

Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes of July 27, 2010

Location: Fire & EMS Headquarters, 20 Church Street – 2nd 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 6:00pm.

Meeting minutes of July 13th were reviewed with slight modifications.

Motion # 1: Selectman Picard motioned to approve the meeting minutes of July 13, 2010.

Second: Selectman Fleming, unanimous: Chairman Goodwin.

Town Manger, Blythe Robinson gave her weekly manager’s report. (See attached). In addition she informed the Board the position of Fire Chief has been narrowed down to 3 finalists. She will be setting up interviews with these 3 individuals for next week. Also she will be conducting interviews tomorrow for the full time Social Services position at the Council on Aging.

Ms. Robinson also updated the Board regarding the Baesis e-file system. There have been some minor issues which are in the process of being straightened out. Training on the system will take place soon.

Discussion Items reviewed:

- A. Approve Tata & Howard Pilot Testing Contract
- B. Upton Men’s Club Defibrillator Request
- C. Regionalization Initiatives
- D. Noble Vista review
- E. CMRPC Appointment of Delegates / Alternates
- F. Town of Upton thank you notes

Motion # 2: Selectman Fleming motioned to approve and authorize the Town Manager, Blythe Robinson to execute the Tata and Howard Agreement for a pilot test at the Richard Property Wellfield. Second: Selectman Picard, unanimous: Chairman Goodwin.

The Board discussed a request from the Men’s Club on behalf of Nipmuc High School for funding for a portable defibrillator. They have asked that these funds come form the E.W. Risteen C Trust Fund. Chairman Goodwin stated that this request does fit the guidelines of this

45 particular trust fund. Selectman Fleming confirmed that on or about June 25, 2007 the court
46 entered Judgment and ordered that the trust be administered cy pres and allowed the Town
47 through the Board of Selectmen to convey the annual accrued interest to the Mendon-Upton
48 Regional School District, at the discretion of the Town Treasurer. After a conversation,
49 Selectman Picard recommended that the Town Manager contact the Men's Club President Mike
50 Oliver to inquire if they would split the cost of this defibrillator with the Town not only for the
51 Nipmuc School, but for all 3 schools. Both Selectman Fleming and Chairman Goodwin
52 welcomed the idea but decided the Town's share should come from the Risteen C fund.
53

54 Next on the agenda the Town Manger informed the Board she received a survey from the
55 Department of Revenue regarding regionalizing services and asked the Board if she should
56 investigate further. It was agreed that she will be sending out a memorandum to all Boards telling
57 them we will be exploring regionalization opportunities on behalf of the Town.
58

59 In regards to the Noble Vista project, Town Manger Blythe Robinson after speaking with
60 Attorney Talerman, prepared an outlined for the Board's consideration in following up with final
61 details. Selectman Fleming agree with leaving in C: (Flatten the bump on Hartford Ave S
62 between Farm St and Railroad Crossing)and D: (Pave the unimproved section of Hartford Ave)
63 as agreed by Counsel and outlined in an email dated July 14, 2010. He feels this should be part
64 of the process based on the original agreement. Selectman Picard said he does not necessarily
65 disagree, but on the last correspondence the Board clearly said a few items need to get completed
66 before the Board's endorsement and anything left was the ZBA requirements. As noted in the last
67 sentence of the email, the Attorney believes that the ZBA may not have given the details and
68 might not have realized what if meant to take out item D and feels the ZBA should deal with this
69 not the Selectmen.

70 Selectman Fleming in turn said his interpretation is that Attorney Talerman is saying the
71 Board needs to be clear before going forward on the two issues. Selectman Fleming is firm on
72 keeping C and D whether the ZBA agrees or not. Chairman Goodwin at this point is inclined to
73 go with all five parts, A-E. Selectman Picard is questioning the process and feels it falls within
74 the ZBA. The Board asked Ms. Robinson to contact the ZBA Clerk and ask if the Board can
75 review this information at their meeting on Wednesday.
76

77 The Board reviewed a correspondence from CMRP asking for confirmation that James R.
78 Bates Jr. was appointed an alternate to the Central Mass Regional Planning commission for
79 FY11. Documentation will be sent to their Worcester office.
80

81 *Motion # 3:* Selectman Picard motioned to confirm the appointment of James R. Bates, Jr. as the
82 alternate to the Central Mass Regional Planning commission for FY11.

83 Second: Selectman Fleming, unanimous: Chairman Goodwin.
84

85 Regarding a discussion the Board had recently about ordering thank you cards for the
86 Department, they agreed on purchasing these cards based on a draft sample submitted by the
87 Department Coordinator.
88

89 Correspondence received and reviewed by the Board:

- 90 1. Copy of a letter to Police Chief Michael Bradley Re: 911 Department Training Grant
91 program.
- 92 2. Correspondence request to the Capital Budget Committee Re: Estimate of Capital Needs.
- 93 3. Notice of ZBA Public Hearing July 28th.
- 94 4. Letter from Comcast Re: New Services.
- 95 5. Notice from the Town Clerk Re: Resignation of Candace Reid from the Board of
96 Trustees / Public Library effective July 31st.
- 97 6. Correspondence from FEMA Re: Digital Flood Insurance rate Map & Flood insurance
98 study report. (Map available at the Board of Assessors)
99

100 Confidential material reviewed by the Board:

- 101 ⇒ Correspondence from Town Counsel to the Conservation Commission dated July 20th.
- 102 ⇒ Copy of a letter from Fire Chief Michael Bradford dated July 19, 2010.
- 103 ⇒ Copy of Monthly Litigation Report from Town Counsel
104

105 Mike Penko, Chairman of the Upton Space Committee came before the Board to have a
106 discussion regarding a proposal to purchase the fee interest in 60 acres of Sweetwilliam Farm.
107 Selectman Picard began by saying he (the Board) approved the grant application process for
108 Sweetwilliam Farm as he wanted to give the Committee the opportunity to follow the process
109 and did not want to obstruct the grant process. He has concerns about sending an offer letter
110 which he does not support.

111 Selectman Fleming basically echoed the same response and has stated from the beginning he
112 does not support this endeavor in spending \$810,000.00 from CPA funds saying the Town owns
113 over two-thousand, six-hundred acres of open space and feels the Town of Upton has greater
114 needs. Selectman Picard is ok with the process and feels they should have the opportunity to
115 apply for the grant. Chairman Goodwin also had concerns saying the letter begins with; *on behalf*
116 *of the Town of Upton and the Open Space Committee is pleased to make a proposal to purchase.*
117 He continued by saying the Town has not authorized any purchase.

118 Mr. Penko essentially defended the letter saying it is separate form the State grant and
119 was only to comply with the Community Preservation Act. He continued by saying the owner,
120 Gail Harrington has offers on the table which she needs to respond to. Selectman Picard is not
121 comfortable with the letter the way it is written, however he agrees that a letter can be sent to
122 Mrs. Harrington stating that a grant application has been submitted and waiting on the approval
123 as long as language is removed regarding a purchase. Chairman Goodwin feels the letter is
124 premature. Selectman Fleming voiced his non-support. The Board asked Ms. Robinson to work
125 with Mr. Penko to revise the letter to address their concerns.
126

127 Town Manager Blythe Robinson gave the Board a copy of an email she received from
128 Robert Sims, Managing Engineer, PARE Corporation saying he would like to close the financial
129 portion of the Main St water main project and invoice the Town for time he spent on resolving
130 issues. The amount is \$6,067.50 for 54.5 hours. The Board did not agree it owed Mr. Sims and
131 declined payment. As the liaison for the Board, Selectman Picard said he was not happy with the
132 engineer and the firm.
133

134 The Board signed off on the Renewal Anticipation Serial Bond for the Water &
135 Wastewater improvements as submitted by Collector / Treasurer Kenneth Glowacki. This \$1.5
136 million dollar loan is set with a 1.2% interest rate.

137
138 In other business, Representative Peterson's office called to inform the Board that the
139 Worcester Court house was on the list as one of the Courts being closed.

140
141 The Board welcomed Michael Gorman and Anita Sanberg of Gorman Richardson Lewis
142 Architects and the Town Hall Renovation Committee members Kelly McElreath, David Mackey
143 and Michele Goodwin. Mr. Gorman gave each one of the Board members a comprehensive
144 Preservations Restrictions and Programming Report which identifies existing department
145 locations and adjacencies, current and projected staff, departmental needs and requirements both
146 current and future. It was determined that the Town Hall is in fact worthwhile to renovate.
147 Approval from Mass Historical is required and the conceptual plan is 80% complete. Mr.
148 Gorman stated that he will be ready to submit report to Mass Historical. Selectman Fleming is in
149 full support of moving forward. Selectman Picard's concern is that Mass Historical may handcuff
150 the town on restrictions and his opinion is to move cautiously. Mr. Mackey commented that Mass
151 Historical is aware of the need. Chairman Goodwin recognizes Selectman Picard's concerns;
152 however he is comfortable with the design. Mr. Gorman stated he has a consultant working with
153 Mass Historical.

154 Selectman Fleming inquired about a time line. The report will be submitted to Mass Historical
155 the 1st or 2nd week of August. A site visit will take place within 30 days and an additional 60 to
156 90 days for a response. The Board thanked Mr. Gorman and Committee members for a great job.

157
158 *Motion # 4:* Selectman Fleming motioned to authorize Michael Gorman of Gorman Richardson
159 Lewis Architects, Inc., Hopkinton Mass full authority to act on behalf of the Town in petitioning
160 or making application to the Mass Historical Commission and any other related approving
161 agency regarding the renovation of the Upton Town Hall. Second: Selectman Picard, unanimous:
162 Chairman Goodwin.

163
164 Selectman Picard noted to the Board that he is drafting the Town Common Mission
165 Statement for review and approval.

166
167 Regarding the LHPC, Selectman Picard noted that he will be seeking information from
168 Town Departments.

169
170 In reference to the Fire Chief's search and interview process, the Search Committee has
171 narrowed the candidates down to three. The Town Manager asked the Board what information
172 they would like to have when she forwards to them her recommendation on the appointment.
173 Chairman Goodwin voiced his interest in meeting the Search Committee's Selection however
174 Selectmen Fleming and Selectman Picard declined.

175
176 *Motion #5:* Selectman Picard motioned to adjourn the meeting at 7:35pm. Second: Selectman
177 Fleming, unanimous: Chairman Goodwin.

178 Respectfully submitted,

179 Karen L. Varney, Department Coordinator

180