

1 Board of Selectmen

2 **Town of Upton**



3 **Massachusetts**

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7 Meeting Minutes of April 17, 2012

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9 *Location:* Fire & EMS Headquarters, 20 Church Street – 2<sup>nd</sup> floor training room.

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11 *Present:* Chairman Robert J. Fleming, Selectman Kenneth E. Picard, Selectman James A.  
12 Brochu, Town Manager, Blythe C. Robinson, and Department Coordinator,  
13 Sandra Hakala

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15 The meeting was called to order at 6:00pm.

16 Chairman Fleming stated that the Board will enter into executive session under MGL c. 30A,  
17 sec. 21 exception #3, collective bargaining at the end of their regular session. After completion,  
18 the Board will reconvene their regular session for adjournment only.

19 ***Motion #1:*** Motion made by Selectman Brochu to approve as written the March 21, 2012 regular  
20 session meeting minutes Second: Selectman Picard, Unanimous: Chairman Fleming.

21 ***Motion #2:*** Motion made by Selectman Brochu to approve as written the March 30, 2012 regular  
22 session meeting minutes. Second: Selectman Picard, Unanimous: Chairman Fleming.

23 ***Motion #3:*** Motion made by Selectman Brochu to approve as written the April 3, 2012 regular  
24 session meeting minutes. Second: Selectman Picard, Unanimous: Chairman Fleming.

25 Chairman Fleming proceeded to open a Public Hearing regarding the Application of Liquor  
26 License submitted by Herman L. Asam at 6:05PM. The Board invited Herman L. Asam III to  
27 discuss his request for a transfer of the liquor license from the current owner of Frescos  
28 restaurant to him. Chairman Fleming asked if there were any questions. Selectman Brochu asked  
29 Mr. Asam if there were any plans for changes or improvements for the restaurant. Mr. Asam  
30 stated that as for now everything thing would stay the same and he was happy to be involved in  
31 the community. The hearing was closed at 6:11PM.

32 **Motion #4:** Motion made by Selectman Picard that the Town, as the local licensing authority to  
33 give approval for transfer of the liquor license to Herman L. Asam. Second: Selectman Brochu,  
34 Unanimous: Chairman Fleming.

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36 The application will be forwarded to the State of Massachusetts Alcoholic Beverage Control  
37 Commission for final approval.  
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39 **TOWN MANAGER'S REPORT**

40 The Board then invited Ms. Robinson to give her weekly report.

41 •Ms. Robinson informed the Board that the water department has completed meter readings for  
42 the spring billing and this week turned its attention to hydrant flushing. This is being conducted  
43 twice a year to purge the system of any materials that develop inside the mains over time.  
44 Flushing will continue for the next few weeks until all areas of the Town is addressed.

45 • Ms. Robinson reminded the Board that April 21st is Household Hazardous Waste Day put on  
46 by the Board of Health at the DPW Highway Garage. On that same day the Men's Club is  
47 sponsoring a Town-wide clean up. They will be bringing trash to the DPW garage for disposal,  
48 and some larger items if found that can't be moved by volunteers will be picked up by our crews  
49 the following week. The Men's Club will be advertising this date in hopes of a good turnout.

50 •The State is experiencing drought conditions due to lack of rain and this has resulted in the State  
51 posting "red flag warnings" almost daily due to the dry conditions. Ms. Robinson stated that  
52 there were recent fires in Brimfield, Douglas, Uxbridge and Wayland and cautioned everyone to  
53 be very careful with regard to open burning, and take all precautions to ensure help prevent a  
54 similar situation in Upton.

55 •This week the finalist for the position of Director of Public Works position was back for a tour  
56 of Town facilities and the opportunity to meet with some of the staff and participate in a personal  
57 interview. Ms. Robinson is proceeding through reference checks and hopes to make a  
58 recommendation at the April 24<sup>th</sup> meeting.

59 •Ms. Robinson informed the Board that in the first week of May the Senior Center will be closed  
60 for activities so that the large meeting room can be cleared for the installation of new carpeting.  
61 The carpeting is being paid from the COA formula grant. Staff will be working, but there will be  
62 no scheduled activities for our seniors that week.

63 •The Town has received notice that the CMRPC Pre-Disaster Mitigation plan has been formally  
64 sent to FEMA for their review. In order to obtain certain types of grant funding, the municipality  
65 must have in place such a pre-disaster plan. Once FEMA approves the Plan the Board of  
66 Selectmen will need to pass a resolution to adopt the plan as well.

67 •The Insurance Advisory Committee met again this week and has voted to approve one of the  
68 Preferred Provider Organization (PPO) health plan that will be offered to Town employees

69 beginning July 1st. The Town is required by state law to have a PPO plan available to its  
70 employees.

71 •A settlement agreement was reached with P.M. Zilioli regarding the outstanding balance of  
72 personal property taxes owed to the Town that have accumulated since 2006. All taxes and  
73 interest will be paid by the close of this fiscal year.

74 •Ms. Robinson met with some members of the Open Space Committee this week who were  
75 seeking assistance to have an agreement executed between the Town and National Grid to allow  
76 for a footbridge over the Mill River near the Peppercorn Hill area to be replaced as part of an  
77 Eagle Scout project. The river is the border between Milford and Upton. There would be two  
78 agreements, one for the bridge replacement and the second for on-going use of National Grid's  
79 land, which walkers and other users must cross to stay on the trail. She will be referring to Town  
80 counsel for their recommendation.

81 •Ms. Robinson met with MIIA regarding rate increases for all of our non-health insurance plans  
82 (general liability, property, professional & law enforcement liability, worker's comp) for next  
83 year. The rate increase will be 2.7%. There should be no change in actual costs for these plans.  
84 The 3 year rate lock on the plans has ended and Ms. Robinson will press the Town's case for a  
85 lock the in the following year.

86 • MIIA is able to offer the Town a rate lock on July 1st for the full fiscal year due to savings they  
87 have achieved in containing medical trend costs and that use of the plan by employees has been  
88 starting to decline. There will not be a rate increase in January as there has been in the past. Ms.  
89 Robinson said this will help manage within the insurance budget and keep the costs in check.

90 The Board then invited Kevin Allen, Historic Curatorship Program Manager from the  
91 Massachusetts Department of Conservation and Recreation and Ellen Arnold, a member of the  
92 Friends of the Upton State Forest to make a presentation regarding the DCR's plan to  
93 disseminate an RFP to seek proposals from interested parties to maintain the CCC camp property  
94 at the Upton State Forest. Mr. Allen stated partners interested in the opportunity to rehabilitate,  
95 manage and maintain this resource in return for a long lease term program can do so through the  
96 DCR's Historic Curatorship Program.

97 DISCUSSION ITEMS

98 1. Resignation Ellen Arnold from the Cultural Council

99 Chairman Fleming read the letter of resignation from Ellen Arnold from the Cultural Council and  
100 thanked her for her contributions to the Board.

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102 **Motion #5:** Motion made by Selectman Picard that the Town accept with regret the resignation  
103 of Ellen Arnold from the Cultural Council. Second: Selectman Brochu with thanks to Ellen,  
104 Unanimous: Chairman Fleming.

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107 2. Creation of a Reserve Firefighter Position

108 Chairman Fleming then welcomed Fire/EMS Chief Goodale to discuss his request for the  
109 creation of a reserve firefighter position.

110 The Board reviewed the job description with the Chief and Ms. Robinson. The Chief pointed out  
111 that currently State law requires that full-time firefighters that reach the age of 65 may no longer  
112 serve a community in an active capacity and we have followed this rule for volunteers as well to  
113 this point. He stated that now there is the opportunity with approval from the Board, of persons  
114 continuing to serve in a reserve or administrative capacity until age 70. The Town is fortunate to  
115 have several members of the Fire Department that provide valuable service and would like to  
116 continue to do so for a longer period of time. Chief Goodale asked if the Board was amenable to  
117 this change, and if so, that the job description be submitted to the Personnel Board for official  
118 action. Selectman Brochu stated that he was a proponent of this and applauded the Chief for  
119 thinking outside of the box. Selectman Picard also liked the idea of allowing new membership in  
120 and utilizing the talent and knowledge of senior members continuing to contribute “outside the  
121 hot side”. Chairman Fleming agreed that a nutrition process is needed and endorsed the position  
122 and would like to see it brought before the Personnel Board.

123 3. Board and Committee Appointments

124 The Board reviewed the current openings, and decided how to make these appointments going  
125 forward. On some, the terms were staggered so that not all positions expire on an annual basis.  
126 Now that this has been resolved, letters will be sent out to all persons whose term will be up this  
127 year, asking them whether or not they would like to be reappointed.

128 4. FY 12/13 General Fund Budget

129 Based upon the BOS meeting with the Finance Committee on Wednesday the Board reviewed  
130 the latest version of the FY 12/13 budget. Ms. Robinson announced the Finance Committee  
131 intends to hold its public hearing on the budget on April 25th at the Fire Station.

132 5. Review the Warrant – Annual Town Meeting

133 Ms. Robinson asked the Board review the warrant and asked if there were any changes that they  
134 wanted to make. A BOS meeting was scheduled for April 24<sup>th</sup> at 8:00AM so the warrant can be  
135 executed. The Board wanted to publicly thank Blythe and her ability and efforts in working with  
136 the Finance Committee as well as thank the Finance Committee for their receptiveness.

137 6. Execute Easements – Well Field #3

138 The Board executed the easements needed to access the land that will become Well Field #3.  
139 They will be sent to the land owners for their execution, and then recorded at the Registry of  
140 Deeds. The Board thanked Robert and Jane Richard for their patience in working with the Town  
141 over the past 5 years.

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143 7. MURSD School Secession Committee Charge

144 Chairman Fleming told the Board that he had been contacted by Committee Member Alan  
145 Rosenfield with a question the committee has about the charge. Specifically the Committee  
146 wants to know how to arrive at a value of the school if the district were to be dissolved.  
147 Selectman Brochu stated that there are many ways to determine the cost in order to get an  
148 assumed value. Bob will contact Mr. Rosenfield directly and commended the committee for  
149 seeking direction.

150 The Board briefly commented on the Department's Monthly Reports. Chairman Fleming and  
151 Selectman Picard commented that it was inspiring to see how many call the Police and Fire  
152 Departments responded to and Selectman Brochu made mention that the library had 4,195 items  
153 in circulation.

154 **Motion #6:** At 7:13pm Chairman Fleming motioned to enter into an executive session under  
155 MGL c. 30A, sec. 21 exception #3, to discuss strategy with respect to collective bargaining.  
156 Robert Fleming, aye, Ken Picard, aye, James Brochu, aye

157 **Motion #7:** At 7:45pm Chairman Fleming motioned to reconvene the meeting. Second:  
158 Selectman Picard, unanimous: Selectman Brochu.

159 **Motion # 8:** At 7: 45pm Motion was made by Chairman Fleming to adjourn the meeting.  
160 Second: Selectman Picard, unanimous: Selectman Brochu.

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162 Respectfully submitted,

163 Sandra Hakala

164 Department Coordinator

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