

1 Board of Selectmen

2 **Town of Upton**



3 **Massachusetts**

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7 Meeting Minutes of September 13, 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, Selectman James A.
12 Brochu, Town Manager, Blythe C. Robinson, and Department Coordinator Terry
13 Palmer.

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15 *Approved:* October 11, 2011

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

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19 Chairman Fleming reviewed the agenda for the benefit of the television audience.

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21 *Motion #1:* Selectmen Picard motioned to approve the meeting minutes of August 30, 2011 of
22 the Mendon-Upton joint meeting as submitted, Second Selectmen Brochu. Unanimous:
23 Chairman Fleming.

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25 *Motion #2:* Selectmen Picard motioned to approve the Executive meeting minutes of August 30,
26 2011 land value – Milford St, as submitted, Second Selectmen Brochu. Unanimous: Chairman
27 Fleming.

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29 *Motion #3:* Selectmen Picard motioned to approve the Executive meeting minutes of August 30,
30 2011 land value – South St as submitted, Second Selectmen Brochu. Unanimous: Chairman
31 Fleming.

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33 *Motion #4:* Selectmen Picard motioned to approve the meeting minutes of August 23, 2011 as
34 submitted, Second Selectmen Brochu. Unanimous: Chairman Fleming.

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36 *Motion #5:* Selectmen Picard motioned to approve the Executive meeting minutes of August 23,
37 2011 land value – Nelson St/Milford St as submitted, Second Selectmen Brochu. Unanimous:
38 Chairman Fleming.

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40 *Motion #6:* Selectmen Picard motioned to approve the Executive meeting minutes of August 10,
41 2011 land value – Nelson St as submitted, Selectmen Brochu Second. Unanimous: Chairman
42 Fleming.

44 Chairman Fleming read the request of the VFW to hold its second annual Run to Remember 5K
45 Road Race.

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47 Motion #7: Selectmen Brochu motioned to approve the request of the VFW to hold its 2nd Annual
48 Run to Remember 5K Road Race on October 1, 2011 in conjunction with the Town's Heritage
49 Home Coming; Second Selectmen Picard. Unanimous: Chairman Fleming.

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51 6:05 pm Chairman Fleming read the posting for the Class II license:

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53 Please be advised that the Board of Selectmen recessed the August 23rd Public Hearing
54 regarding the application for a Class II License requested by Derek Davis of NALA Industries
55 Inc., also known as NALA Equipment Corporation at 11 Walker Dr. Selectmen Brochu asked
56 what items were to be sold as well as the estimated quantity. Mr. Davis advised the Board the
57 business will primarily be internet based with large construction equipment. The Board
58 discussed the number of vehicles to be attached to the license.
59 Selectmen Picard noted if Mr. Davis needs to increase the number he can come back in six
60 months and ask for an increase.

61
62 Chairman Fleming closed the hearing

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64 Motion #8: Selectmen Picard motioned to grant the Class II License for Derek Davis of NALA
65 Industries Inc., at 11 Walker Dr., with a limit of 15 vehicles; Second Selectmen Brochu.
66 Unanimous: Chairman Fleming.

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68 Ambulance Contract

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70 Ms. Robinson discussed with the Board a memo to her from Chief Goodale
71 recommending that the ambulance contract be awarded to New England Fire Equipment &
72 Apparatus for the purchase of a new ambulance. The bid for the ambulance is \$188,998 which
73 exceeds our budget by \$3,998. The vendor is offering a \$4,000 trade in of the existing
74 ambulance which she recommends accepting. This trade in will keep the project just under
75 budget. The expenses to equip the truck (outside of what can be transferred from the old vehicle)
76 and purchase of the extended warranty for the motor will be borne by the Ambulance Fund. She
77 has communicated to the vendor the issues brought up in the Chief's memo and all of those will
78 be satisfactorily addressed. The truck will take six months to build and thus we expect to have it
79 in service at the end of March, 2012.

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81 Motion #9: Selectmen Picard motioned to authorize Town Manager to exercise the contract for
82 the Ambulance for \$184,998.00; Second Selectmen Brochu. Unanimous: Chairman Fleming.

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84 Refuse & Recycling contract

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86 Ms. Robinson discussed with the Board the memo from the Board of Health
87 recommending that a contract for this service be awarded to E.L. Harvey of Westborough, MA
88 beginning October 1, 2011. She agreed with the Board of Health's recommendation that they
89 contract with this firm. The vendor has offered this service at a price below that which we have

90 been paying, an expanded amount of services, and they have a very good reputation for the
91 quality of service they provide. Ms. Tiernan and Ms. Robinson have met with them and
92 reviewed their work plan to begin providing this service and their day to day procedures so that
93 the changeover can be successful with limited impact on residents. The Board of Selectmen
94 discussed with the Board of Health members the rates for the Refuse & Recycling contract for
95 the balance of FY12, FY13 & FY14. Ms. Tiernan explained the need for \$130,000.00, not
96 included in the bid, will be used for larger recycling bins with wheels & a lid. This should
97 reduce the tonnage because people will be recycling more.

98
99 *Motion #10:* Selectmen Picard motioned to authorize the Town Manager to enter into a contract
100 with E.L. Harvey for \$158,750 for the balance of FY12, Second Selectmen Brochu. Unanimous:
101 Chairman Fleming.

102
103 Mr. Holman asked the Board about the opportunity to discuss enforcing regulations of the
104 Board of Health with a cost and how far to go to enforce regulations. Chairman Fleming stated
105 if need be to go into Executive Session to discuss this request the Board will do so at a later
106 meeting.

107
108 Auditor for the June 30, 2011 Audit

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110 Ms. Robinson discussed with the Board that after 13 years of utilizing the same auditing
111 firm it was good practice that the Town change firms. She sent out a request for proposals this
112 summer and received proposals from three firms. She recommends that the Town retain the firm
113 of Roselli, Clark & Associates.

114
115 *Motion #11:* Selectmen Picard motioned to authorize the Town Manager to sign the contract with
116 Roselli, Clark & Associates for three years, year one - \$12,000.00, year two - \$13,000.00, year
117 three - \$14,000.00, Second Selectmen Brochu. Unanimous: Chairman Fleming.

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119 Chairman Fleming thanked all the departments who were involved in this process.

120
121 Welfare & Distress Trust Funds – approval of procedures to utilize the fund

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123 Chairman Fleming explained the Ella B Risteen trust fund is not a welfare fund but a
124 fund to help town residents in need. Ms. Robinson discussed with the Board that the Town has
125 been very fortunate to have two separate trust funds for which it can assist residents that may be
126 in need and that all records that would be submitted by a resident will be kept confidential. In
127 the past there hasn't been any formal procedure that was followed to ensure that the resident
128 really is in need, or that the payments made from the fund will be for items that the Town should
129 support. She has asked Jamie Gardner, the COA Director to propose a process which could be
130 used when we either get a request from a resident or from someone on their behalf. She shared a
131 memo to her from Mr. Gardner lays out this process and includes the forms they would use to
132 document a person's need and to help identify the assistance that they require. She would
133 suggest that all requests follow this process which is very similar to what is used to help people
134 with other forms of assistance that we coordinate. The Board would like to table this for the

135 meeting on the 27th of September and also asked Ms. Robinson to provide further clarification on
136 the use of the fund.

137

138 Pole Location Hearing

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140 6:30pm Chairman Fleming opened the Pole Location hearing.

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142 Chairman Fleming read the ad for the hearing.

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144 Crystal Tognazzi was present to represent National Grid. Ms. Tognazzi explained the
145 reason for the pole relocation and noted the push brace will not be needed after the new pole is
146 up. She also said it should take 6 – 8 weeks to schedule and that there should be no interruption
147 of service.

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149 Chairman Fleming closed the hearing.

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151 *Motion #12:* Selectmen Brochu motioned to approve P65 Hartford Avenue, relocate existing JO
152 P65 Hartford Avenue 40' Southwest to accommodate installation of new rail road tracks by the
153 Grafton & Upton Railroad, Second Selectmen Picard. Unanimous: Chairman Fleming.

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155 Capital Borrowing – Approval of Equipment Useful Life

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157 Ms. Robinson explained as a result of the various warrant articles that were passed at
158 Town Meeting this spring the town has a number of equipment purchases and capital projects to
159 undertake. The Treasurer/Collector has analyzed the best method to finance these projects and
160 has recommended that we do a \$1.7 million borrowing. As a step in working through this
161 process the Board of Selectmen need to vote to establish the maximum useful life of three pieces
162 of equipment that will be financed this way. She provided a form that needs to be executed and
163 then signed by the Clerk to the Board. She also stated that following this the Town will be going
164 through the process to sell the bonds, which will require a vote of the board at the October 18th
165 meeting.

166

167 *Motion #13:* Selectmen Picard motioned that the maximum useful life of the department
168 equipment listed to be financed with the proceeds of the \$515,000.00 borrowing authorized by
169 the following votes of the Town passed May 5, 2011 is hereby determined pursuant to G.L.
170 c.44ss 7(9) to be as follows:

171	Article	Purpose	Borrowing Amount	Maximum Useful Life
172	28	Ambulance Fire/EMS	\$185,000.00	11 years
173	42	Trackless Multipurpose	\$145,000.00	6 years
174	44	Dump Truck	\$185,000.00	11 years

175 Second Selectmen Brochu. Unanimous: Chairman Fleming.

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177 Ms. Robinson reviewed her weekly report with the Board

178 Warrants:

179 •Payroll: \$79,198.37

180 •Expense Warrant: \$ 27,802.11

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- Ms. Robinson discussed the letter from CMRPC asking for the Town’s support of a federal HUD (Housing and Urban Development) grant application for Regional Sustainability Planning. CMRPC is seeking \$5 Million dollars to develop a regional vision and sustainability plan. Should they be awarded the grant they are seeking from each community a commitment of in kind assistance for up to one hour/week over the course of the three year program to develop the plan.
- Ms. Robinson told the Board that the Town has been notified that the President has designated Hurricane Irene as an emergency event, thus eligible for FEMA reimbursement funds. The Town has already completed a preliminary estimate of our costs which include police, fire and DPW overtime, tree services, running all of our generators for several days, etc. She will keep them apprised of what the final amount is for which we submit for reimbursement.

MURSD Secession Committee Appointments

Ms. Robinson discussed with the Board that at the last meeting three candidates were appointed and there are two remaining vacancies. Should we have candidates approach us by the date of this meeting, information about them will be enclosed in your packet for action.

Selectman Brochu had a few items he asked the Chairman if he could address. He would like to thank all the Fire, Police and Emergency personnel for doing a great job to assist residents during and after Hurricane Irene. He also noted that he attended the 9/11 ceremonies at the Fire Station and they were very well done. Both he and Selectmen Picard attended the Dedication at St Gabriel’s Church, he said it was very nice and touching.

A resident asked about the status of the Rail Road Fact Finding Committee. Chairman Fleming stated the three board members are to decide on the two residents to be on the committee to make up the five board members. As soon as the Planning Board member is chosen the committee will get underway.

Motion #14: Selectmen Brochu motioned to adjourn, Second Selectmen Picard. Unanimous: Chairman Fleming.

Meeting adjourned @ 7:04pm.

Respectfully submitted,

Terry Palmer
Department Coordinator

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