

1 Board of Selectmen

2 **Town of Upton**



3 **Massachusetts**

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7 Meeting Minutes of August 24, 2010

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

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

14
15 The meeting was called to order at 6:00pm.

16
17 *Motion #1:* Selectman Picard motioned to approve the meeting minutes of August 10, 2010.
18 Second: Selectman Fleming, unanimous: Chairman Goodwin.

19
20 *Motion #2:* Selectman Picard motioned to approve the Executive Session meeting minutes of
21 August 10, 2010. Second: Selectman Fleming, unanimous: Chairman Goodwin.

22
23 The Board welcomed Anthony J. Garro, Senior Associate, BETA Group, Inc., Lincoln,
24 RI, DPW Supervisor John Johnson and DPW Consultant Larry Bombara. Mr. Garro gave a
25 comprehensive presentation regarding a pavement management program, existing conditions
26 summary and a proposed five-year capital improvement plan outlined for the Town. This
27 extensive overview presentation covered project goals and objectives. His hand outs were
28 detailed outlining roadway profiles, field inspection program, a roadway condition summary and
29 an estimate of a yearly cost to fund the program were among some of the information provided
30 to the Board.

31 Included in this report Mr. Garro gave a TIP project summary for the Hartford Ave North,
32 High Street and Hopkinton Road improvement project. Mr. Bombara added that the TIP project
33 is funded by the Mass DOT (Department of Transportation) and covers 2.8 miles of roadway
34 from W. Main to the Hopkinton line and will include the re-structure of the Westborough Road
35 and School Street intersection adjacent to Pratt pond as well as the intersection of Route 140 and
36 Hartford Avenue. He added that this project will be lengthily process and once the final drafts are
37 complete, a formal presentation will take place to inform the Board and the public. A full report
38 is attached to these meeting minutes. In closing this item of the agenda, Jim Bates, Jr., announced
39 that he has just given Mr. Johnson the 2011 – 2014 TIP documents for Central Massachusetts.

40
41 ZBA Chairman John LeBrun and members Dick Desjardins, Joseph Lurie, Ted Briggs
42 and Associate Member Jim Bates, Jr. came before the Board to have a discussion relative to the
43 Noble Vista project to try and resolve the one remaining issue of a section of Hartford Ave South
44 specifically to flatten the bump on Hartford Ave South between Farm Street and the railroad

45 crossing. Selectman Picard began the discussion by saying he wanted to insure that the ZBA was
46 informed and consulted relative to a letter from Attorney Taleran regarding the Noble Vista
47 Project and asked if they were in agreement with the letter or do they wish to modify it.
48 Selectman Fleming said that based on Attorney Taleran's input there have been some
49 discrepancies in the final agreement both through the ZBA's review and the Board of
50 Selectmen's involvement regarding the key issues. The Town, through the Board had agreed to
51 remove some of the contingencies to the project. It is the Boards understanding that when the
52 developer came before the ZBA these conditions were ruled on. However, this ruling was not
53 detailed on some issues: #C: to flatten the bump on Hartford Ave South and #D: To pave the
54 unimproved section of Hartford Ave. Those were conditions the Board wished to keep in. When
55 the ZBA did the final review the Board is uncertain if item C was addressed.

56 After much discussion, it was agreed that the ZBA will post a meeting to review their
57 records and will send a definitive answer to the Board of Selectmen in hopes of a final
58 resolution.

59
60 The Board Welcomed Charlie Marsden, Chairman of the Board of Assessors, Member
61 Glenn Fowler, Department Clerk Tracey Tardy and former Member Anthony Bonina, who
62 recently resigned after relocating to the Town of Milford. Chairman Marsden recognized and
63 applauded Mr. Bonina for his twenty-eight years of service to the Community with a Certificate
64 of appreciation and a plaque. Tony's wife Susan Bonina attended the ceremony as she had
65 recently resigned her position as Registrar of Voters after 11 years of service. Town Clerk Kelly
66 McElreath, in appreciation of Sue's 11 years of service and outstanding accomplishments,
67 presented Sue with a certificate.

68 An interim assessor will serve until the annual Town elections in May 2011. The Board
69 asked for interested residents to send letters of interest. The interim election process will take
70 place at the Board of Selectmen's meeting, Tuesday, September 7th.

71
72 Open Space Committee Chairman Mike Penko and members Marcella Stasa, and Bill
73 Taylor met with the Board to get their approval on a revised letter to Gail Harrington regarding
74 the preservation of Sweetwilliam Farm on North Street. It was noted that Selectman Fleming is
75 not in favor of this preservation and does not endorse this letter. Selectman Picard stated he
76 endorses only the process. Chairman Goodwin feels comfortable with the letter since it has been
77 modified and said it is not out of bounds for the Open Space to have dialogue with a property
78 owner. The Open Space Committee will need to update the Land Grant application for submittal
79 by August 27, 2010. If this grant funding is approved, it will then go to a town meeting vote. The
80 letter indicates that if everything goes to plan, a closing could take place in April 2011.

81
82 Motion # 3: Selectman Picard motioned to approve a letter drafted to owner Gail Harrington,
83 owner of Sweetwilliam Farm dated August 12, 2010 summarizing options for the preservation of
84 this farm located at 153 North Street. Majority: Selectman Picard.

85 All in favor: Ken Picard aye, Michael Goodwin aye.

86 Robert Fleming: no.

87
88 Blythe Robinson gave her weekly manager's report and first noting that she has finalized
89 the purchase price of \$159,017.00 for the 5-ton dump truck for the highway division. Her 3-page
90 report dated August 19, 2010 is part of these meeting minutes and is attached for review. Ms.

91 Robinson also informed the Board of incidents of vandalism at the VFW playground and the new
92 picnic table outside of the library that has been defaced. She asked that residents keep an eye out
93 and to notify the Police Department if they see anyone damaging Town property.

94 Best wishes went to DPW worker Barry Smith who recently welcomed a baby daughter
95 named Madison.

96
97 In other business the Board reviewed a mark up for a memorial plaque in honor of Robert
98 Henderson and Ernest Rivers for the dedication of the West River Street Athletic Field.
99 Selectman Fleming said he would speak with the family to confirm the language to be inscribed
100 on the plaque. The DPW Supervisor John Johnson will search for a suitable stone for this plaque.
101

102 Motion # 4: Selectman Fleming motioned to move forward with the Robert Henderson and
103 Ernest Rivers Memorial Field (West River St) and to approve the amount of up to \$700.00 from
104 the Risteen D (Beautification) fund. Second: Selectman Picard, unanimous: Chairman Goodwin.
105

106 In a proposal to join MaWARN, Town Manager Blythe Robinson stated that she has since
107 received information that Upton is a member and asked the Board for their approval in signing
108 another agreement if required.

109
110 Motion # 5: Selectman Picard motioned to approve the Town Manager in executing an
111 agreement to join the MaWARN. Second: Selectman Fleming, unanimous: Chairman Goodwin.
112

113 Motion # 6: Selectman Fleming motioned to accept, with regret, the resignation of Julius and
114 Ann Walent from the Upton Council on Aging. Second: Selectman Picard, unanimous: Chairman
115 Goodwin.

116
117 Motion # 7: Selectman Fleming motioned to appoint Judith Katz, Georgette Johnson and Grace
118 Wadsworth as members of the Upton Council on Aging. Second: Selectman Picard, unanimous:
119 Chairman Goodwin.
120

121 Board of Library Trustees John Robertson Jr., sent a letter to the Board informing them of
122 a vacancy on their Board effective July 31st due to the resignation of Candice Reid. The Trustees
123 are considering suitable candidates.
124

125 Town Manager Blythe Robinson has completed the CORI (criminal offender record
126 information) process and is asking each Board member, as the Licensing Authority and the
127 Department Coordinator to complete a CORI request form. If they are not approved as a
128 submitter than they cannot view the information received on a CORI check. The Board may want
129 to consider this information when deciding on whether or not to approve the issuance of a license
130 and this will give them access to this information. The Board approved the CORI Policy by
131 motion.
132

133 Motion # 8: Selectman Fleming motioned to accept the CORI Policy Memorandum as submitted
134 by the Town Manager. Second: Selectman Picard, unanimous: Chairman Goodwin.
135

136 In review of the Board's meeting schedule, it was agreed to continue meeting every other
137 week on the 1st and 3rd Tuesday of each month, keeping with the 6:00pm start time.
138

139 Regarding the Fire Chief position, the Board welcomed Search Committee Member Jim
140 Brochu. Mr. Brochu spoke of the process over the past month reviewing applications and ranking
141 procedure to qualify candidates. The final two-hour, two-part interviews were conducted with
142 four individuals of which three were recommended to the Town Manager.

143 Town Manager Blythe Robinson informed the Board that the Committee received thirty-
144 five applications, none were internal candidates. The search committee qualified ten applicants
145 for further consideration. Of those ten, five were invited for another round of interviews in
146 which four participated.

147 A recommendation from the Search Committee included three Massachusetts candidates,
148 Christopher Kelley, Deputy Chief, Concord, Aaron Goodale, Assistant Chief, West Barnstable
149 and Mark DiFronzo, Deputy Chief, Southbridge. Ms. Robinson, after reviewing the background
150 and testing results, has made a conditional offer to Aaron Goodale for the position of Fire Chief.
151 She has asked the Board to ratify her recommendation and waive the required fifteen-day period.

152 Selectman Fleming sent a word of appreciation to the Search Committee members, Jim
153 Brochu, Framingham Fire Chief Gary T. Daugherty, Sr., Assistant Upton Fire Chief Michael
154 Marchand, Henry J. Poirier II, Maxwell Weinfuss and Michael Curley.
155

156 Motion # 9: Selectman Fleming motioned to ratify the recommendation of Town Manager Blythe
157 Robinson to appoint Aaron Goodale as Fire Chief and to waive the required fifteen-day period.
158 Second: Selectman Picard, unanimous: Chairman Goodwin.

159 Start date will be sometime middle to late September. Ms. Robinson will work on the
160 final details.
161

162 Discussion relative to questions the Board may have for the Mendon School Committee
163 in connection with the study of the management of the school organization. At this point the
164 Selectmen have not formulated any questions, and want to wait to do so until after the school
165 budget is resolved. A probable date of September 26th has been discussed for a district wide
166 meeting to resolve the MURSD school budget. It would be pertinent for the Board of Selectmen
167 to meet before and have dialogue with the Mendon Selectmen. The Town Manager will talk to
168 staff on the subject of security and traffic control for this event at her Manager's meeting on
169 Wednesday, September 1st. The Board would like to post a meeting for Monday, August 30th to
170 meet with the Mendon Selectmen about the process.
171

172
173
174 Correspondence:

- 175 1. Request to recognize October 24th as United Nations Day and to invite the Board
176 to attend the UN Day October 28th. (*approved*)
- 177 2. Copy of a letter to residents advising them that Cider Mill Road from Elm St to
178 Hopkinton Road will be closed at times for reclamation and paving beginning on
179 Monday, August 23rd.
- 180 3. MBTA Advisory Board Meeting September 7th.
- 181 4. RBC Account summary

182 5. Upton Heritage Park 18 Elm St.
183

184 Motion # 10: Selectman Fleming motioned to endorse the United Nations Day Proclamation
185 2010 (Engaging Americans in Achieving the Millennium Development Goals). Second:
186 Selectman Picard, unanimous: Chairman Goodwin.
187

188 For discussion on future agendas, Selectman Picard asked that in the forthcoming weeks,
189 he would like to have a Street light evaluation with National Grid for a cost summary.

190 He also spoke of ordering additional banners for Route 140 and would like to have
191 further discussion on plans for the Town Common area on a future agenda.
192

193 The Board received a letter from the CBC (Capital Budget Committee) stating to fully
194 understand and evaluate the Town's capital requirements for the third water source they are
195 requesting copies of all pertinent engineering studies, recommendations and evaluations
196 regarding its construction. The Department Coordinator will assist in gathering this information.
197

198 In closing, Selectman Fleming reminded Chairman Goodwin and Selectman Picard to
199 consider joining the Economic Development Committee, Blackstone Valley Chamber of
200 Commerce.
201

202 Motion # 11: At 8:28pm Selectman Fleming motioned to enter into Executive Session under
203 M.G.L. c.30A, Section 21, option #6 to consider the purchase and value of real estate. Second:
204 Selectman Picard, unanimous Chairman Goodwin.

205 The Board will reconvene their regular meeting for adjournment purposes only.
206 Ken Picard aye, Robert Fleming aye, Michael Goodwin aye.
207

208 At 9:00pm the Board reconvened.
209

210 Motion #12: Selectman Fleming motioned to adjourn the meeting. Second: Selectman Picard,
211 unanimous: Chairman Goodwin.
212

213 Karen L. Varney
214 Karen L. Varney, Department Coordinator
215
216
217

218 Memo To: Board of Selectmen
219 From: Blythe C. Robinson, Town Manager
220 Date: August 19, 2010
221 Re: Town Manager's Weekly Report
222
223

224 Warrants:

- 225 • Payroll: \$ 77,395.46
 - 226 • Expense Warrant: \$ 65,839.42
- 227

228 Meetings:

- Prospective Fire Chief, MURSD School Committee, Conservation Comm. Agent interviews, Personnel Board, Vendor to conduct a phone bill analysis, Manager’s Staff meeting, Council on Aging.

August 24th Agenda Items:

B. Invited Guests:

- BETA Engineering & DPW Consultant: The consultants will be bringing copies of the pavement management program and the TIP project to the meeting to discuss both with you.
- Meeting with ZBA: At least three members of the ZBA will be at the meeting to discuss the remaining issue on the Noble Vista project. Ideally both boards will be able to discuss this and reach consensus on our proposal to the developer.
- Board of Assessors: The Board will be present for two purposes. First to present a plaque and honor Tony Bonina for his many years of service to the Town of Upton, as well as discuss having a joint election with the Selectmen on a person to fill this vacancy September 7th.

D. Discussion Items:

- Henderson Rivers Memorial Field: In order to move forward with the dedication of this field we are seeking your input on a sign for the field, a copy of which is enclosed and then some discussion on the logistics of the event.
- MA-WARN: Enclosed is a memo I’ve written recommending that we join this organization. This was originally recommended by Mr. Bombara based upon his experience. Since he will be at the meeting you may wish to seek his input on the merits of joining.
- COA Board Appointments/Resignations: Enclosed you will find a memo from Jamie Gardner, COA Director on changes to the COA board for which they are seeking your approval.
- Library Board Vacancy: With the resignation the next step in the process is for the Board to formally notify the Selectmen of the vacancy and the planning for an election to fill the seat. I’ve spoken to the Library Board and they would like to have this on the agenda for the September 7th meeting.
- CORI Policy: Every agency that is authorized to perform CORI checks must have a policy on file regarding how that information is handled. Enclosed please find a memo from me on this topic as well as a proposed policy for your consideration.
- Fall/Winter Schedule: As summer draws to a close it is time to consider the Board’s fall/winter schedule. The options include but are not limited to continuing with a 1st and third Tuesday evening as we have done this summer or returning to a weekly meeting. The start time of the meeting also needs to be determined.
- Recommendation to appoint the Fire Chief: I am pleased to let you know that with your approval it is my intent to appoint Mr. Aaron Goodale IV to the position of Fire Chief. Enclosed is a memo about the process and reasons for my recommendation that I look forward to discussing with you Tuesday. The Fire

274 Chief Search Committee has also posted a meeting for this evening to close out
275 their process, and hopefully they will be able to join us for the discussion.

- 276 • SweetWilliam Farm: Since the last Selectmen's meeting the Open Space
277 Committee had revised the letter to the property owner as the Board requested,
278 and then had further meetings with the owner on the matter. Thus the letter has
279 been revised again and a proposed copy is in your packet. Mr. Penko will be
280 present at the meeting to speak with you about what has transpired since the last
281 meeting and gain your concurrence on the letter before it is sent.
- 282 • MURSD Study Questions: At the last school committee meeting the topic of the
283 study was discussed. The Committee is seeking input from both Mendon and
284 Upton Selectmen and Finance Committee members on questions they may have
285 about school operations that could form the basis for the study. At the meeting
286 this can be discussed so that I may get back to the chairman.

287
288 For Your Information/Further Action:

- 289 • In 2009 the Fire Department applied for a Homeland Security Grant in the form of a
290 trailer mounted message board. In February of 2010, Upton Emergency Management was
291 awarded this grant valued at \$15,000.00. Staff followed up on this to let the CMPRC
292 know that if additional message boards were to become available, we would put one to
293 good use in Upton. We have been informed that Upton is receiving a second message
294 board equipment grant that we will take possession of next week.
- 295 • The MURSD School Committee will have another meeting on Monday, August 23rd at
296 Miscoe Hill School to continue the discussion about the district budget and planning for a
297 District Wide Meeting to resolve the matter. At their meeting last week they have
298 tentatively scheduled this meeting for September 26th at Blackstone Valley Tech High
299 School. Staff has begun discussing the logistics of having this meeting in Upton and the
300 planning needed to ensure that we are ready to handle the traffic and safety issues that
301 may come to bear. We have confirmed that our cable TV staff will be on hand to tape
302 the meeting.
- 303 • We have finalized the purchase price of the 5-ton dump truck to replace the 24-year old
304 highway division vehicle - which will be \$159,017. As you know, \$70,000 was
305 appropriate for the first year of the lease. Interest rates for a lease/purchase such as this
306 have been falling and we anticipate locking in at a rate of 4.5%. This equates to an annual
307 payment of \$55,367 which is lower than was anticipated.
- 308 • Unfortunately we have experienced some vandalism in the Town Center area recently with
309 the new picnic table next to the Library and on again off again issues with young teens at
310 the VFW Playground. The police department is aware of these issues and will address
311 them when we can determine who is involved. Should you witness anything that may be
312 of concern at either location please do not hesitate to contact the police department or our
313 office.