

Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes of April 13, 2010

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

Present: Chairman Kenneth E. Picard, Selectman Michael E. Goodwin, Selectman Robert J. Fleming, Town Manager Blythe C. Robinson and Department Coordinator Karen L. Varney.

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

The Board of Selectmen was pleased to introduce Upton’s first Town Manager, Blythe C. Robinson. The Board looks forward to working with her.

Appropriation and Payroll Treasury Warrants were reviewed, approved and signed off by the Town Manager.

Motion # 1: Selectman Fleming Motioned to approve the April 6, 2010 meeting minutes. Second: Selectman Goodwin, unanimous: Chairman Picard.

The Board of Selectmen welcomed the Open Space Committee Chairman Michael Penko, member William Taylor, Secretary Marcella Stasa, Secretary and Christa Collins, from Sudbury Valley Trustees. Mr. Penko wished to update the Board regarding the North Street property, Sweetwilliam Farm. Giving the background, the owner of Sweetwilliam Farm has asked the Town for assistance in preserving the 90+ acre farm. The Open Space Committee, Sudbury Valley Trustees, Metacomet Land Trust, the Mass Division of Conservation and Recreation, U.S. Department of Agriculture and others have been contacted over the last several years for assistance. Sweetwilliam Farm’s property owner has prepared a preliminary open space subdivision plan which would develop about 25 acres of the property on the east side of North Street. The owner does have an offer to purchase the entire property. Although development is not the owner’s first choice, it is very likely to occur unless the Town and others are able to fund a plan which preserves the property. Mr. Penko stated that if grant funds are not available, this would not be a viable option for the Town.

Next on the Agenda, resident Julius Walent, 5 Railroad Ave came before the Board to ask for monetary consideration in connecting his property to the Town’s sewer system. The cost to homeowners connecting to the system is \$5,000. Mr. Walent feels that by connecting a sewer line up Railroad Ave and connecting at the corner of Hartford Ave will be improving the Street and will benefit the Town through generated revenues from other homeowners.

45 It is the recommendation of the Town Manager Blythe Robinson and the  
46 Water/Wastewater Superintendent that no consideration be offered as this would set a precedent.  
47 The Board has taken this request under advisement and will give their ruling at next weeks  
48 meeting.

49  
50 Mendon-Upton Regional School District Superintendent Antonio J. Fernandes, Jr.,  
51 School District Committee Member Camille M. Harvey and Donna Coakley-McGowan, Finance  
52 Committee Chair Joan Shanahan, members Jonathan Calianos and Paul Flaherty joined the  
53 Board to have a discussion regarding a possible operational override for the MURSD. After a  
54 lengthy discussion, the Board agreed to put an Article on the Annual Town Meeting Warrant in  
55 the amount of \$812,044.00 to supplement the Town's share of the Mendon-Upton Regional  
56 School District and also for the purpose of funding the Town's operating budget and capital  
57 expenses.

58 An Article will be presented to the voters at the Special Town Meeting to establish a  
59 Stabilization Account for the Mendon-Upton Regional School District as recommended by the  
60 Finance Committee for the purpose of funding the schools operational expenses. Mr. Calianos  
61 noted that a 2/3 vote would be required for both the creation of this account and to expend the  
62 funds.

63  
64 The Board discussed a June date for the Prop Override 2 1/2 Ballot question with the  
65 possibility of having it prior to the last day of school which is June 18<sup>th</sup>. The Board will finalize a  
66 date at next weeks meeting once the Town Manager has had time to speak with the Town Clerk.

67  
68 Regarding the DPW's budget, the Board asked Finance Committee Chair Joan Shanahan  
69 and Jonathan Calianos to join in on the discussion. Larry Bombara, DPW Consultant streamlined  
70 the new budget format which was welcomed by the Board. The Finance Committee would like to  
71 stay consistent, however they agree to work with this new format as long as the details of each  
72 item is included.

73  
74 A request from the Law Offices of Daniel W. Murray was received by the Board relative  
75 to a parcel of land at lot 19 Shore Drive. In summary, the property is comprised of three lots  
76 located on Taft Pond, Lots 18, 19 and 20. The Handley family purchased these three parcels, via  
77 three separate deeds. The deeds to Lots 18 and 20 were unconditional grants, however the deed  
78 to lot 19 from the Town of Upton contained a restriction that 'no structure or structures shall be  
79 erected on or located in said land.'

80 The present owners have a party interested in purchasing this property however this potential  
81 buyer is concerned with this restriction and will not move forward until it is removed.

82 After review of related documents, the Board agreed to lift this restriction.

83  
84 *Motion # 2:* Selectman Goodwin Motioned to rescind the Board of Selectmen's May 18, 1982  
85 permanent restriction placed on Lot #19 Shore Drive, Upton, MA. Second: Selectman Fleming,  
86 unanimous: Chairman Picard.

87  
88 (Recorded with Worcester District Registry of Deeds on November 15, 1982 in Book 7600, Pg 1)

90 The Special Town Meeting Warrant Articles were reviewed by the Board. It was agreed the  
91 format for the Warrant Articles stay as the traditional posting. The Justification Warrant format  
92 will be used for Cable TV and if time allows, printing in the Town Crier. This can also be handed  
93 out to residents. Once the changes are complete, the Board will sign the Special Town Meeting  
94 Warrant by Thursday, April 15<sup>th</sup> for posting.  
95

96 Regarding the Annual Town Meeting Warrant, the Town Manager, Blythe Robinson said  
97 she spoke with Town Counsel about splitting Article 20 into two Articles, one being the amount  
98 of the override and the other would be setting up a MURSD Stabilization Account and placing  
99 the \$66,000.00 plus in that account. Selectman Fleming recommended leaving all Capital  
100 Budget items on the Warrant until the Capital Budget Committee gives their recommendation.

101 Selectman Fleming also spoke of a graduated program that would increase the Water and  
102 Wastewater rates over time.  
103

104 Correspondence reviewed:

- 105 1. Notification sent to Guidance Counselors at Nipmuc Regional & Blackstone  
106 Valley Re: Annual Scholarship awards. Applications due back: May 7th.
- 107 2. Summary of Services (3/1/2010 – 3/21/10) from DPW Consultant.
- 108 3. The Beacon  
109

110 During the public forum of the Board's meeting, resident Steven Joyce of Prospect Street  
111 came before the Board to asked general questions about the Warrant and the possible Prop 2 ½  
112 override Ballot date.  
113

114 In closing, Ms. Robinson said she enjoyed her first Board meeting and meeting this week  
115 with the Department Managers and learning more about the Town of Upton.  
116

117 Motion # 3: Selectman Fleming motioned to adjourn the meeting at 9:00pm. Second Selectman  
118 Goodwin, unanimous: Chairman Picard.  
119

120 Respectfully submitted,  
121

122 Karen L. Varney, Department Coordinator  
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