allow Upton, Spencer and 28 other communities to prepare to meet the
131 requirements of the new MS4 storm water permit expected out this year from the federal EPA.
132 Spencer requested \$200,000 for the work to be done, but only received \$115,000 due to state
133 budget cuts. The towns have gotten together and determined that the full amount was needed in
134 order to accomplish Upton’s goals, and that all would benefit if each town was able to pay

135 \$2,833 towards this effort. Thus the attached inter municipal agreement was developed as a
136 vehicle to allow the payment to be made and the resulting work to be completed. The Town
137 Manager recommended that the Selectmen vote to execute the agreement in order to make
138 payment in this fiscal year.

139
140 **Motion #3:** Motion made by Selectman Brochu to execute the inter municipal agreement with
141 the town of Spencer.

142
143 Majority Action of the Board: Chairman Picard.

144
145 Accept resignation from Priscilla Lukes, COA Board Member
146 The Selectmen reviewed the letter from Ms. Lukes informing the Town that she is relocating
147 from Upton to be closer to family. The Town Manager recommended that you vote to accept her
148 resignation with the grateful thanks of the Board, and announce a vacancy for any residents who
149 would be interested in serving in her place.

150
151 **Motion #4:** Motion made by Selectman Brochu to accept with regret and thanks the resignation
152 of Priscilla Lukes, COA Board Member.

153
154 Majority Action of the Board: Chairman Picard.

155
156 Discuss Strategic Planning and Transparency
157 Chairman Picard again discussed how all departments can better develop transparency. He cited
158 that transparency was demonstrated when then water and sewer rates were being discussed as
159 well as illustrated in the enterprise fund which shows where the money is going. The Chairman
160 referred to the BOS mission statement which reflects their mission to offer a high level of
161 transparent and accountable services to all.

162
163 Review Town Scholarship Applications
164 The Selectmen agreed to hold this until their meeting on Monday.

165
166 Appoint Planning Board Associate Member
167 Chairman Picard nominated William Tessmer to a two year term as Associate member to the
168 Planning Board.

169
170 Second: Selectman Brochu

171
172 Selectman Brochu aye, Chairman Picard aye.

173
174 **RECOGNITION**

175
176 Selectman Brochu recognized the true heroes yesterday at the Boston Marathon; the medical,
177 military, police, EMS and first responders who instinctively reacted to the needs of so many
178 people during this horrific event.

179
180 **MEETING LOOK AHEAD TOPICS**

181
182 Continue Discussion – Upton Cemetery Maintenance by DPW

183
184 **ADJOURN MEETING**

185
186 ***Motion #5:*** At 7:22pm Motion was made by Selectman Brochu to adjourn the regular meeting.

187
188 Majority Action of the Board: Chairman Picard.

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190
191 Respectfully submitted,

192
193
194 Sandra Hakala
195 Executive Assistant