

1 Board of Selectmen

2 **Town of Upton**



3 **Massachusetts**

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6
7 Meeting Minutes of February 16, 2010

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

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11 *Present:* Chairman Kenneth E. Picard, Selectman Michael E. Goodwin, Selectman Robert J. Fleming
12 and Department Coordinator Karen L. Varney.

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14 The meeting was called to order at 7:00pm.

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16 Appropriation Treasury Warrant in the amount of \$51,314.13 and Payroll Treasury Warrant in the
17 amount of \$62,140.96 approved as submitted.

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19 *Motion # 1:* Selectman Fleming motioned to approve the Executive Session (Local 3338A) meeting
20 minutes of February 9, 2010 with a minor correction on line 29. Majority: Selectman Goodwin.

21
22 *Motion # 2:* Selectman Fleming motioned to approve the meeting minutes of January 26, 2010 with a
23 minor corrections on line 82 and 95. Second: Selectman Goodwin, unanimous: Chairman Picard.

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25 *Motion # 3:* Selectman Fleming motioned to approve the meeting minutes of February 9, 2010 with a
26 minor correction on line 34. Second: Selectman Goodwin, unanimous: Chairman Picard.

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28 The Board reviewed the Warrant for the March 9th Special Town Meeting. Modifications were made
29 to Article #11 adding the amount of \$10,000.00 to the Selectmen's expense account 01-122-5400-5421 and
30 Article #21 adding \$13,000.00 to the Fire & EMS Department. This Warrant will be posted Friday,
31 February 19, 2010.

32
33 *Motion # 4:* Selectman Goodwin motioned to open the May 6, 2010 Annual Town Meeting Warrant and to
34 close said Warrant on March 12, 2010. Second: Selectman Fleming, unanimous: Chairman Picard.

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36 At 7:15pm Selectman Fleming motioned to enter into an Executive Session under MGL Chapter
37 39, section 23B, exception #3, Union Negotiations with Local 3338A. The Board will reconvene their
38 regular meeting at the completion of this Executive Session. Robert Fleming "I", Michael Goodwin 'I'.
39 Ken Picard 'I'.

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41
42 At 7:54 the Board reconvened their regular meeting.

44 At 7:55pm Selectman Fleming motioned to enter into another Executive Session under MGL
45 Chapter 39, section 23B, exception #3, Union Negotiations with Local 162, Mass Coalition of Police. The
46 Board will reconvene their regular meeting at the completion of this Executive Session. Robert Fleming
47 "I", Michael Goodwin "I". Ken Picard "I".

48
49 The Board reconvened their regular meeting at 8:05pm.
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51 Police Chief Michael J. Bradley, Jr. was welcomed by the Board. Chief Bradley presented his FY11
52 Department Budget. He was pleased to inform the Board of a \$20,000.00 decrease in his budget. This is
53 due to Union negotiations, reduction of overtime pay and a decrease in utilities bills due to the energy
54 efficient upgrades are some of the savings. Chief Bradley did indicate that the exterior of the Police Station
55 will soon be in need of painting and repairs and since the building is listed on the National Register of
56 Historical places, funding will come from the Community Preservation Act.

57 It was the suggestion of Chairman Picard, to level fund his budget and keep the \$20,000.00 for
58 general upgrades. Chief Bradley also spoke of the annual rotation of vehicles, noting that he has a Crown
59 Vic with 70,000 miles in good condition that perhaps the Board could issue to the Town Manager for her
60 use.

61
62 Discussion items:

- 63 1. COA - Additional space request from Director Gardner.
- 64 2. Email from L. Bombara Re: Station Street Generator
- 65 3. Review of (cell Tower) Lease Agreement.
- 66 4. Job Descriptions / Director of Veterans Graves
- 67 5. BOS Budget

68
69 The Board discussed a request from COA Director Jamie Gardner to rent space across the street from
70 the Senior Center to provide medical and health related services / forums to Senior's and needy individuals
71 of Upton. Chairman Picard said he had a conversation with the landlord who agreed with a \$1,000 per
72 month rental with a signed lease. The Board spoke of the funding perhaps coming from the Risteen Trust
73 Fund. Utility costs will come from the COA Departments budget. Possible funding from this Trust would
74 need to be researched by Town Counsel. Chairman Picard will follow up with Attorney Cantor. The
75 Department Coordinator will fax the letter from Director Gardner to Attorney Cantor for her review.

76 After discussion, the Board unanimously voted to approve this request for fifteen-month lease, to
77 FY2012. Selectman Goodwin will research a lease document.
78

79 Motion # 5: Selectman Fleming motioned to approve the amount of \$13,000.00 to secure a fifteen-
80 month lease as proposed in a letter dated January 28, 2010 by Jamie Gardner, Director of the Council on
81 Aging. Rental of this property located across the street from the Senior Center is contingent on funding and
82 Town Counsel's review of the Ella Risteen Trust Fund. The current COA budget will cover the utilities for
83 the first three months. Second: Selectman Goodwin, unanimous: Chairman Picard. Poll taken: Bob
84 Fleming "I", Mike Goodwin "I", Ken Picard "I".
85

86 In a discussion regarding cell towers, Selectman Fleming is with the understanding that the Planning
87 Board is in discussion with a group interested in constructing a cell tower. Selectman Goodwin feels the
88 Board still should move ahead with other prospects. The *draft* Lease Agreement sent by Town Counsel will
89 be put on the Town Manager's agenda.

90

91 Personnel Board Chairman Seema Kenney, sent the Board an update on the reporting structure for
92 specific job descriptions. Selectman Fleming’s feeling is that based on the structure of the Cemetery
93 Commissioners, the Veteran’s Agent would handle and work in cooperation with the Veterans Graves
94 Director and coordinate burials etc. The Board discussed the need for the Veterans Agent to work with the
95 Director of Veteran’s Graves. Both positions are appointed by the Board of Selectmen.

96 Asked if these job descriptions should be modified now or wait? Selectman Fleming added that within
97 the next three months, there will be the appointment process and changes to the appointment process will
98 take place based on the new structure of management.

99

100 Motion # 6: Selectman Goodwin motioned to approve the job description and edits for the Director of
101 Veteran’s Grave as submitted by the Personnel Board. Second: Selectman Fleming, unanimous: Chairman
102 Picard.

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104 The Board reviewed the FY11 Board of Selectmen budget and had a brief discussion regarding line
105 item 45, the general computer account expense and reducing line item 307 by \$2,000. In a conversation
106 relative to deferring all Union and non-Union employees’ annual increases to FY12, was not acted upon at
107 this time until all parties have agreed.

108

109 Correspondence reviewed:

- 110 o RBC Annual Account Statement
- 111 o The Beacon
- 112 o Notice from MIIA Re: Dividend amount of \$758 (Kudos to J. Bates for these credits).
- 113 o CMMPO TIP Re: Proposed amendment.
- 114 o Notice from AA Re: Main Hall closed to activities during the day.
- 115 o Chandler Services – notice of name change.

116

117 In a confidential correspondence dated February 11th received from the DPW Consultant Larry
118 Bombara, Chairman Picard will follow up with these individuals.

119

120 At 9:05pm Selectman Goodwin motioned to enter into another Executive Session under
121 MGL Chapter 39, section 23B, exception #3, to conduct contract negotiations for the position of Town
122 Manager. The Board will reconvene their regular meeting at the completion of this Executive Session.
123 Robert Fleming ‘I’, Michael Goodwin ‘I’. Ken Picard ‘I’.

124

125 At 9:46pm the Board reconvened their regular meeting.

126

127 The Board completed the review of the March 9th Special Town meeting Warrant and signed off on
128 the final draft

129

130 Motion # 7: Selectman Fleming Motioned to approve the STM Warrant and opened up for debate.
131 Selectman Fleming is in support of all the Articles with the exception of Article #1 and voted to exclude it
132 on this Warrant. Selectman Goodwin opted to keep Article #1 as written. Chairman Picard feels it should be
133 included.

134 The Motion to exclude Article #1 is lost.

135

136 Motion # 8: Selectman Goodwin motioned to accept the Special Town Meeting Warrant as submitted along
137 with the changes made on Article #11 for \$10,000 and Article 21, \$13,000. Second vote by Selectman
138 Fleming who commented for the record he has reservations about Article 1. Unanimous: Chairman Picard.

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140 Motion # 9: Selectman Goodwin motioned to adjourn the meeting at 9:51pm. Second: Selectman Fleming,
141 unanimous: Chairman Picard.

142
143 Respectfully submitted,

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145 Karen L. Varney, Department Coordinator

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