

1 Board of Selectmen

2 **Town of Upton**



3 **Massachusetts**

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6  
7 Meeting Minutes of September 27, 2011

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9 Location: Fire & EMS Headquarters, 20 Church Street – 2<sup>nd</sup> 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.

14  
15 Approved: October 11, 2011

16  
17 The meeting was called to order at 6:00pm.

18  
19 The Board recited the Pledge of Allegiance

20  
21 Chairman Fleming reviewed the agenda for the benefit of the television audience.

22  
23 A. Town Manager's Report

24  
25 Chairman Fleming asked Ms. Robinson to present her weekly report. Ms. Robinson told  
26 the Board BETA Engineering has had crews out working on the initial phases of the TIP program  
27 design. The pavement borings were completed last week and there are 8 inches of pavement in  
28 place with a fair to good sub grade below that. She also said the surveyors are out this week to  
29 mark out the area of work so that the survey crews can begin work over the weekend.

30 Ms. Robinson told the Board that the Town has a bid advertised for various drainage  
31 projects. These include both the Westborough/Southborough drainage pipe replacement project  
32 as well as the School Street installation of drainage project. She stated that these were put into  
33 one contract in the hopes that a larger project will be more cost effective and that the bid opening  
34 date is October 6th.

35 Ms. Robinson stated that this is somewhat related to the drainage problem we are having  
36 with water running over Southborough Road. One of the culvert pipes has become clogged with  
37 debris that is backing up the water and preventing it from moving through the area, thus the road  
38 has been impacted. On Monday afternoon she had a meeting with some of the members of the  
39 Conservation Commission to discuss how to address this. Several people believe that in large,  
40 part of this issue is being caused by beavers in the area, and that we need to address that on a  
41 long term basis. The Board will need to identify some funds to bring in a firm to unclog the  
42 current blockage, and then find a long term solution. She stated that if we don't, we run the risk  
43 of the road bed being undermined with a far more expensive replacement of it altogether.

44 Ms. Robinson told the Board this week the Town Hall Renovation Committee is moving  
45 along with its work to recommend an architect to them. They have reached the point of one firm  
46 and asked them to submit a price proposal to the Board. This is part of the State required process  
47 to obtain an architect. She is hoping we will come to a successful negotiation within the budget.

48 Ms. Robinson wanted to advise the Board the Town was asked by the State Department  
49 of Housing and Community Development to provide updated information on a number of units  
50 on affordable housing in town; HUD compares that to the recent census and the Town's  
51 percentage of affordable units has dropped, we are down to 6.3% affordable housing out of just  
52 under 3,000 total housing units in the Town.

53 Ms. Robinson asked the Board to look at some items in the correspondence section.

- 54 • TIP project – The DOT Project Review Committee gave approval for our project and the  
55 letter is very informative about all the aspects of how the project is managed.
- 56 • Ballot petition – Ms. Robinson informed the Board there is a petition at the State level for  
57 a ballot initiative to limit increases of the water and sewer rates in the future to 2 ½ %  
58 the same limit for property tax increases. She reminded the Board about the larger  
59 increase in the spring and noted it will be difficult to live within the 2 ½ % in the  
60 future. She told the Board that MMA will be getting behind this in the terms of not  
61 supporting it.
- 62 • Legislative agenda – Ms. Robinson asked the Board to suggest what they would like her  
63 and Chairman Fleming to focus on for a legislative agenda. She asked the Board to  
64 please get back to her with what they would like them to support.

65  
66 Chairman Fleming stated for clarification the status of the TIP project – it has been  
67 recognized by Mass Highway and Mass DOT for 8.2 million dollars. This does not mean the  
68 Town has the money but we are on track for the timeline originally established for that roadway.  
69 As long as the Town proceeds it stands a solid chance of getting some if not all of that funding.

70  
71 Selectmen Picard reiterated that it is assumed the funds will be paid in one chunk and it is  
72 not, it is usually broken down into multiple projects. He also stated it is nice to see that DOT  
73 is recognizing what the Town is doing and that the project is moving forward. Ms. Robinson  
74 stated the Board will have to discuss this in the next year or so if the possibility of replacing  
75 water mains and extending sewers that are in a section of the road. It would be appropriate to  
76 finish that work before the road is done.

77  
78 Chairman Fleming commented on the Progress Status Report from Ms. Robinson. This  
79 keeps us updated on all things that are happening and it is a nice tracking system.

80  
81 B. Discussion Items:

- 82 1. Welfare & Distress Trust Funds – The Chairman discussed the process and how it  
83 would be put into place. Chairman Fleming opens the issue up for comments.  
84 Selectmen Brochu had a few questions:
  - 85 ○ Could the application request financial records; adding to request to look at  
86 previous tax returns. Chairman Fleming noted it is not a requirement on the  
87 proposal they currently have. Ms. Robinson stated it could be one of the  
88 records the Council on Aging asks for to determine their current financial

- 89 situation to see if they have any financial assets. This would all be confidential  
90 and not shared with the Board.
- 91 ○ Is there was a maximum amount allowed for the Town to give a person;  
92 Chairman Fleming stated it is at the discretion of the Board.
  - 93 ○ What about a reoccurring event; Chairman Fleming stated there is nothing  
94 saying we can't support a reoccurring event but he has never seen one come  
95 back in his time. Also the Board has usually handled requests as one time only  
96 assistance.
  - 97 ○ How is follow up done at closure; Chairman Fleming stated there are multiple  
98 ways that have been done in the past. Sometimes payment is made to another  
99 party not the recipient. In the instance that something needs to be repaired the  
100 repair cost was covered directly. If it is made to the recipient we ask for  
101 documentation of payment. Selectmen Brochu thanked the Chairman for  
102 clearing up his questions.

103 Selectmen Picard stated that in the past they have done their own investigation and  
104 commented this is a nice charity to help residents. Also this should be the last stop for help and  
105 all other avenues should have been exhausted. Chairman Fleming stated that he is in favor of  
106 this application and would like to add to the application this check process: Establish if a person  
107 holds property – this is considered assets.

108  
109 Motion #1 Selectmen Brochu motioned to approve the new process in which funds will  
110 be requested from the Risteen/Knowlton Distress Fund as presented this evening amended with  
111 ownership of property, and that the Board has the requirement that people present documentation  
112 for and the ability to amend the policy on an as need basis. Second: Selectmen Picard,  
113 unanimous: Chairman Fleming

114  
115 2. Orchard Street affordable housing  
116 Selectmen Picard stated he has not had the time to speak to the rest of the committee  
117 members and would like to table this to the next meeting.

118 3. Rosary Prayer Vigil on the Town Common  
119 Selectmen Picard stated he is uncomfortable with this request, he understands the person's  
120 desire but persons of other religions could feel slighted if we do not also open it up to them.  
121 Selectmen Brochu also is uncomfortable with the request and agrees with Selectmen Picard.  
122 Chairman Fleming stated the Board has been generous allowing religious group's use of town  
123 property providing it was not a religious type service. He did state the law does require  
124 separation of Church and State and to use the Town Common area for a religious function does  
125 tip toe in violation of the constitution. He also stated the Town is careful to allow holiday events  
126 on the common but they are very generic and refrain from imposing anything on a citizen that  
127 they would not want on their property and it is town property.

128 4. Set Special Town Meeting date  
129 Selectmen Picard stated that the Glen Echo Roads development is completed. It is his  
130 understanding the Planning Board has proposed a hearing for road acceptance. He feels it is only  
131 proper that the Town accepts the roads saying it has to be done at Town Meeting. Selectmen  
132 Brochu stated he supports Selectmen Picard's request. Chairman Fleming's concern is having a  
133 Town Meeting with only one acceptance of a road and there are no other major issues. He will  
134 not oppose this after talking to Ms. Robinson, there is some likelihood that as we propose to have

135 a STM different elected boards and committees will come forward with other requests.  
136 Chairman Fleming asked about free cash certification from DOR for that meeting. Ms. Robinson  
137 stated yes we have to have free cash certified by the meeting for two reasons:

- 138 1) we need to have free cash certified prior to the meeting to know what amount is to be  
139 used at the meeting
- 140 2) we are working toward a Bond issue and we need to have free cash in place before we  
141 can have a rating

142 Chairman Fleming asked Ms. Robinson about dates; she stated the date she was focused on was  
143 November 15<sup>th</sup>, the school is available as well as the Town Clerk; but this is the proposed night  
144 of a Multi Board meeting. Chairman Fleming suggested having the STM at 7pm and the Multi  
145 Board meeting at 6pm noting they could go back to the Multi Board meeting if necessary. Also  
146 he stated that we would have to ask the other members of the Multi Board if this is good for  
147 them. Ms. Robinson will ask the Multi Board members if they would like to meet before or after  
148 the STM and will confirm with everyone about their availability and start the process.

149 Motion #2 Selectmen Picard motioned to hold a Special Town Meeting on November 15,  
150 2011 at 7pm to open a warrant. Second: Selectmen Brochu, unanimous: Chairman Fleming

151

## 152 5. Appointments to the Town Committees

153

### 154 Historical Commission

155 Chairman Fleming announced that Historical Commission member Mr. Mackey  
156 unfortunately has passed away. He extends the Boards regrets of his passing away and also their  
157 sympathy to the family. He stated the Board has a letter of interest to fill the vacancy of Mr.  
158 Mackey from Kenneth Wood who has served on the School Committee and other positions  
159 within the Town of Upton.

160 Motion #3 Selectmen Picard motioned to appoint Kevin Wood to the Upton Historical  
161 Commission. Second: Selectmen Brochu, unanimous: Chairman Fleming

162

### 163 Town Hall Renovation Committee

164 Chairman Fleming announced the Board has received a letter of resignation from  
165 Michelle Goodwin from the Town Hall Renovation Committee. He thanked Ms. Goodwin for  
166 her service on the committee.

167 Motion #4 Selectmen Picard motioned to accept the letter of resignation from Michelle  
168 Goodwin from the Town Hall Renovation Committee. Second: Selectmen Brochu, unanimous:  
169 Chairman Fleming.

170

### 171 Cultural Council

172 Chairman Fleming announced we have three openings on the Cultural Council and we also  
173 have three letters of interest.

174 Motion #5 Selectmen Brochu motioned to appoint Donnamarie Floyd, Jodi McGowan  
175 and Shelley Ryan to the Cultural Council. Second: Selectmen Picard, unanimous: Chairman  
176 Fleming.

177

### 178 BoS Liaison

179 Chairman Fleming announced the Board has received a letter from the Chairman of the  
180 School Committee stating the school is now going to enter into negotiations with, the Teacher's

181 Union Rights and Responsibilities, and are requesting one of the Selectmen to participate in this  
182 process. He stated it is a three year term and Selectmen Picard went through the process last  
183 year. It appears the School Committee is asking the Town of Upton if they are going to continue  
184 the three year service. Selectmen Picard asked for clarification from the school committee for  
185 which Ms. Robinson will contact the committee chair.

186

187 Selectmen's meeting schedule

188 Ms. Robinson asked the Board which nights they would like to meet in October.  
189 Selectmen Picard stated the Board was trying to have their meeting on different nights of other  
190 Boards or Committee's. Ms. Robertson stated the Board has a meeting scheduled for the third  
191 Tuesday with the Multi Board Committee. The Board decided for the month of October they  
192 will meet on the second and fourth Tuesday and then return to the first and third Tuesday of the  
193 month in November.

194

195 6. CMMPO – Chairman Fleming announced the CMMPO is looking for a member of the  
196 Board of Selectmen to attend their meeting held in Sutton to elect amongst themselves a member  
197 to serve on the committee as a representative of the district. Selectmen Brochu said he will  
198 attend the meeting on October 12<sup>th</sup>.

199

200 C. Monthly Department reports

201

202 Chairman Fleming explained, for the reporters, that the Multi Board Committee is made up  
203 of both Mendon and Upton's Board of Selectmen, Finance Committees and School Committee  
204 members. He stated that at the meeting on September 18<sup>th</sup> there was very good dialog to the  
205 point that one citizen came forward and complemented everyone. The members are doing a  
206 number of things, such as: forecast model matrixes. He stated this is in no way to disrespect the  
207 school committee decision process but that the towns are looking at it as a partnership with the  
208 district. He thanked all the members involved and encouraged residents to attend the next  
209 meeting on October 18<sup>th</sup> and as always citizen input is always valuable.

210 Selectmen Picard thanked Ms. Robinson for coordinating the monthly reports. There is a  
211 lot of information and you can easily follow up on what is happening in the departments. He  
212 commented it is nice to have one source for information.

213 Selectmen Brochu reminded the citizens about the Upton Heritage weekend this coming  
214 Saturday on the Common.

215

216 Chairman Fleming motioned to go into Executive Session under MGL c30A section 21  
217 exception #6 to consider the purchase, exchange, lease or value of real estate. The Board will  
218 reconvene their regular meeting upon completion of this executive session only to adjourn:  
219 Robert Fleming aye, James Brochu, aye, Ken Picard aye.

220

221 Meeting adjourned @ 6:46 pm

222

223

224 Respectfully submitted

225 Terry Palmer

226 Department Coordinator

227  
228