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Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes of May 25, 2010

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

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

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

*Motion #1:* Selectman Fleming motioned to approve the meeting minutes of May 18, 2010.  
Second: Selectman Picard, unanimous, Chairman Goodwin.

Regarding the Finance Committee vacancy, the Board has not received any letters of interest to date. The Town Manager will be attending the Finance Committee's meeting tomorrow, May 26<sup>th</sup> and she will follow up to see if they have received any correspondence from interested citizens. It was a unanimous decision to place an ad in the Upton Town Crier advertising these vacancies.

The Board, in the process of reviewing the STM Warrant Articles, welcomed Open Space Chairman Mike Penko, Member Bill Taylor and CPC Chairperson Rena Richard. The Open Space Committee is requesting an Article to be placed on this Warrant for the purchase of Sweetwilliam Farm on North Street. Mr. Penko, using a display board, gave a wide presentation and history of this 92+ acre farm property. The Open Space Committee is advocating for an Article to be placed on the STM Warrant to be acquired for conservation and passive outdoor recreation purposes to be held in the care and custody of the Upton Conservation Commission. This Article will be brought before the CPC at their June 1<sup>st</sup> meeting and would be contingent on CPC approval. Ms. Richard explained the process. After about a 40 minute discussion, the Board decided to review the remaining Articles and to decide later on during this meeting if this request will make the Warrant.

Further review and discussion continued regarding the Articles submitted. It was agreed to eliminate the proposed Article for the M-U Regional School District.

*Motion # 2:* Selectman Picard motioned to eliminate the proposed Article drafted for the STM Warrant for the purpose of supplementing the assessment for the M-U Regional School District  
Second, Selectman Fleming, unanimous, Chairman Goodwin.

45 Article # 2 and 3, will be written as a transfer.

46  
47 *Motion # 3:* Selectman Picard motioned to approve Articles 5, 6 and 7 for the STM Warrant as  
48 drafted. Second: Selectman Fleming, unanimous, Chairman Goodwin.

49  
50 *Motion # 4:* Selectman Fleming motioned to approve the draft STM Warrant Article to transfer  
51 \$75,000.00 from General Stabilization to pay for the preparation of a pilot test proposal for  
52 conducting a pilot test at the Richard Property Wellfield. Majority: Chairman Goodwin.

53  
54 *Motion # 5:* Selectman Picard motioned to approve the STM Warrant Article draft of \$9,263.38  
55 for the purpose of making payment for aged invoices from Tata & Howard Engineering Firm.  
56 Second: Selectman Fleming, unanimous, Chairman Goodwin.

57  
58 Returning to the status of the Sweetwilliam Farm Article which the Board discussed  
59 earlier in the meeting, it was unanimous by the Board not to support this Article as due process  
60 was not followed and it was the general consensus that the Board felt rushed. CPC has not met  
61 on whether they would even support this Article. Also, during these financially difficult times,  
62 the Board felt there were other areas of need. The Board did not want discourage Open Space  
63 Chairman Penko saying if at a later date and when the full process has been followed, they may  
64 reconsider this Article again.

65  
66 The final STM Warrant Articles were approved and signed off by the Board for posting.

67  
68 In a memorandum from Chief Michael Bradley, the Board agreed to support his  
69 recommendation regarding Sgt. Cyr.

70  
71 *Motion #6:* Selectman Picard motioned to approve, as recommended by Chief Bradley, to  
72 support Sergeant Cyr in his military service by extending his pay differential and health  
73 insurance benefits during his deployment. Second: Selectman Fleming, unanimous: Chairman  
74 Goodwin.

75  
76 Regarding the road construction and repairs on East St, Warren St and Cider Mill Lane,  
77 Town Manager Blythe Robinson reported that based upon the quantities of materials and work to  
78 be performed in the bid document (May 13<sup>th</sup> bid opening) the low bid was received from Murray  
79 Paving of Holliston In the amount of \$408,552.80. It was the recommendation of the DPW  
80 Consultant to award this to Murray Paving.

81 After consideration, the Board agreed to support his recommendation.

82  
83 *Motion #7:* Selectman Fleming motioned to award, as recommended by the DPW Consultant the  
84 Road construction contract award to Murray Construction of Holliston Mass based on the May  
85 13<sup>th</sup> bid submission in the amount of \$408,552.80. Second: Selectman Picard, unanimous,  
86 Chairman Goodwin.

87  
88 A memorandum requesting year end transfers was presented to the Board for review and  
89 approval from Town Manager Blythe Robinson.

91 Motion #8: Selectman Picard motioned to approve the transfer of \$3,000 from printing account  
92 #01-122-5200-53100, \$1,000 from the Selectmen’s retainer account 01-122-5100-5100 to the  
93 Technology expense account 01-159-5400-5421 to cover a shortfall. Second: Selectman  
94 Fleming, unanimous, Chairman Goodwin.

95  
96 Motion #9: As requested from the Treasurer/Collector, Selectman Picard motioned to approve  
97 the transfer of \$1,000 from the Tax Title expense account to the Treasurer/Collectors expense  
98 account which will cover the cost of additional security software required for the installation of  
99 the “efile” system. Second: Selectman Fleming, unanimous, Chairman Goodwin.

100  
101 Motion #10: Selectman Fleming motioned to approve the following year end transfers upon the  
102 recommendation of the Town Manager. Transfer from DPW wages account 01-42-5100-5100 the  
103 amount of \$2,500 to the Salaries General Labor account 01-421-5200-5210. Transfer from the  
104 DPW fuel account #01-422-5400-5481 the amount of \$3,000 to the DPW vehicle maintenance  
105 account #01-422-5400-5482. Transfer the amount of \$4,000 from DPW maintenance account  
106 #61-440-5400-5532 to the General Labor account #61-440-5100-5100 the amount of \$3,000 and  
107 to the Wastewater Fuel account #61-440-5400-5481 the amount of \$1,000. Second: Selectman  
108 Picard, unanimous: Chairman Goodwin.

109  
110 Memorial Day observance on Monday will begin at Lakeview Cemetery at 8:00am and  
111 ending at the Upton common.

112  
113 The Board reviewed and approved an invoice received from O’Leary Welding for crane  
114 services to erect the recently purchased flagpoles.

115  
116 Motion #11: Selectman Fleming motioned to approve the payment to O’Leary Welding Corp., of  
117 \$550.00 for crane services. Funding coming from the Ella Whitney Risteen Trust Fund Claus  
118 “D”. Second: Selectman Picard, unanimous: Chairman Goodwin.

119  
120 Town Manger Blythe Robinson’s weekly report:

121  
122 Meetings:

- 123 • Borgatti & Harrison, Tata & Howard, Veteran’s Agent Peggy Laneri, Department head  
124 staff meeting, Town Government Day.

125  
126 Observations/Follow up Matters:

- 127 • The Public Works Consultant, Highway Superintendent and Water/Wastewater  
128 Superintendent attended a site walk for the completion of the roads in the Glen Echo  
129 subdivision. At that meeting the point was raised that the plans for the development  
130 require that there be three streetlights installed. The style of light is to be determined by  
131 the Board of Selectmen and the Planning Board, and the cost of the electricity once they  
132 are installed be borne by the Town. The contractor needs some direction from both  
133 Boards on the style of these lights.*(The Board agree with no lighting).*
- 134 • A copy of the Management Letter from the Town’s auditors, Borgatti & Harrison is  
135 attached for your information for the period ending June 30, 2009.

- 136 • Police & Fire Chiefs have been participating in a project with several area towns to study  
137 regional dispatch of emergency services. The group of towns (Upton, Northbridge,  
138 Sutton, Douglas and Uxbridge) has been meeting regularly, and is now ready to apply for  
139 a state grant to obtain funds and study the feasibility. Both Chiefs have written letters of  
140 support. This study obligates the Town only to staff time and providing information  
141 about our current services. Should the study find that regionalizing this service is  
142 possible it will be brought to the Board for further discussion.
- 143 • With the failure of the override in Mendon we are concerned about the MURSD's ability  
144 to fund \$20,000 towards the School Resource Officer (SRO) provided by the Police  
145 Department. While the department has funds in its budget to cover the salary of the  
146 officer, this would be a revenue reduction to the Town. We need to monitor the situation  
147 and determine how this should be addressed.
- 148 • I have shared your concern about the safety of the Handtub Niagara fire engine with  
149 Chief Bradford. He discussed this with the Department staff and the Board of Fire  
150 Engineers and it was agreed to move this engine back to the Station during the evening.  
151

152 *Correspondence reviewed:*

- 153 1. Email from a Brooks St resident re: school district concern. (Search Committee in  
154 the process of organizing).
- 155 2. Memo to Municipal clients from Kopelman & Paige Re: Amendments to Family  
156 & Medical Leave Act Regulations.
- 157 3. Bi-annual peg access payment of \$10,921.33 from Charter.
- 158 4. ZBA Notice of Special Permit Decision.
- 159 5. Notification to abutters Re: 9 Cider Mill Lane.
- 160 6. Appointment response from An. Leonard Re: DPW advisor request.
- 161 7. MMA Leadership Conference June 12<sup>th</sup>.
- 162 8. CMRPC annual dinner and meeting June 10<sup>th</sup>.
- 163 9. Notice of Public Hearing from Dept. of Telecommunications and Cable for June  
164 13<sup>th</sup>.
- 165 10. Letter of concern Re: dog issue from a James Rd resident.
- 166 11. CMRPC – Brownfield Assessment Program  
167

168 The Board recognized resident (and former Selectman) Marsha Paul who came before the  
169 Board to voice her concern over the failed override in Mendon saying she believes voters will  
170 not bother to go to the polls on June 8<sup>th</sup> and urged them to go out and vote. She noted that  
171 Mendon is working on setting up another ballot question.

172 After discussion regarding the options if Upton's override passes or not, Town Manager  
173 Blythe Robinson will draft a press release to run in the June 4<sup>th</sup> Town Crier.

174 A question arose about the progress of the Elm Street property. Selectman Picard said  
175 there have been workers (volunteers) clearing and cleaning up the property. Selectman Picard  
176 noted that this project is eligible for CPA funding.  
177

178 In closing the Board mentioned the upcoming June 5<sup>th</sup> Fishing Derby sponsored by the  
179 Upton Police Department. Also, the Memorial School 3<sup>rd</sup> Grade classes will be coming to the  
180 Town Hall tomorrow to take part in the annual Town Government Day.  
181

182 Motion #12: At 8:45pm Selectman Fleming motioned to enter into Executive Session under  
183 M.G.L. Chapter 39, section 23B, exception #3, to conduct strategy sessions.

184 Poll taken: Robert Fleming “I”, Ken Picard “I”, Michael Goodwin “I”.

185

186 The Board will reconvene their regular meeting upon the completion of this Executive  
187 Session only to adjourn.

188

189 At 9:13pm the Board reconvened.

190

191 Motion #13: Selectman Fleming motioned to adjourn the meeting. Second: Selectman Picard,  
192 unanimous: Chairman Goodwin.

193

194 Respectfully submitted,

195

196 Karen L. Varney, Department Coordinator

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