

Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes of February 15, 2011

Location: Fire & EMS Headquarters, 20 Church Street – 2nd floor training room.

Present: Chairman Michael E. Goodwin, Selectman Robert J. Fleming, Selectman Kenneth E. Picard, Town Manager, Blythe C. Robinson, and Department Coordinator Karen L. Varney.

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

Motion # 1: Selectman Picard motioned to approve the Executive Session (Collective Bargaining) meeting minutes of February 1, 2011. Second: Selectman Fleming, unanimous: Chairman Goodwin.

Motion # 2: Selectman Picard motioned to approve the Executive Session (Value of Real Estate) meeting minutes of February 1, 2011. Second: Selectman Fleming, unanimous: Chairman Goodwin.

Motion # 3: Selectman Picard motioned to approve the meeting minutes of February 8, 2011. Second: Selectman Fleming, unanimous: Chairman Goodwin.

Town Manager’s Weekly Report as submitted to the Board:

Warrants:

- Payroll: \$ 77,450.12
- Expense Warrant: \$ 60,959.21

Information/Follow Up:

- As we approach mid-February and responding to snow storms remains a significant issue for the staff this year. With only a small storm this week Public Works has been able to spend more time on clean up operations widening roads that have become increasingly narrow and making repairs to equipment. With a few days of warmer temperatures melting is causing water to puddle up, and we’ll need to focus on clearing storm drains as well. The break in storms will also allow us to catch up on increasing our supply of road salt.
 - Two of our Public Works trucks have been involved in minor accidents this week involving another vehicle. There were no injuries and any damages will be managed through our insurance.

- 45 ○ The Fire and Water/Sewer departments is working hard to keep up with clearing
46 fire hydrants this winter. The hydrants have gotten buried again and staff is
47 working hard to clear them with a backhoe (done by DPW/Water) and once that
48 takes place the Fire Dept. will be responsible for keeping them clear going
49 forward.
- 50 ○ Last weekend a roofing crew removed snow from both the Police Department and
51 Council on Aging roofs at a cost of \$3,400. MIIA has offered an insurance credit
52 for work which we will be taking advantage of to help offset half the cost.
- 53 ○ A new large plow was purchased to help with cleanup operations. A plow
54 undertaking cleanup was damaged and while it can be repaired, it was not able at
55 times to manage the large amounts of snow we have received. The new plow cost
56 \$8,600.
- 57 ○ This week in conjunction with the Finance Committee the Town Manager has
58 authorized the Department of Public Works to overspend the snow removal
59 budget as called for under M.G.L. Chapter 44, section 31D. To date, the DPW
60 snow removal account is over budget by \$20,000.
- 61 ○ A new addition to the Town's website home page for procurements was added.
62 In the future whenever there is a need for a bid or RFP for which the Town is
63 seeking a supply or service we will be posting it to our website. This will be in
64 addition to emailing it to businesses we have identified as likely to respond and
65 the requirement that we publicly advertise it. By doing this we avoid mailing
66 costs to interested vendors, and we can easily post updates to bids, and bid results.
- 67 ● As part of the telephone analysis costs it was learned that the town had been paying
68 federal excise tax on our monthly bill. The company that assisted us with the analysis
69 could not make a claim for reimbursement of these costs, but gave us the information to
70 do so on our own. Ms. Robinson was pleased to report that due to Department
71 Coordinator Karen Varney's efforts we received \$573 this week from the IRS which is
72 about half of what we had applied for. We expect the balance in the coming month.
 - 73 ● At long last the FEMA reimbursement for last March's storms seems to be on the way.
74 Contract paperwork showing a reimbursement amount of \$27,277.52 which is the amount
75 expected (75% of what we spent).
 - 76 ● The process to acquire a portion of Sweetwilliam Farm is underway. The Town is still
77 waiting for the green light from the State that they have also signed the LAND grant
78 contract and we are then allowed to expend funds related to the purchase we will start to
79 do so.

80
81 Town Manager Blythe Robinson noted that the Town Hall boiler which has had some
82 maintenance issues is scheduled to be evaluated on Thursday.

83
84 Also a meeting is scheduled for February 24th at 10:00am at the water Treatment plant
85 with Tata and Howard to begin review of the Master Plan process.

86
87 In regards to the 495 Corridor area, Ms. Robinson is in process of scheduling a meeting
88 for Monday, February 28th with CMRPC in relations to the 495 Compact project. This is a
89 planning project funded by the State to look at the future development and needs of the 495
90 corridor area. CMRPC now needs to gather data about Upton's development plans, infrastructure

91 needs, and priority preservation areas. She has asked the Board if they would be interested in
92 attending this meeting. Selectman Picard suggested an evening meeting.

93
94 A joint meeting will be held with the Board of Selectmen and the Finance Committee at
95 the Committee's March 16th meeting.

96
97 Discussion Items – Background Information

98
99 Town Manager Performance Evaluation

100 As a result of previous meetings the purpose of this item is to publicly discuss the Town
101 Manager's performance evaluation since last April and to set goals for the balance of
102 2011. Chairman Goodwin stated that the full Board met on Saturday to decide on a
103 format for the Town Manager's performance evaluation and anticipated goals going
104 forward. Another work shop session is scheduled for Thursday, February 17th. Selectman
105 Picard asked the Town Manager to draft a list of her goals and supply them with a list of
106 contracts under \$25,000 she has exercised.

107
108 Town Hall Renovation Committee Mission

109 At the January 18th meeting it was decided that the original committee has fulfilled its
110 mission, and that the mission statement would need to be revised for the next phase of the
111 project. Chairman Goodwin said he is comfortable with the same format however the
112 time lines need to change. Selectman Fleming feels the Mission Statement needs
113 structure and direction. Selectman Picard agreed saying a clear message setting goals is
114 important. At their workshop meeting on Thursday, they will each draft individual
115 suggestion to revise the Mission Statement.

116
117 FY 2011/2012 Budget Update

118 Included in the Board's meeting packet was the latest version of the complete budget
119 spreadsheet. The Town Manager reviewed the changes since the last meeting.

120
121 Schedule a Special Town Meeting

122 There were a number of articles drafted for the need to schedule a special town meeting
123 this spring. At the Finance Committee's meeting last night, members agreed to make
124 some reserve fund transfers for accounts that have run short therefore Ms. Robinson
125 suggested scheduling a special town meeting before the Annual on May 5th. The Board
126 welcomed the idea and made Motion to open a Warrant.

127
128 Motion # 4: Selectman Fleming motioned to open a Special Town Meeting Warrant for May 5,
129 2011 at a time TBD and to close this Warrant April 5, 2011. Second: Selectman Picard,
130 unanimous: Chairman Goodwin.

131
132 *Mailbox Damage Policy as submitted to the Board:*

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134 The winter of 2010/2011 has been very difficult given the amount of snow, cold temperatures
135 and pattern of storms. The Highway division staff has been out working on what seems like a

136 continuous basis since Christmas to plow roads and make access through Town safe for all who
137 travel through Upton.

138

139 The conditions have been especially tough on mailboxes and their owners who must
140 continuously dig out the boxes buried each time it snows and we plow, and the weight and
141 volume of snow has meant that mailboxes that might otherwise withstand a winter need repair
142 this year. Given the number of complaints (approximately 20) Ms. Robinson believes it is
143 important to revisit the procedure used for responding to mailbox complaints and implement a
144 possible change for this year or next.

145

146 The current procedure for the Highway division is to log any complaints that we receive about
147 damaged mailboxes, and when plowing and cleanup operations have finished a staff member is
148 sent to investigate whether or not a Town vehicle or that of a town-hired contractor actually
149 damaged the box. If we find that the town was responsible for damage to the mailbox itself (it
150 suffered a direct hit by a plow) the town will replace that mailbox with a metal mail box
151 approved by the US Postal Service and if necessary replace a post with a pressure treated post.
152 Highway personnel do the replacement personally. A post and mail box together costs
153 approximately \$40, and it is estimated that it takes two of the Public Works employees about 1
154 hour to replace each box – which equates to about \$40 in hourly wages. The pros and cons of
155 this method are:

156

- 157 • Residents whose box was damaged by the Town receive a box that is approved by the
158 post office and do not have to undertake the job of going out to purchase a box or install
159 it. In winter with frozen ground this can be difficult to do.
- 160 • Residents who by personal preference would like to have a more decorative box than
161 what we provide are not satisfied with the type of box we purchase.
- 162 • With a crew of five employees plus a supervisor it is very time consuming to get around
163 to each home with a complaint and both assess and then replace each box. Time spent
164 replacing mailboxes takes staff away from other important wintertime functions.

165

166 An article from the Milford Daily News shows a number of other towns that take the
167 approach of reimbursing residents for town-damaged boxes. The pros and cons of this approach
168 are:

- 169 • Residents can purchase whatever style of box and post they wish to have, eliminating the
170 frustration that the Town has given them a box they don't like
- 171 • Should they wish to purchase a more decorative box than we would buy, a
172 reimbursement might not cover the full cost of that box and post.
- 173 • Residents would be responsible for installing the box and post themselves or hiring
174 someone to do that. This might be difficult for some residents to accomplish on their
175 own
- 176 • Highway department staff could be assigned to other projects instead of mailboxes such
177 as repairing equipment for upcoming storms, clearing up intersections and roads in
178 anticipation of more snow, etc.

179

180 The Town Manager drafted policy that would be a shift from the Town replacing boxes
181 to residents being reimbursed for an expense they incurred to buy a new box and/or post. The

182 Town would still have an obligation to investigate box complaints and assess whether or not a
183 Town plow hit the box. Reimbursements would not be made for boxes that are felled by other
184 than a direct hit by a plow (snow coming off a plow can sometimes be heavy and can damage a
185 box) or posts that are clearly rotted or unstable and can not reasonable withstand snow
186 accumulation. Residents would also be responsible for ensuring that their box is installed in
187 accordance with postal regulations so as to be far enough away from the road to prevent contact
188 with a plow. The draft policy is:

189

190 *Mailboxes Damaged by Town Snowplows*

191

192 In order to provide fair and uniform resolutions to disputes involving mailboxes damaged by
193 Town snowplows, the Upton Board of Selectmen will consider approving the following policy.

194

- 195 A. All mailboxes should be securely fastened to a sturdy post which is sufficiently anchored
196 in the ground to resist the impact of plowed snow. Information on proper installations is
197 available at the Highway Department.
- 198 B. In accordance with current postal guidelines, the mailbox should be nine (9) inches from
199 the curb or edge of pavement in order to prevent contact by the plow itself.
- 200 C. If a mailbox is struck by a Town snowplow, the Town will reimburse the owner an
201 amount not to exceed \$20.00 for the post and an amount not to exceed \$20.00 for the box
202 for a total of \$40.00, at the discretion of the Highway Supervisor. Payment will not
203 include costs other than materials and will not cover the cost of decorative wood or metal
204 posts, or decorative boxes.
- 205 D. No box or post will be reimbursed if the post shows dry rot or is otherwise unstable.
- 206 E. The Town Manager, or designated representative, is authorized to use reasonable
207 discretion in resolving disputes involving unusual circumstances.

208

209 After consideration, the Board agreed this policy makes sense and is to be re-evaluated
210 on an annual basis. Selectman Fleming feels the Town should offer assistance to any resident
211 who is physically unable to install the post and mailboxes. Selectman Picard added that the Boy
212 Scout group could be a possibility. Selectman Fleming said a senior involved in the work off
213 program can assist the DPW Department with follow ups and document damage to these
214 mailboxes. The Town Manager will update this policy and have ready for the Board's final
215 approval on March 1st.

216

217 *Motion #5:* Selectman Picard motioned to accept with regret, the resignation of Bill Evans as a
218 member of the Housing Authority Second: Selectman Fleming, unanimous: Chairman Goodwin.
219 Under M.G.L. c.41, s.10, Chairman Goodwin declared a vacancy for this elected position.
220 Nomination papers for this 2 year vacancy can be obtained at the Town Clerk's office. Selectman
221 Fleming commented on Bill Evans years of public service and asked that a thank you note be
222 sent to him.

223

224 *Motion #6:* Selectman Picard motioned to accept with regret, the resignation of Carol Miriam
225 Wolff as a member of the Library Trustees. Second: Selectman Fleming, unanimous: Chairman
226 Goodwin.

227 Under M.G.L. c.41, s.10, Chairman Goodwin declared a vacancy for this elected position.
228 Nomination papers for this 2 year vacancy can be obtained at the Town Clerk's office. The Board
229 thanked Ms. Wolff for her service to the Town. A thank you note will also be sent to Ms. Wolff.
230

231 *Correspondence:*

- 232 1. Notice of Planning board Hearing JR Estates.
- 233 2. Copy of a thank you letter to the DPW Department Re: snow removal.
- 234 3. Letter to a Grove St resident re: Sewer System Tie in.

235

236 Confidential material received from MIIA dated February 9th was reviewed by the Board.

237

238 Review of the Senior Work off program policy was confirmed as drafted. The Work off
239 Coordinator will be appointed by the Board of Selectmen during the May 2011 appointments.

240

241 In closing, the Town Manager noted that at the Board's March 1st meeting, new call
242 Firefighters will be appointed. All candidates have been screened and medically cleared.

243

244 Selectman Picard said he attended a ceremony this morning for men and women being
245 deployed overseas and said Upton Firefighter Dan Lopez was one of these soldiers, and wished
246 him well.

247

248 *Motion # 7:* Selectman Fleming motioned to adjourn the meeting at 6:41pm. Second: Selectman
249 Picard, unanimous: Chairman Goodwin.

250

251 Respectfully submitted,

252

253 Karen L. Varney, Department Coordinator

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