

1 Board of Selectmen

2 **Town of Upton**



3 **Massachusetts**

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6
7 Meeting Minutes of November 30, 2010

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

10
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 Chairman Goodwin noted that the Board will go into Executive Session under M.G.L.
18 c.30A, Sec. 21, option #1, at the conclusion of their meeting.

19
20 *Motion # 1:* Selectman Picard motioned to approve the November 9, 2010 meeting minutes with
21 an edit on line #243. Second: Selectman Fleming, unanimous, Chairman Goodwin.

22
23 *Motion #2:* Selectman Picard motioned to approve the November 16, 2010 meeting minutes.
24 Second: Selectman Fleming, unanimous, Chairman Goodwin.

25
26 Town Manager Blythe Robinson presented her weekly Managers report to the Board.

27
28 Warrants:

- 29 • Payroll: \$114,222.12
30 • Expense Warrant: \$825,854.43

31
32 Meetings:

- 33 • Cable Advisory Committee.

34
35 For Your Information/Follow Up:

- 36 • The “new” Fire Air & Light Truck has been delivered from the Town of Oxford and is
37 now housed at the Fire Station. It is a wonderful addition to our fleet and I encourage
38 you to stop by and have a look at it when you have a chance.
39 • This morning I had a conference call with Glenn Fowler, Cable Advisory Committee
40 Chair and Attorney Hewig at Kopelman & Paige regarding renewal of our current cable
41 license with Charter Communications. Our current license expires at the end of this
42 calendar year. We will be approaching Charter about an extension of the license for up to
43 three months which will allow us sufficient time to properly negotiate this. Although the
44 committee has already had an Ascertainment Hearing to gather feedback from

45 subscribers about the service, it would be very helpful to obtain any input you have about
46 this as well. We do intend to recommend changes to the license and will make a
47 recommendation to you at a later date on that subject.

- 48 • We have learned that a project has begun to install about 2,200 feet of natural gas main
49 on a section of Main Street/Route 140. The project begins at approximately the Town
50 Hall and continues up Main Street to just after Pleasant Street. The local Mass. Highway
51 Office has approved this work, and requires that the contractor performing the installation
52 re-pave the trench they are working on each night when work is complete. We'll let you
53 know when the project wraps up.
- 54 • At our meeting on the 30th I would like to get your feedback on my recommendation that
55 we move forward with the proposal to change to the Medex 3 plan for retirees. This
56 would reduce the premium by 12% or keep it essentially at the 2010 level. The
57 difference would be that there would now be a three-tiered drug plan as opposed to the
58 current two-tier plan. Depending on the prescriptions a retiree takes and the way they
59 purchase those drugs (pharmacy or mail order) they may or may not see an increase in
60 out of pocket costs.
- 61 • We anticipate the delivery of approximately 535 signatures that have been gathered on a
62 petition to have a special Town Meeting to decide whether or not to purchase the
63 property on North Street known as Sweetwilliam Farm. We are investigating the
64 availability of the high school auditorium for either the weeks of January 3rd or 10th so
65 that the meeting could be held after the holidays but early enough in the month to allow
66 the paperwork required by the State grant to be processed in a timely fashion.
- 67 • I have received an email from the Veteran's Agent giving me an update on the funds
68 needed for the remainder of this year and anticipated for next. With the current veterans
69 we are assisting the expenses are running at \$1,800/month or \$21,600 per year. She
70 anticipates that this will increase over time as more people become aware of the
71 availability of services. I am working with her to determine the amount of a warrant
72 article in January to fund the remainder of this year for your consideration.
- 73 • Station Street – The pumps and grinder are all in and operational. The generator is on
74 site and the contractor is working through some issues related to its installation. We are
75 awaiting a recommendation on how to make the SCADA system fully operational, as
76 well as whether or not some of the valves in the pump room should be replaced.

77
78 In other business, Ms. Robinson informed the Board that she received an email from
79 Town Counsel that the Housing Advisory Committee has scheduled a status conference in mid
80 December which Attorney Talerman plans on attending.

81
82 Also, the Board of Health has sent out notices to residents who are in violation of their
83 trash pick up policy. Some residents are not pleased with this policy. The Board of Health will
84 revisit their policy at their December 6th meeting.

85
86 Monthly reports will be forthcoming from all departments and will be included in the
87 Selectmen's packet at the 2nd meeting of each month.

88
89 Implementation of the (computer) server for the Town Hall that was recently approved at
90 the Special Town Meeting and is scheduled to be in place mid January.

91
92 The DPW and Water Department staff have been working diligently to complete their
93 portion of the GASB 34 project, which is accounting of all the physical assets and depreciation
94 schedules. All have been completed in the past with the exception of Roads, catch basins,
95 manholes and miles of pipe etc. In review of drainage pipes and catch basins, the DPW
96 Supervisor has noticed irregularities in the pavement on Westborough and Southborough Roads.
97 Upon further inspection, it was noticed that some of the steel pipes under the pavement and
98 culverts have deteriorated and in need of replacement. The DPW Consultant will work on a plan
99 to resolve this matter. A Warrant Article will be drafted for an upcoming Town meeting.

100
101 Regarding the Sweetwilliam Farm land project petition, a total of 548 names were
102 submitted to the Town Manger who informed the Board that after checking with the Town Clerk,
103 Town Moderator and Nipmuc School, both January 4th and January 11th would be acceptable
104 dates to hold a Special Town Meeting for voter approval to purchase Sweetwilliam Farm. After
105 review of the STM Warrant draft, Selectman Picard said he would like to discuss this Article
106 language further and suggested more dialog at the end of this meeting. Both Chairman Goodwin
107 and Selectman Fleming were in agreement.

108 109 DISCUSSION BACKGROUND INFORMATON 110

111 **A. SweetWilliam Farm – Land Project Agreement** – Enclosed is a copy of the award
112 notice from the State regarding the grant for the acquisition of Sweetwilliam Farm. The
113 State has confirmed that execution of the attached project agreement by the Chief
114 Executive Officer of the Town by the end of January, 2011 once the outcome of the
115 special town meeting is known. We anticipate the delivery of the list of petition
116 signatures to our office this week. As part of this agenda item I would like to discuss
117 with you the timing of the Special Town Meeting for which we have put a hold on the
118 high school auditorium for the nights of January 4th and 11th.

119
120 **B. Senior Work Off Program – Selectmen’s Policy** – At the request of Selectman Fleming
121 this item has been put on the agenda for discussion. Included within the Board’s packet
122 is a copy of the current state law on this topic which the Town adopted in April, 2005,
123 along with the guidelines that we believe were established by John LeBrun and Town
124 Clerk Kelly McElreath. *Selectman Fleming restructured the work off program guidelines
125 and summarized the requirements. Discussion on income and receiving a W4 tax form
126 from the Collector-Treasurer. The Board will take this under advisement and will be
127 discussed further at their December 14th meeting. Kudos were sent to John LeBrun for
128 setting up and managing this program.*

129
130 **C. Resolution for Support – Blackstone National Park** – Received was a letter and draft
131 resolution and background material from Mr. Edward Sanderson of the Blackstone River
132 Valley Natural Heritage Corridor requesting the Board’s support for the establishment of
133 a Blackstone National Park. The Board supports this resolution.

134
135 Motion #3: Selectman Picard motioned to adopt and support the Blackstone National Park
136 Resolution. Second: Selectman Fleming, unanimous: Chairman Goodwin.

137
138 **D. Letter from a resident of North Street: 61A Property** – A letter was received from the
139 owner of 234 North Street. This property is for sale, and of the nine acre parcel, it
140 contains 5 acres that is listed as Chapter 61A Agricultural Land. As required by law, the
141 property owner is notifying the Town of their intent to sell, and offering the Town the
142 opportunity to purchase. *Selectman Fleming recommended this letter be forwarded to the*
143 *Conservation Commission and Recreation Commission. The Board will act on this at*
144 *their December 7th meeting once they hear from the Commissions.*

145
146 **E. Appointments – Fire Department** – Enclosed in the packets is a memo from Chief
147 Goodale regarding appointments in the Fire & EMS department. As the Board recalled,
148 when the annual appointments were made in May the Board decided to make a number of
149 these appointments temporary until the new Chief was sworn into office and had a chance
150 to evaluate the department and make recommendations on what he would like to do.
151 Chief Goodale has done so, which is reflected in the attached list. It is requested that you
152 review and approve the list.

153
154 Motion #4: Selectman Fleming motioned to appoint Brian Kemp Director of Emergency
155 Management and Aaron Goodale as Forest Fire Warden and Trench Permitting Authority until
156 May 2011. Second: Selectman Picard, unanimous, Chairman Goodwin.

157
158
159 **F. FY 2011-2012 Budget Guidance** – A draft budget calendar for the steps necessary to
160 complete all the tasks required for presentation of the FY 11/12 budget at the annual town
161 meeting in May was reviewed by the Board. Comments and guidance on what level of
162 increase in each department’s budget that the Board would be comfortable supporting in
163 the next year was discussed. The Town Manager would like to provide the department
164 heads with a target as they put their annual budgets together. With the assumption that
165 wages negotiated with the unions will be increasing the last week of this fiscal year and
166 again in July by 2%, she is suggesting that that be a minimum increase for the non-
167 personnel portions of the budget next year. *Selectmen are comfortable with a 2% start.*

168
169 **G. Approval of the Fire/EMS Association Message Board Sign** – At the November 17th
170 ZBA meeting the Board gave their approval for the installation of a message board sign
171 at the intersection of School and Church Streets. This sign has been planned to be
172 installed for some time, however approvals had not been sought in advance. A draft letter
173 was submitted to the Board for their consideration as it will be erected on Town property.

174
175 Motion # 5: Selectman Fleming motioned to approve a Message Board sign as requested by
176 the Upton Fire & EMS Association for placement at the corner of Church and School Streets.
177 Second: Selectman Picard, unanimous: Chairman Goodwin.

178
179 **H. Town Counsel Appointment** – Based upon the positive feedback the office has
180 received regarding the work done by Attorney Goldberg preparing for and attending the
181 Special Town meeting November 16th that several members of the Board would like to
182 discuss the appointment of a lead attorney. Included in the packets are the biographies of

183 both Attorney Cantor and Attorney Goldberg for the Board's consideration. *This was*
184 *tabled until the December 7th meeting.*

185
186 **I. Energy Conservation Grant** – Selectmen Picard has asked for this item to be included
187 on the agenda for discussion and action. He has analyzed the lighting at the Police
188 Station, Fire Station and DPW Garage for opportunities to change a number of lighting
189 fixtures that will improve the lighting available and reduce energy consumption costs
190 over time. A packet of information containing his proposal that the Town spend \$50,100
191 in fixture costs that will result in a savings of approximately \$5,360/year. *Selectman*
192 *Fleming complimented Selectman Picard for taking the time to prepare this*
193 *comprehensive report. This was also tabled until the December 7th meeting.*

194
195 **J. Superintendent Search Committee** – Three residents interested in serving on this
196 search committee. *The Board opted to table any appointments until the December 14th*
197 *meeting. The December 3rd issue of the Town Crier will include a request for residents to*
198 *submit letters of interested thus giving a larger pool of candidates.*

199
200 **K. Affordable Housing** – John LeBrun received a letter informing the Selectmen of the
201 intent of the owners of 15 Maple Avenue to sell their unit of affordable housing. The
202 State is asking if the Board has an interest in purchasing this property. Similar to the
203 process on Knowlton Circle. *The Board took no action. A letter will be sent to CHAPA*
204 *informing them no action was taken.*

205
206 The Board discussed January dates for the upcoming Special Town Meeting. A January
207 11th date was approved. The Article for the Sweetwilliam Farm Land project agreement relative
208 to supporting a Grant was considered. Chairman Goodwin suggested that perhaps the language
209 from the former Stefan's land purchase be researched.

210
211 Motion # 6: Selectman Fleming motioned to open a Warrant for the January 11, 2011 Special
212 Town meeting at 7:00pm and to close this Warrant December 7, 2010. Second: Selectman Picard,
213 unanimous: Chairman Goodwin.

214
215 In regards to a 3rd appraisal for the Sweetwilliam Farm Land project, Open Space
216 Chairman Mike Penko stated that when he met with the CBC (Capital Budget Committee) it was
217 their intent not to order an additional appraisal but to clarify the disparity between the 2
218 appraisals. He further stated that he has contacted Green & Moody who will prepare a revision of
219 their appraisal, which assumed requiring 2800' of road on the East side of North Street for a
220 subdivision vs. 4000'. Taking an average cost for another appraisal, Selectman Picard put the
221 cost between \$3,800 to \$5,000. Town Manager Blythe Robinson will follow up with the Chair of
222 the CBC to confirm they are not interested in obtaining another appraisal.

223
224 The Board reviewed the possibility of adding the Energy Conservation Project to the
225 January Special Town Meeting Warrant. This will be discussed at the December 7th meeting.

226
227 Regarding the annual health insurance renewal as stated previously in the Managers
228 report, it was agreed to follow the Town Manager's recommendation.

229
230 *Motion #7:* Selectman Fleming motioned to approve the recommendation of the Town Manager
231 to change the current Medex 3 plan for retirees. This would reduce the premium by 12% and
232 keep it at the 2010 level and changing to a three-tiered drug plan as opposed to the current two-
233 tier plan. Second: Selectman Picard, unanimous: Chairman Goodwin.

- 234
235 1. Thank you letter to Assistant Fire Chief Marchand.
236 2. M-U Regional School District: Management Study (full report / Selectmen's office).
237 3. Notice from Charter Re: Rate adjustments effective January.
238 4. Correspondence from the DEP Re: Richard Wellfield.
239 5. Update from the Mass Historical Commission Re: Town Hall renovations.

240
241 At 7:37pm Chairman Goodwin motioned to enter into an Executive Session under M.G.L.
242 c. 30A, section 21 option # 1, personnel process. The Board will reconvene their regular meeting
243 at the completion of this Executive Session.

244 Poll taken: Michael Goodwin aye, Kenneth Picard aye, Robert Fleming aye.

245
246 The Board reconvened at 8:17pm and had a discussion about obtaining a corporate BJ's
247 Wholesale membership for employees. Further discussion was tabled until the December 7th
248 meeting.

249
250 *Motion # 8:* Selectman Fleming motioned to adjourn the meeting at 8:19pm. Second: Selectman
251 Picard, unanimous: Chairman Goodwin.

252
253 Respectfully submitted,

254
255 Karen L. Varney, Department Coordinator

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257
258
259