

Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes of March 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.

Chairman Goodwin informed the public that at the completion of the Board’s regular meeting, they will be going into Executive Session under M.G.L. c. 30A, section #6, to discuss the value of real estate.

Motion # 1: Selectman Picard motioned to approve the meeting minutes of March 1, 2011. Second: Selectman Fleming, unanimous: Chairman Goodwin.

Town Manager’s Weekly Report

Warrants:

- Payroll: \$ 72,503.48
- Expense Warrant: \$ 22,435.73

Information/Follow Up:

- The process continues to move forward on the purchase of Sweetwilliam Farm. A conference call was conducted this week for review of the purchase and sale document. Also the office has posted a request for quotes on our website seeking the services of an engineering firm to complete the property survey. The lengthy winter has meant a delay in getting this work completed. While we are interested in closing on the property at the end of April, late May will be more realistic.
- Plans are moving ahead for the demolition of the house located at 18 Elm Street. The Fire Department plans to use this as a training exercise and will conduct a controlled burn. A meeting was held today with public safety officials to discuss the logistics. Both the cost for clean up which is estimated at about \$2,000 and the expense to hire an officer will be absorbed by the Historical Commission. Approval was received today from the DEP. Utilities have been shut off and other important steps will be followed to ensuring this exercise is done safely. Safety officials are looking at the last weekend in March or the first weekend in April for this to take place, depending on whether or not we can

44 resolve the associated details. In order to get the full benefit of this training session, it
45 will be spread out over 2 weekends.

- 46 • With a couple of weeks of relatively no snow the deficit in the snow/ice account has not
47 changed significantly. The deficit has increased \$4,000 from last week to \$105,614.84.
48 DPW crews are out almost nightly to spot sand and salt to alleviate icy road conditions in
49 some locations. Runoff from snow melt and residents diverting water into the street is
50 causing this phenomenon.
- 51 • On Wednesday morning Town staff (Margaret Carroll Planning Board, Larry Bombara,
52 John Johnson, Brian Kemp and the Town Manager) had a meeting with staff from
53 CMRPC to give them input on the preparation of a pre-mitigation disaster plan as it
54 relates to Upton. Specifically they were looking to understand what areas of Town would
55 be subject to loss of life or property if there was a natural disaster in Town. The focus
56 was primarily on the Hartford Avenue South/Glen Avenue region as the area of most
57 concern. They will be revising the report for Upton and will be sending the office a new
58 copy for further review. Identifying these issues in a region-wide plan will be important
59 to our success in obtaining future grants for pre-mitigation projects.
- 60 • The Fire Chief is spearheading an effort to form a staff level “Safety Sub-Committee”.
61 The purpose of the committee at least initially will be to discuss the recent incident at
62 Millhaus with the ruptured gas main that caused a mass evacuation of the complex.
63 Lessons learned from that incident will help us plan for future events, and be better
64 prepared in the event that an incident occurs at the G & U railroad. The Town Manager
65 will keep the Board apprised of the developments on this topic.
- 66 • President Obama has declared a major disaster declaration for the snow storm of January
67 11/12, 2011, allowing communities to recover 75% of their snow removal costs for that
68 period. Unfortunately the level of snow accumulation in Worcester County was not high
69 enough to be included, though Middlesex was. If there is any way to change this since
70 we border Middlesex County the Town Manager will pursue it. This is disappointing
71 news given what we have spent on snow removal during this very trying winter.
- 72 • The Town Manager asked the Board if they would be agreeable to the office preparing a
73 Selectmen’s Meeting agenda packets for candidates who will appear on the election
74 ballot in May for this office. It was suggested that the office provide each candidate a
75 full packet (with the exception of executive session items) so these candidates may
76 become familiar with the meeting process and the issues that are presently before the
77 board. The Town Manager will ask the candidates if they would like copies available for
78 them in our office before each meeting. The Selectmen agree this is a great way for each
79 candidate to become informed.

80
81 The Town Manager Blythe Robinson informed the Board that unfortunately there are no
82 candidates for Recreation Commission. She recently met with the 2 members of the committee to
83 offer her guidance.

84
85 Recently the Town Manager opened up a town account with a Public Auction Surplus
86 web site for disposal of used Town owned equipment and supplies. After posting 4 items from
87 the DPW Department for bid, \$5,843.00 was generated. Other surplus items submitted from
88 other departments will be posted soon.

90 In regards to the 2 Town own lots on Orchard St, the Town Manager asked the Board
91 their thoughts on listing these lots for sale. In response, Selectman Picard said during the LHPC
92 meeting last night, the Orchard St lots were brought up in conversation for possible use as
93 affordable housing lots. Further discussion will take place if the LHPC has a desire to move
94 forward and petition the Board.

95
96 Discussion Items – Background Information

97
98 *A. Town Hall Renovation Committee Mission Statement*

99 At several recent meetings this project was discussed and decided that the original
100 committee has fulfilled its mission, and that the mission statement needs to be revised for
101 the next phase of the project. A copy of the revised mission statement as proposed is
102 enclosed for discussion. The Town Hall Renovation Committee has provided feedback
103 on this document. After review, the Board made motion to change the committee
104 structure.

105
106 Motion # 2: Selectman Fleming motioned to accept the Town Hall Renovation Committee
107 Schematic Design and Design Development Committee Structure to consist of at least 3 members
108 but not more than 7 and adding; “a quorum will consist of 3 members”. Second: Selectman Picard,
109 unanimous: Chairman Goodwin.

110
111 *B. Town Meeting Warrant Review*

112 The Town Manager reviewed the latest draft of the list of articles for both the special and
113 annual meetings scheduled for May 5th. This list was fairly complete with the exception
114 of a few placeholders set aside for the Personnel Board. The deadline for the Annual
115 meeting closed today. The Town Manager pointed out the addition of an article proposed
116 by the MURSD School Committee for the purpose of approving a debt exclusion to pay
117 for repairs to the Miscoe Hill School. This will also require a ballot vote that will be
118 added to the May 2nd election ballot. The Selectmen agreed that this article and ballot
119 language should be added to the warrant and election ballot. Ms. Robinson also noted
120 that the final figures on the amount of the school project should be known by the end of
121 the month. After review of these articles, the Board expressed their interest in the order
122 of the articles. Selectman Picard noted he would like to see all the Personnel, CPC and
123 the Mullin Rule together. In reference to an Article to accept the Glen Echo Roads, the
124 Planning Board would need to conduct a public hearing first before this can be brought
125 before the voters. The Town Manager will follow up with the Planning Board for their
126 input. Seeing that it will be necessary to carry the Town Meeting over a 2nd night, it was
127 recommended that the School article to be brought to the voters on the 2nd night. Ms.
128 Robinson will regroup the articles and draft a copy for the April 5th meeting.

129
130 With regard to the special town meeting warrant, the Board discussed possible idea of
131 what to do with the probable balance in free cash (\$317,778.00). Depending on the use of
132 free cash at this meeting, we may have as much as \$200,000 remaining. The options
133 would be to include an article to move it to a stabilization account, let it lapse into fund
134 balance for next year’s free cash, or move forward with some of the capital articles we
135 have on the list for next year and fund them now. Articles slated for free cash funding:

136 \$35,000 for the Insurance budget, \$75,000 for the Westboro / Southboro Road repairs,
137 \$1,500 for funding the Town Clerks additional Election Day expense, \$7,000 for Fire
138 Department fuel and \$9,000 for the DPW disposal of street sweepings.

139

140

141 *C. Discussion of the FY 2011/2012 Budget*

142 At this week's Finance Committee meeting the MURSD budget was presented and at this
143 time the school committee is requesting \$8,807,061 (\$1,414,420) from Upton next year
144 which is a 19.13% increase from the current year. A copy of their budget was included in
145 the Board's packet. The school has not certified their budget at this point, and there are
146 several factors which may influence their final numbers. This increase will put
147 significant pressure on the Town's ability to recommend a budget within our levy limit
148 and maintain our other level of services. The joint meeting between the Board of
149 Selectmen and the Finance Committee is scheduled for tomorrow, March 16th. Selectman
150 Picard noted that the state indicates our school budget should be 58% of our overall
151 budget, a threshold which the Town is currently meeting.

152

153 *D. Contract Award – Bid for Various Lighting Fixtures*

154 On March 9th the office opened bids received from four vendors for the purchase of
155 various lighting fixtures. This project was approved at the November Special Town
156 Meeting to upgrade fixtures at the Police Station, Fire Station and Public Works Garage
157 to more efficient models. A copy of the bid results were copied to the Board with a
158 recommendation that a contract for \$ 49,442 be awarded to Northeast Electrical
159 Distributors subject to a review of the bid submission by Selectman Picard.
160 Selectman Picard stopped by the office and picked up the opened bids for review. He
161 stated that he reviewed the bids and cut sheets and placed calls to these vendors with
162 questions and added that Northeast Electrical has submitted a reasonable bid although it
163 was higher than he anticipated. It was suggested that six lights on the exterior of the fire
164 station be removed saving \$1,800. He noted that there will be an additional cost as there
165 is a need for a light fixture for the salt shed that was damaged this winter. Selectman
166 Picard stated that he is looking at a possible completion date in July.

167

168 Motion # 3: Selectman Fleming motioned to authorize the Town Manger to enter into an
169 agreement with Northeast Electrical for the purchase of various lighting fixtures for the Police
170 Department, Fire Station and Public Works Garage.

171
172 Monthly Reports reviewed by the Board:
173 Police & Communications Department
174 Town Accountant
175 Code Enforcement
176 Library Director
177 UCTV (Upton Cable TV)
178 COA
179 Fire Department

180
181 *Correspondence:*

- 182 1. Note of thanks from the Open Space Committee.
- 183 2. Copy of a letter from the Town Manager to a Francis Drive resident Re: Water bill.
- 184 3. Invitation to the Cub Scout Pack 132's Annual Blue and Gold Banquet March 19th. RSVP
- 185 4. Copy of a correspondence from the CODE Enforcement to a Mendon St residence Re:
186 Propane tank.
- 187 5. Correspondence from the MASSPIRG Re: update of the Bottle Bill.
- 188 6. Memorandum from the Planning Board Re: Planning Board Associate member.
- 189 7. Copy of a letter from the BOH and Code Enforcement department to Sweetwilliam Farm
190 owner G. Harrington Re: cabin.
- 191 8. Copy of a letter from the Town Manager to CHAPA Re: Deed restrictions – Affordable
192 Housing units.
- 193 9. Upton Chronicle (March)
- 194 10. Invitation from Barbara Burke, Co-Chairman Historical Commission Re: March 28th
195 meeting – National Register of Historic Places.

196
197 In a discussion relative to the Town Manager seeking out specific legislation for Upton's
198 use, the Board agreed by motion to have Ms. Robinson move forward with 2 matters.

199
200 Motion # 4: Selectman Picard motioned for the Town Manager to move forward and draft letters
201 for Chapter 90 reimbursement and Health Care reform. Second: Selectman Fleming, unanimous:
202 Chairman Goodwin.

203
204 In other matters, Selectman Goodwin noted that a property on the corner of Grove and
205 Mendon is displaying a tattered American flag and asked the Town Manager to look into who the
206 owner of this property is and request the flag be either taken down or replaced. The Town will
207 replace this flag if it is on Town property.

208
209 Motion #5: Selectman Picard motioned to expend from the Knowlton Risteen fund an amount
210 needed for the replacement of an American flag on the corner of Grove and Mendon Street if it is
211 found to be on Town property. Second: Selectman Fleming, unanimous: Chairman Goodwin.

212
213 Selectman Picard would like to have a discussion about the placement of larger banners
214 depicting the American Flag on the town common. The Board will discuss this at their April 5th
215 meeting.

216

217 The Town Manager stated that she met with the Personnel Board last night for review of
218 the salaries proposed for non-union personnel in the FY 11/12 budget.

219
220 Before entering into executive session, resident Jim Brochu addressed the board. His
221 questioned was directed to the STM Article line #4, the schematic design for the “green school”
222 program and said that these funds are partially reimbursable by the MSBA and asked if the
223 amount requested reflects this. The Town Manager stated the amount requested is the full amount
224 and that reimbursement will follow. Mr. Brochu noted that Valley Tech is moving forward with
225 the same exact project.

226
227 At 8:07pm the Board motioned to enter into an Executive Session under MGL c. 30A,
228 sec. 21 exception #6, to consider the purchase, exchange, lease or value of real estate. At the
229 completion of this executive session, the Board will reconvene their regular meeting and motion
230 to adjourn. Poll taken: Michael Goodwin aye, Ken Picard aye, Robert Fleming aye.

231
232 At 8:27pm the Board reconvened.

233
234 Motion #6: Selectman Fleming motioned to adjourn the meeting at 8:27pm. Second: Selectman
235 Picard, unanimous: Chairman Goodwin.

236
237 Respectfully submitted,

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239 Karen L. Varney, Department Coordinator
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