

**BOARD OF
SELECTMEN
MEETING
MINUTES**

October 16, 2012

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

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

MINUTES

Chairman Picard opened the meeting and after the pledge of allegiance he reviewed the agenda.

Motion #1: Motion made by Selectman Fleming to approve the October 2, 2012 Regular Session Meeting Minutes.

Second: Selectman Brochu, Unanimous: Chairman Picard.

Motion #2: Motion made by Selectman Fleming to approve as written the October 2, 2012 Executive Session Meeting Minutes.

Second: Selectman Brochu, Unanimous: Chairman Picard.

INVITED GUESTS

TOWN MANAGER'S REPORT

Blythe Robinson contacted Verizon regarding the large number of double poles that exist in Upton, as a result of a conversation about this at last week's meeting during the pole location hearing with National Grid. Verizon has asked the Town for a priority list of poles to be removed, and they will start addressing them. She said it was refreshing to have them express a willingness to do so but how quickly they will act is a question.

The design development phase of the Town Hall project is continuing. The architects, engineers and Owner's Project Manager will be on site each week for the next few weeks investigating the current conditions, discussing the various systems to be added to the building so that the design can be refined. The project is on track to bid out prior to the annual town meeting. A monthly report will continue to be submitted by Vertex (OPM) on the project to the Building Committee on the progress of the project.

The website (www.uptonma.gov) went live on Monday. Ms. Robinson spoke with the Moderator about allowing the website to be shown at the Special Town Meeting to give residents a quick overview of the offerings on the new site.

The GURR took care of improvements to the railroad crossings at Mendon, Plain, Grove and Pleasant Streets last weekend. The road beds have been repaved and the new signage will be up soon.

43 The Town Manager received word that the party appealing the decision of the Building Inspector
44 not to enforce the zoning by-law on the railroad (Diana Del Grosso) to the ZBA will be asking
45 for a continuance of the meeting from October 17th. The reason for the continuance is to allow
46 the STB can rule on this issue first. If the STB rules against the petitioners than the appeal to the
47 ZBA would be a moot point. Ms. Robinson forwarded this to the ZBA and suggested that they
48 agree to this continuance.

49
50 **DISCUSSION ITEMS**

51
52 Execute Warrant for Presidential Election (November 6th)

53 The warrant for the presidential election was executed and can now be posted by a constable.

54
55 Execute Warrant for the Special Town Meeting (November 14th)

56 A final version for the Selectmen's signature was presented at the October 16th meeting. Noted
57 was the request by the Town Moderator as to the order of the articles to be presented. The
58 amount of the article regarding South Street has been decreased, and article #3 regarding the
59 purchase of recycle bins has been updated to reflect the grant which is reimbursable. The petition
60 article will now be last. The Board executed the warrant.

61
62 Motion to approve National Grid Service Proposal – West River Street

63 The Town Manager sought the authorization of the Board of Selectman to execute the National
64 Grid Service – West River Street contract on the Town's behalf. This project to construct the 3rd
65 well field for the water system on West River Street included funds to pay National Grid to
66 install three phase power from where it ends on that street up to the new site. An estimate of
67 \$250,000 was carried for this project and it has come in at \$217,000. National Grid has been
68 informed that this needs to be this installed by February so that there is power to the new station
69 for testing of water and other DEP requirements prior to going on line with the source later in the
70 summer.

71
72 **Motion #3:** Motion made by Selectman Fleming to authorize the Town Manager to execute
73 the contract with National Grid for \$217,732.31 to install three phase power for the 3rd Wellfield.

74
75 Second: Selectman Brochu, Unanimous: Chairman Picard.

76
77 Motion to Authorize Town Manager to Execute Glen Ave Well Field Renovations Contract

78 The Town Manager asked for the Selectmen's authorization to execute the Glen Ave Well Field
79 Renovations Contract and move forward to complete the project.

80
81 Bids were opened on September 13th for the completion of the renovations to the Glen Avenue
82 well field. The low bid was very close to the total amount available for the project, and left the
83 Town without a contingency fund for unforeseen conditions. The Public Works Director,
84 engineers and the contractor have met and have agreed to some modifications of how the
85 necessary equipment will be acquired, which results in a contract award amount that is
86 recommended for award.

87 **Motion #4:** Motion made by Selectman Fleming to authorize the Town Manager to execute

88 the contract with R.H. White Construction for \$188,180 plus contingency to complete the Glen
89 avenue Wellfield renovation project as approved in Article 17 during the FY 12 Annual Town
90 Meeting..

91
92 Second: Selectman Brochu, Unanimous: Chairman Picard.

93
94 Motion to Approve Town Manager's Recommendation to appoint five (5) probationary
95 firefighter/EMT's

96 The Town Manager requested the Selectmen's confirmation to appoint and waivers of the 15 day
97 waiting period of five residents who have applied to become probationary firefighters and/or
98 firefighter/EMT.

99
100 **Motion #5:** Motion made by Selectman Fleming to appoint as recommended by the Town
101 Manager and waive the 15 day waiting period of five residents (Raymond Godfray, Matthew
102 Kerr, Peter Schrafft, Daniel Spicer, and Jennifer Castillo) who have applied to become
103 probationary firefighters and/or firefighter/EMT.

104
105 Second: Selectman Brochu, Unanimous: Chairman Picard.

106
107 Motion to approve Consent for Representation – Town Counsel Services regarding Hopedale

108 When discussing the provision of dispatch services to the Town of Hopedale the Town Manager
109 realized that both Upton and Hopedale use the same firm for Town Counsel services. Kopelman
110 and Paige are willing to represent both Towns in this endeavor if we wish, but they will require
111 that the appointing authority in both Towns execute the attached consent for representation.
112 The Town Manager was intending to recommend that the Selectmen approve this document until
113 she received a call from the Hopedale Town Coordinator earlier in the day making signing this
114 moot.

115
116 The Hopedale Town Coordinator informed Ms. Robinson that he had met with his Board the
117 previous evening and they are not in agreement with what he essentially agreed upon with Ms.
118 Robinson in the Inter-municipal meeting the previous week. Specifically the Hopedale Board
119 was not in agreement with Section 5 Compensation. Hopedale Selectmen did not want to agree
120 to a management fee of \$10,000.

121
122 Ms. Robinson reviewed the entire document with the Upton Selectman and stated that she
123 wanted a successful regionalization and there was value to having a good relationship. The
124 Upton Selectmen felt that the management fee was reasonable, training was very important and
125 that the grant would assist in keeping the equipment upgraded. The Upton Selectmen stated the
126 agreement that Ms. Robinson presented was very fair and well done and the Chairman
127 authorized her to proceed as she had.

128
129 Review Town Manager's Personal Action Plan

130 The Selectman reviewed the action plan for the Town Manager's goals and objectives from the
131 performance review conducted earlier this year. Chairman Picard went through each item. All
132 agreed that there was great progress on the plan.

133

134 Review a Proposed Policy on Grants

135 Based upon the Selectmen's feedback on the draft of this policy at the last meeting the Town
136 Manager updated it to clarify the process when an elected Board wants to apply for a grant that is
137 not recommended by the Town Manager.

138

139 **Motion #6:** Motion made by Selectman Fleming to accept the Grant Policy as submitted.

140

141 Second: Selectman Brochu, Unanimous: Chairman Picard.

142

143 Review the Requirement for Yard Sale Permits

144 Ms. Robinson updated the Selectmen and on the current status of Yard Sale permitting. For some
145 years the Town has required residents having yard sales to obtain a free permit. There is no
146 documentation as to the regulations but the Town Manager recollects that residents were limited
147 to four events per year and are not allowed to put up any signage advertising the events. It
148 appears that very few people know that they need a permit and request one and a prohibition of
149 advertising signs are rarely followed (though most people seem to remove them after an event).
150 There also some locations in town where a yard sale seems to be ongoing throughout the warm
151 weather months. Ms. Robinson asked the Selectmen if they believe the Town should still require
152 them.

153

154 Selectman Fleming would like to maintain and clearly define the yard sale regulations with a
155 policy or by so that the Town maintains a measure of control and has an ability to deal with
156 abuses. Selectman Brochu would like to adopt a soft policy and continue with free permitting
157 and Chairman Picard asked to defer this matter.

158

159 **BOARD OF SELECTMEN'S ACTION PLAN REVIEW**

160

161 Board of Selectman Training Policy

162 The Board reviewed the policy and the order of importance of the topics. Selectman Fleming will
163 update the policy with the recommendations.

164

165 Town of Upton Mission Statement Review policy

166 Selectman Fleming reviewed the policy and will format it for the next meeting.

167

168 Discuss 360 Communications Policy

169 The intent of this policy is to give future Boards and Town Managers a tool and framework to be
170 successful in respect to communication. This will be discussed again at the next meeting.

171

172 **MEETING LOOK AHEAD TOPICS**

173 Review License and Permit Fees

174 Review Progress on the FY 10/11 Auditor's Management Letter Recommendations
175 (DECEMBER)

176

177 **OTHER TOPICS NOT REASONABLY ANTICIPATED**

178

179 Chairman Picard congratulated the VFW for a very successful 5K race held on October 6th. The
180 turnout was excellent, over 200 runners and walkers which is the most ever.

181
182 Selectman Brochu thanked the GURR for its consideration to the schools by doing the work on
183 Pleasant Streets on Columbus Day when school was not in session.

184

185 **EXECUTIVE SESSION**

186

187 **Motion #7:** At 7:28pm Chairman Picard motioned to enter into Executive Session under MGL
188 c.30A, S. 21 exceptions #2: to conduct contract negotiations with non-union personnel (Town
189 Manager, Blythe Robinson). Upon completion of this executive session, the Board will
190 reconvene only to adjourn.

191

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

193

194 **Motion #8:** At 7:41pm Chairman Picard motioned to reconvene the regular meeting.

195

196 Second: Selectman Brochu, Unanimous: Selectman Fleming.

197

198 **ADJOURN MEETING**

199

200 **Motion #14:** At 7:41pm Motion was made by Chairman Picard to adjourn the regular meeting.

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202 Second: Selectman Brochu, Unanimous: Selectman Fleming.

203

204

205 Respectfully submitted,

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209 Sandra Hakala, Department Coordinator

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