

1 Board of Selectmen

2 **Town of Upton**



3 **Massachusetts**

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7 Meeting Minutes of August 2, 2011.

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

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11 *Present:* Chairman Robert J. Fleming, Selectman Kenneth E. Picard, Town Manager,
12 Blythe C. Robinson, and Department Coordinator Karen L. Varney. Selectman
13 James A. Brochu did not attend.

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15 *Approved:* August 23, 2011

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

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19 The Board welcomed Representative George Peterson who gave the Board an update on
20 the budget. He stated that the budget has been signed with very few vetoes. In the budget this
21 year restores \$65 million dollars of unrestricted local aid back to the cities and towns. It is
22 funded through *Reversion money*. At the end of FY11 when the books are closed, there are
23 unspent funds in different accounts across the State budget, called Reversion money. In the past
24 twenty-years with the exception of one-year, it has been averaging at least \$150 million dollars.
25 For every dollar that comes back in, \$65 million will go back to towns to backfill the unrestricted
26 local aid cut that was received in the budget. Upton will receive \$32,560.00 in additional funds.
27 Representative Peterson said that this is a onetime payout which is expected in October after the
28 final close out of the books. In regards to the redistricting, a time frame has not been put in
29 place. Representative Peterson asked the Selectmen to consider writing a letter to the
30 Redistricting Commission Chairmen, Senator Stanley Rosenberg and Representative Michael
31 Moran to look at a possible congressional seat in the Worcester County area. Representative
32 Peterson believes Upton is more Worcester County aligned with communities. As always, the
33 Board appreciates the updates.

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35 Motion # 1: Selectman Picard motioned to approve the July 24, 2011 meeting minutes.
36 Majority: Chairman Fleming.

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38 Motion # 2: Selectman Picard motioned to approve the July 12, 2011 meeting minutes.
39 Majority: Chairman Fleming.

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41 There was an unfortunate accident that happened this morning involving a railroad utility
42 cart that hit a car on the Grafton-Upton Railroad tracks that crosses over Hartford Ave South,
43 leaving one person injured. Town Manager Blythe Robinson read the press release prepared by
44 Police Chief Michael Bradley.

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Town Manager’s Weekly Report

- Payroll: \$ 89,514.65
- Expense Warrant: \$ 925,356.80

On July 21st the Town Manager attended the Friends of the Upton State Forest meeting. The purpose of the meeting was to discuss the State’s landscape designations for DCR state and urban properties. The draft report from the State is out and they have categorized the Upton State Forest as “woodlands” property. The other two designation categories they have are called “reserve” and “parklands”. The purpose of the meeting was to ask the membership for comments about whether this is an appropriate designation for Upton’s forest, and what it means to our town. The overall goal of a woodlands designation is to “protect and restore forests by implementing excellent, sustainable forest management practices as model forestry for the general public and landowners and to provide high quality forest products to local markets”. Unfortunately the meeting was not well attended, but those who were there seemed comfortable with the designation. It could mean that the state does some logging on sections of the Upton forest. Please let me know if you would like more information about this process.

The site visit for architects interested in submitting a proposal for the renovation of the Town Hall went well on Wednesday. Fourteen firms attended the mandatory meeting and are thus eligible to submit a proposal on August 10th for the renovation committee’s consideration.

Fred Ruland and both attorneys met on Wednesday to discuss the details of the Noble Vista project with the goal of bringing forth a final agreement acceptable to all parties. That meeting went well and it appears that we have an agreement regarding the issues that have been outstanding. We will be circulating an agreement between the Town and Mr. Ruland and hope to be able to bring that to you for discussion on August 23rd.

Attorney March Reich and the Town Manager attended the Planning Board Meeting on Tuesday night to discuss their concerns about the railroad. They have asked and we have agreed to provide some documentation on the ownership of the G&R Railroad and Upton Development Group, as well as the contractual arrangement between the railroad and Dana Corporation who will be running the day to day operations of the railroad. The Board was concerned about whether the relationship between G&U and Dana meets the federal standard of pre-emption and whether the activities to bring in wood pellets and transfer them into bags for further distribution met the guidelines of transloading. Mr. Delli Priscoli was also at the meeting along with two of his attorneys. They have agreed to work together to provide to the Planning Board information to satisfy their request, and have indicated to them that we believe the railroad’s activities fall within the federal guidelines. A copy of the reports from the various town departments about our involvement will be on file for review.

There are a number of bids or RFP’s due in August as a result of our procurement efforts. The schedule includes:

- Bids for Road Repairs (Hopkinton & Westborough Rds.) – August 3rd
- Town Hall Renovation Proposals – August 10th

- 91 ○ Town Auditor – August 10th
- 92 ○ Bids for a 2012 Medium Duty Ambulance – August 17th
- 93 ○ Proposals for a Water Rate Study – August 24th
- 94 ○ Proposals Refuse & Recycling – August 24th

95 The Recreation Commission has put out its call for competitors interested in entering the
96 recyclable boat race on Wednesday August 10th! If you are interested in either building a boat to
97 enter or being a judge please let me know!

98
99 The town has completed six months of our annual contract for health insurance with Blue Cross
100 through MIIA. As the Board is aware, the town received a 13% rate increase in January due to
101 our high level of claims. In the last rating process one of the significant factors to the size of the
102 rate increase was our loss ratio of 127%. This means that for every dollar of premium paid in by
103 the Town the insurer paid claims of \$27. In the first six months of this year our loss ratio is
104 108%, and our 24 month period (on which each renewal is based) is down to 110%. While this
105 is still unfavorable it is an improvement. Hopefully this trend will continue downwards so that
106 our January, 2012 renewal is not as high.

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108 The office received a letter from Mr. Tobias Winther of Walnut Street regarding some feedback
109 he wanted to provide to us about Town services. A response letter on behalf of the Board was
110 forwarded to Mr. Winther.

111
112 The first round of interviews for the Local Building Inspector was held this week and interviews
113 for the Department Coordinator will take place on Tuesday morning. The Town Manager will be
114 ready to make a recommendation on both of these positions at the August 23rd meeting.

115
116 Tennessee Gas has written to the Board of Health in response to their letter asking that the
117 company not spray pesticides as part of their management of the pipeline this year. Tennessee
118 Gas has invited the Board to discuss this matter further so they can review their practices that
119 they believe are safe. I bring this to your attention given the number of residents who have
120 raised concern about this.

121
122 The Selectmen welcomed members of the Finance Committee: Co-Chair Steve Bern and
123 members Karen Glowacki, Jonathan Graves, Paul Flaherty, John O'Sullivan and Jonathan
124 Calianos. Under General Laws, Chapter 41, section 11, the purpose of this meeting is to have a
125 Joint Election for the open Position on the Finance Committee due to the resignation of Herman
126 Meisner. A letter of interest was received from resident Robert Driscoll asking to be appointed.
127 To date no other letters of interest have been received.

128
129 Chairman Fleming opened the nominations to fill the vacancy on the Finance Committee.
130 Selectman Picard nominated Robert Driscoll with a second from Jonathon Graves. Chairman
131 Fleming asked if there was any debate. Paul Flaherty stated that he has never met Mr. Driscoll
132 but is familiar with his derogatory articles he has written in the Town Crier about town issues.
133 Jonathan Calianos echoed Mr. Flaherty's statement saying he also has not met this individual and
134 was wondering why Mr. Driscoll did not attend this meeting. After discussion, Selectman Picard
135 withdrew his nomination. All parties agreed that the Town Manager contact Mr. Driscoll and ask
136 him to call Co-Chair Steve Bern to set up a time when he can meet with the Finance Committee.

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Award IT Services Contract

After receiving proposals from three vendors after an RFP process was conducted, the Town Manager has recommended a 1 year contract with two possible one-year renewals. After review of the document, the Board approved Ms. Robinson’s recommendation.

Motion # 3: Selectman Picard motioned to authorize the Town Manager to execute a contract with WorldBand in the amount of \$16,800. Majority: Chairman Fleming.

MURSD Secession Committee Appointments

After receiving 3 letters of interest to serve on the Secession Committee, it was the Board’s opinion to put off these appointments until their August 23rd meeting. Also they would like to obtain more information on each candidate. They are hoping to receive additional letters of interest before the 23rd.

Storm Water Management:

At the last meeting the Board heard a presentation from Tata & Howard on the Town’s work in the area of storm water to now, and the changes that we need to be aware of as a result of the EPA developing a new storm water permit. While the permit is not finalized yet, it is anticipated that there will be changes that will have to be planned for. Town Manager Blythe Robinson has recommend that a subcommittee made up of a Selectmen, Planning Board and Conservation Commission member be appointed. Chris Scott, Chair, Conservation Commission has offered to serve, and Paul Carey said that the Planning Board would appoint a member to serve. Both Chairman Fleming and Selectman Picard welcomed the idea. Selectman Brochu was appointed to serve on this sub-committee.

Motion #4: Selectman Picard motioned to nominate Selectman Jim Brochu, with his approval, to serve on the Storm Water Management sub-committee. Majority: Chairman Fleming.

495 MetroWest Partnership Membership

At the July 12th meeting Paul Matthews, the Executive Director of the Partnership gave a presentation on the activities of the partnership and the opportunities for membership. In order to be considered for membership he would like the Board to send a letter expressing their interest which he would then present to the Executive Board in September. A letter was drafted for the Board’s consideration. It was agreed this would be in the best interest of the town to join. Membership is at no cost. Chairman Fleming signed the letter.

Request for Beautification Trust Funds

Two requests for beautification funds have been received by the Board. One is to complete a project at the Prospect Street/Route 140 intersection, and the other is for funding to maintain the planted areas around the welcome to Upton signs. The Prospect Street request is supported by the Department of Public Works. The planters are a wonderful gateway for the community and have been well maintained. It was recommended by the Town Manager that the Board take favorable action on both of these items. After consideration a motion was made to support both projects. Selectman Picard commented on the excellent job the men’s club has done and thanked them for their service.

183
184 Motion #5: Selectman Picard motioned to provide funding to the Men’s Club for the Route 140
185 and Prospect St Island project from the Knowlton Risteen D (beautification) fund in the amount
186 of \$1,040. Majority: Chairman Fleming.

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188 Motion #6: Selectman Picard motioned to provide funding to the Blackstone Valley Gardeners
189 to replace soil and planting in the Welcome to Upton planters in the amount of \$300 from the
190 Knowlton Risteen D (beautification) fund. Majority: Chairman Fleming.

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192 Street Sign Request

193 Michael Merrigan of 25 Williams Street has made a request for a no parking sign to be
194 installed at this address to eliminate the occurrence of people who visit Wildwood Park from
195 parking along the entrance road which also serves as a driveway. The request has been reviewed
196 by both the Police and Public Works Departments and both approve of the sign being installed.
197 The Board agreed signs were needed.

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199 Motion #7: Selectman Picard motioned to authorize the DPW to post 2 no parking signs at the 25
200 Williams Street location specified on the June 18, 2011 request. Majority: Chairman Fleming.

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202 In closing, Chairman Fleming commented on the well-attended dedication of the West
203 River Street Soccer Field on July 24th, saying it was a great way to pay respect to Robert
204 Henderson and Ernest Rivers.

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206 In regard to the lighting upgrades for the town buildings, Selectman Picard reported that
207 both the Fire and Police Departments are complete. The DPW location is next on the list.

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209 Motion #8: At 6:43pm Selectman Picard motioned to adjourn the meeting. Majority: Chairman
210 Fleming.

211
212 Respectfully submitted,

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214 Karen L. Varney, Department Coordinator

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