

**BOARD OF
SELECTMEN
MEETING
MINUTES**

May 7, 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 and called for the reorganization of the Board.

3
4 **Motion #1:** Member Fleming motioned to appoint Sandra Hakala, Executive Assistant as
5 temporary Chair for the purpose of reorganizing the Board of Selectmen.

6
7 Second: Member Picard, Unanimous Member Brochu.

8
9 Temporary Chair Hakala opened the nominations for Chairman of the Board of Selectmen and
10 asked if there are any nominations.

11
12 **Motion # 2:** Member Fleming made a motion to nominate James Brochu as Chairman of the
13 Board of Selectmen.

14
15 Second: Member Picard, Unanimous: Member Brochu.

16
17 Temporary Chair Hakala asked if there are any other nominations. Hearing none the temporary
18 Chair then closed nominations and asked for a motion to appoint James Brochu as Chairman of
19 the Board of Selectmen.

20
21 **Motion # 3:** Member Fleming motioned to appoint James Brochu as Chairman of the Board of
22 Selectmen.

23
24 Second: Member Picard, Unanimous: Member Brochu.

25
26 **Motion # 4:** Member Picard motioned to rescind the former motion appointing Sandra Hakala as
27 Temporary Chair for the purpose of reorganizing the Board.

28
29 Second: Member Brochu, unanimous Member Fleming

30
31 The Board congratulated Chairman Brochu and wishes him well.

32
33 Chairman Brochu welcomed Ann Mazar, Chair of the Mendon Land/Energy Use Committee to
34 share Mendon's experience in becoming a State designated Green Community and discuss how
35 they have utilized the funding they have received.

36
37 Ms. Mazar briefly described the State's role in helping cities and towns maximize energy
38 efficiency in public buildings, including schools, city halls, and public works and public safety
39 buildings; generate clean energy from renewable sources; and manage rising energy costs. The
40 Division is providing opportunities to fund energy improvements, guidance and technical
41 assistance through the energy management process and support from regional Green
42 Communities coordinators.

43
44 Ms. Mazar described the Green Communities Designation and Grant process. She stated the
45 town must meet the following five criteria to be designated a Green Community. Criterion 1,
46 provide as-of-right siting in designated locations for renewable/alternative energy generation,
47 research & development, or manufacturing facilities; Criterion 2, adopt an expedited application
48 and permit process for as-of-right energy facilities; Criterion 3, establish an energy use baseline
49 and develop a plan to reduce energy use by twenty percent (20%) within five (5) years; Criterion
50 4, purchase only fuel-efficient vehicles; Criterion 5, set requirements to minimize life-cycle
51 energy costs for new construction; one way to meet these requirements is to adopt the new Board
52 of Building Regulations and Standards (BBRS) Stretch Code.

53
54 The Selectmen agreed that they would like to pursue this further and thanked Ms. Mazar for
55 taking the time to share her experiences with them.

56
57 **MINUTES**

58
59 **Motion #5:** Motion made by Selectman Fleming to approve as written the April 22, 2013 regular
60 session meeting minutes.

61
62 Second: Selectman Picard, Unanimous: Selectman Fleming.

63
64 **Motion #6:** Motion made by Selectman Picard to approve as written the April 16, 2013 regular
65 session meeting minutes.

66
67 Majority: Chairman Brochu, Abstained: Chairman Fleming was not present at the meeting.

68
69 **Motion #7:** Motion made by Selectman Fleming to approve as written the April 2, 2013 regular
70 session meeting minutes.

71
72 Majority: Selectman Picard, Abstained: Chairman Brochu, was not present at the meeting.

73
74 **Motion #8:** Motion made by Selectman Fleming to approve as written the March 20, 2013
75 regular session meeting minutes.

76
77 Second: Selectman Picard, Unanimous: Chairman Brochu.

78
79 **Motion #9:** Motion made by Selectman Fleming to approve as written the March 19, 2013
80 regular session meeting minutes.

81
82 Second: Selectman Picard, Unanimous: Chairman Brochu.

83
84 **Motion #10:** Motion made by Selectman Fleming to approve as written the March 5, 2013
85 regular session meeting minutes.

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

88

89 **TOWN MANAGER'S REPORT**

90
91 At the Community Preservation Committee meeting last week the Committee voted unanimously
92 to support the Town Hall project with a down payment of \$2 million from the undesignated
93 account, and a borrowing over a twenty-year period.

94
95 The final House Ways and Means budget has come out and it is largely the same for Upton as
96 the preliminary. Upon review the one change is a reduction in the reimbursement for Veteran's
97 Benefits of \$1,331. This will lower the favorable amount on the overall budget to approximately
98 \$7,600.

99
100 The preliminary estimate for reimbursements with MEMA for the February 8/9 storm is \$63,861.
101 This is 75% of the total of \$85,149. It is not confirmed that the funds will be received before the
102 end of June.

103
104 The DPW received the green light from DEP to restart pumping water from the Glen Avenue
105 well field after the capital project to replace the well field and some of the equipment in the
106 station.

107
108 The Town Manager and Selectmen Brochu and Fleming will be attending an educational and
109 informational workshop on May 14th to address concerns to the Massachusetts Gaming
110 Commission and educate all parties to the regulatory process.

111
112 The Town Manager referenced a letter in regards to the status of the TIP Project that was sent to
113 Richard Rydant, the Transportation Project Manager at the Central Massachusetts Regional
114 Planning Commission. In part the letter states:

115
116 "The 25% design was submitted to MassDOT in May 2012. Review comments on the 25%
117 submission have been received from all MassDOT sections. Our design consultant has provided
118 responses to these comments and held a comment resolution meeting with the District 3 office on
119 April 12, 2013. We are anticipating a Design Public Hearing in June 2013.

120
121 Following the Design Public Hearing, the design will be advanced to the 75% phase. We expect
122 that the 75% design will be completed in October 2013. The project requires approval under the
123 Wetlands protection Act and the filing of an Environmental Notification Form (ENF) with
124 MEPA. Drafts of these documents have been submitted to MassDOT for review."

125
126 The auction of Town Hall artifacts for sale closed last week. There was some spirited bidding
127 amongst the items for sale, including 36 bids for the coca cola cooler! The Town Hall items
128 brought in \$2,435.64. A surplus water department vehicle and highway leaf vacuum were also
129 sold and with those the total was \$6,000.64.

130
131 **DISCUSSION ITEMS:**

132
133 Review Annual Town Meeting Motions

134 Ms. Robinson discussed with the Selectmen the motions which have been reviewed by Counsel
135 and are satisfactory as to form. They confirmed who will be handling each of the articles that are
136 sponsored by the Board of Selectmen.

137
138 Town Hall Renovation Update

139 Ms. Robinson presented the proposed Power Point presentation for the Town Hall project. This
140 was presented at the Community Preservation Committee public meeting last week at which the
141 Selectmen were also in attendance. The Selectmen unanimously support the project.

142
143 **Motion #11:** Motion made by Selectman Fleming to endorse the renovation project as presented
144 and charged to the Building Committee as discussed through dialogue and discussion.

145
146 Second: Selectman Picard, Unanimous: Chairman Brochu.

147
148 Discussion of Town Hall Hours

149 Ms. Robinson provided the history on determining Town Hall hours of operation. She reminded
150 the Selectmen that the Board voted in 2008 to cut back the number of days that Town Hall was
151 open to the public from five to four in order to achieve some energy efficiency. She said that
152 with the long planned renovation of the building, she is recommending to go back to opening
153 five days a week when the renovation is complete be considered. Having spoken to the boards
154 and departments that will be located here and all are in favor of doing so with one exception of
155 the Treasurer/Collector's Office Ms. Robinson stated.

156
157 The Selectmen agreed that the citizens need to be accommodated first to conduct business
158 efficiently and it is important that all departments comply.

159
160 Discuss Board of Selectmen Liaison Assignments

161 The Selectmen reviewed the liaison assignments and selected new ones for the coming year.

162
163 **Motion #11:** Motion made by Selectman Picard that the following Liaison assignments be made:
164

Chairman Jim Brochu	Selectman Bob Fleming	Selectman Ken Picard
Affordable Housing Trust	Board of Health	MURSD
Board of Assessor's	Planning Board	BVT
Capital Budget Committee	Zoning Appeal Board	Library Trustees
Finance Committee		Recreation Commission
Treasurer/collector		

165
166 Second: Selectman Picard, Unanimous: Chairman Brochu.

167
168 Discuss BOS Annual Appointments

169 The Selectmen will review those seeking reappointment and will discuss at their next meeting.
170 Openings and vacancies will then be announced on the website and advertisements will be made.
171 The Selectmen will also consider options for filling the Parking Clerk appointment.

172
173 Motion to Approve Personnel Appointments

174 Ms. Robinson is seeking confirmation of her recommendation that Kenny Costa be made the
175 Town Accountant, promoting him from the interim position that he assumed in March. She
176 stated that Kenny has done an excellent job in the two months he's been here, and he was clearly
177 the top candidate after the interview process.

178
179 **Motion #12:** Motion made by Selectman Picard to appoint Kenny Costa as Town Accountant
180 effective May 13, 2013 waiving the fifteen day waiting period.

181
182 Second: Selectman Fleming, Unanimous: Chairman Brochu.

183
184 Upon Chief Goodale's recommendation the Town Manager is recommending two town residents
185 be appointed as probationary (introductory) positions in the Fire/EMS department. Last fall at
186 the Town Manager's request the Selectmen confirmed six persons for these positions, but due to
187 a variety of reasons four of them have left the department. The two new appointments have both
188 indicated a strong interest in joining the department, and attending the summer class of the
189 firefighter academy.

190
191 **Motion #13:** Motion made by Selectman Fleming to appoint Joseph Bergstrom as Fire
192 Fighter/EMT effective May 2, 2013 waiving the fifteen day waiting period.

193
194 Second: Selectman Picard, Unanimous: Chairman Brochu.

195
196 **Motion #14:** Motion made by Selectman Fleming to appoint Matthew Gordon as Fire Fighter
197 effective May 2, 2013 waiving the fifteen day waiting period.

198
199 Second: Selectman Picard, Unanimous: Chairman Brochu.

200
201 Discuss Summer Board of Selectmen's Meeting Schedule

202
203 Changes to the Selectmen's regular meeting schedule are as follows;

204
205 The scheduled meeting on August 6 is cancelled.

206
207 A meeting on September 24th has been scheduled instead of September 17th.

208
209 Discuss date for Ribbon Cutting – 3rd Well Field

210 The Selectmen will discuss at their next meeting a date on which to hold a ribbon cutting for the
211 new well field. They will also ponder the naming of the well.

212
213 Motion to Approve Year End Transfers

214 Ms. Robinson reminded the Selectmen that State law allows that in the last two months of the
215 fiscal year and the first two weeks of the next, transfers may be made between accounts with the
216 approval of the Board of Selectmen and the Finance Committee. The law states: "Alternatively,
217 the selectmen, with the concurrence of the finance committee or other entity establish under
218 section 16 of chapter 39, may transfer within the last 2 months of any fiscal year, or during the
219 first 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated

220 for the use of any department other than a municipal light department or a school department to
 221 the appropriation for any other department or within a department, but the amount transferred
 222 from one department to another or within a department may not exceed, in the aggregate, 3 per
 223 cent of the annual budget of the department from or within which the transfer is made or \$5,000,
 224 whichever is greater.” The Selectmen reviewed the list of transfers requested by various
 225 departments. The Finance Committee to do the same on May 9th.

226
 227 **Motion #15:** Motion made by Selectman Picard to approve the following transfers;
 228

FY 12/13 END OF YEAR TRANSFERS				DOC DATE 5-07-13	
GENERAL FUND	AMOUNT	FROM	ACCOUNT #	TO	ACCOUNT #
TRANSFER #1	\$2,500	Police Utilities	01-210-5200-5210	Cruiser Gas	01-210-5400-5481
TRANSFER #2	\$500	Pest Control	01-294-5200-5312	DPW Training	01-422-5200-5313
TRANSFER #3	\$3,000	Insurance	01-945-5700-5743	Town Counsel Expense	01-151-5200-5302
TRANSFER #4	\$500	Treasurer/Coll. Expense	01-145-5400-5421	Treasurer/Coll. Wages	01-145-5100-5100
TRANSFER #5	\$1,000	Treasurer/Coll. Expense	01-145-5400-5421	Tax Title Expense	01-158-5700-5782
TRANSFER #6	\$5,000.00	Fire Dept. Utilities	01-220-5210-5210	Fire Dept. Expense	01-220-5400-5421

229
 230
 231 Second: Selectman Fleming, Unanimous: Chairman Brochu.
 232

233 Tri Valley – Request for Funding

234 A letter from Tri Valley requesting a donation of funding for their Crisis Intervention program
 235 was reviewed by the Selectmen. This year \$500 was included in the in COA budget as a
 236 donation; however this letter was received after the budget was resolved this year. The COA
 237 Board members would like the Selectmen to support this request.

238
 239 **Motion #16:** Motion made by Selectman Picard to approve a donation of funding for the Crisis
 240 Intervention program at the Tri Valley Inc. from the William Knowlton trust fund for \$991.00.

241
 242 Second: Selectman Fleming, Unanimous: Chairman Brochu.
 243

244 Review Town Manager’s Disclosure Statement – Board of Health Election

245 The Town Manager explained to the Selectmen that since her husband Richard won election to
 246 the open seat on the Board of Health in Tuesday’s election the State Ethics Laws that regulates
 247 the conduct of state and municipal officials (as well as others) covers situations such as this and
 248 requires under Chapter 268A, Section 19 that municipal employees their relatives or associates
 249 must disclose a financial interest in a particular matter or face fines and penalties.

250
 251 The Board reviewed this and made a “written determination that the interest is not as substantial
 252 as to be deemed likely to affect the integrity of the services which the municipality may expect
 253 from the employee”. The disclosure form indicates the Town Manager does not intend to take an
 254 active role in any recount for the Board of Health election if it comes to pass, and that Richard
 255 has no intention of accepting a stipend while serving on the Board of Health. Furthermore,

256 although the Board of Health is a separately elected Board over which the Town Manager has no
257 authority, she intends to recuse herself from any situations where it might be implied that her
258 role or position would create a conflict.

259
260 **Motion #17:** Motion made by Selectman Picard to accept the Town Manager’s disclosure
261 statement and agree that it does not interfere with the integrity of the position.

262
263 Second: Selectman Fleming, Unanimous: Chairman Brochu.

264
265 **RECOGNITION**

266
267 Selectmen Picard recognized all the election workers and the candidates for their participation in
268 last week’s election.

269
270 Chairman Brochu also reminded all of the Memorial Day Parade on May 27th and the Nipmuc
271 graduation in June.

272
273 Selectman Picard mentioned the Multi board will be meeting at the end of the month and asked
274 when the street banners were going up. Ms. Robinson said that had been addressed.

275
276 The Selectmen discussed passing out small flags on the parade route and would look into
277 purchasing the flags.

278
279 **OTHER TOPICS NOT REASONABLY ANTICIPATED**

280
281 **MEETING LOOK AHEAD TOPICS**

282 Chairman Brochu asked the Board members for their input in formulating goals of the Board and
283 asked that they have 2 each to be discussed at their next meeting.

284
285 **ADJOURN MEETING**

286
287 **Motion #18:** At 7:17pm Motion was made by Selectman Fleming to adjourn the regular meeting.

288
289 Second: Selectman Picard, Unanimous: Chairman Brochu.

290
291
292 Respectfully submitted,

293
294
295 Sandra Hakala
296 Executive Assistant