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Board of Selectmen

Town of Apton



Massachusetts

Meeting Minutes of February 24, 2009

Location: Fire & EMS Headquarters, 20 Church Street

Present: Chairman Robert J. Fleming, Selectman Kenneth E. Picard, Selectman Michael E. Goodwin and Administrative Clerk Karen L. Varney.

The meeting was called to order at 6:30pm.

Appropriation Treasury Warrant No. 35e in the amount of \$730,803.25 was approved.
Payroll Treasury Warrant No. 35P in the amount of \$74,110.04 was approved.
Refund Warrant No. 35r in the amount of \$4,389.68 was approved.

Motion # 1: Selectman Goodwin motioned to approve the meeting minutes of February 10, 2009. Seconded by Selectman Picard, unanimous by Chairman Fleming.

Motion # 2: Selectman Picard motioned to approve the maximum useful lives of the Departmental equipment listed below and are hereby determined pursuant to G.L. Chapter 44, Section 7 (9) to be as follows: Purpose: dump truck, financed with the proceeds of the \$298,500 borrowing authorized by the vote of the Town (Article 13) passed at the 2004 Annual Town Meeting, the maximum useful life – ten years. Purpose: the fire pumper, financed with the proceeds of the \$1,015,500 borrowing authorized by the vote of the Town (Article 35) passed at the 2005 Annual Town Meeting, the maximum useful life – ten years. Seconded by Selectman Goodwin, unanimous by Chairman Fleming.

The Selectmen welcomed Megan Diprete, Manager, Community Development and Planning for CMRPC. Ms. Diprete gave an overview of her work experience in the Blackstone Valley for the past fifteen years. She recently accepted a Management position at CMRP. Selectman Picard noted that when he was a member of the Planning Board he had worked with Steve Wallace of CMRPC and was pleased with his service. He continued by saying the Board is interested in securing CMRPC for Grant writing purposes. As a member of CMRPC through assessment fees, the Town is entitled to local planning assistant hours. Once those hours are depleted, CMRPC could continue working on Grants under a contract basis. Ms. Diprete stated that there are many Grants and Grant programs available. The key is to compile a specific and detailed list of what the Town would like to accomplish, as this will eliminate more than half the work involved. Having engineering studies, plans, designs etc., will draw additional programs for Funding. Each Board member will compile a list and forward it on to Selectman Picard who

41 in turn will work with Ms. Diprete. The Board thanked Ms. Diprete for the information and will
42 be contacting her shortly.

43 Discussion regarding unappropriated funds of \$125,000.00 and putting a portion of these
44 funds in stabilization based on the financial situation. The Board agreed to \$100,000.00.

45 Motion # 3: Chairman Fleming motioned to place a Warrant Article for the STM on March 31,
46 2009 for the purpose of transferring from free cash the amount of \$100,000.00 from
47 unappropriated funds to be transferred to the General Stabilization account seconded by
48 Selectman Goodwin, unanimous by Selectman Picard.

49 Motion # 4: Chairman Fleming motioned to set up Articles for the STM for March 31, 2009, to
50 transfer from prior year appropriation summary, line items: #5890: \$3,390.28, #5241:
51 \$34,273.00, #5242: \$850.000, #5421: \$350.00, #5203: \$53,854.40 and #5851: \$401.73. These
52 balances are to be verified by the Town Accountant and are subject to change. To be more
53 specific, a transfer to zero from these line items to the General Stabilization will be done.
54 Seconded by Selectman Goodwin unanimous by Selectman Picard.

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56 Brief updates:

- 57 ⇒ Classification and Compensation study was done by the Personnel Board that
58 looked at the income per capita and the equivalent census data along with the
59 operating budget per Towns. Of the 50th percentile for Towns similar to Upton,
60 Upton is operating more efficiently.
- 61 ⇒ Chairman Fleming noted an article in the Beacon that the Appellate tax Board
62 ruled that Telecommunications Companies are subject to local taxation on poles
63 and wires over public ways. Cities and Towns are collecting these funds
64 beginning this year, but have been directed by the Department of Revenue to
65 place at least half that amount collected in the Municipal overlay account pending
66 an expected appeal and delayed tactics by the Companies.
- 67 ⇒ In corresponding with the COA Director regarding transportation for the Senior
68 Center, Selectman Picard said Natasha is investigating the possibility of sharing a
69 van with the Grafton COA. Grafton has a commitment with the Worcester
70 Regional Transportation Agency for 3 days a week leaving 2 days available. The
71 annual cost for Upton would be \$1,600 which includes the van, the driver,
72 maintenance and insurance cost. Selectmen Picard told Natasha to move forward
73 as this is a need for the seniors.
- 74 ⇒ Town Manager position has been approved by the Legislature and signed by the
75 Governor. The condition is that the Town now needs to fund this Act to make it
76 active. Funding, hiring and 90 day transition period. The Board will address in
77 mid March once the numbers are compiled. Per Selectman Picard, if the Town
78 can afford to have an Article (for the Town Manger position) the Board should
79 move forward. Chairman Fleming will work in creating a job description. .

80 FYI reviewed:

81

- 82 ▪ Letter from the DCR Re: Right of Way – Upton State Forest for possible Cemetery land.
- 83 ▪ Memorandum from the Planning Board Re: Planning Board Associate Member Position.
- 84 ▪ Inspection report received from Chief Bradley Re: Class II License. ***(Based on***
- 85 ***information received from the Police Department, the Board has requested that the***
- 86 ***owner of Upton Truck and Auto come before them on March 10th at 7:30pm to address***
- 87 ***compliance issues with this Class II License. A letter requesting his presence along***
- 88 ***with a copy of the Police report will be sent to Mr. Goulette).***
- 89 ▪ Copy of a response letter Re: NOI.
- 90 ▪ Correspondence from Pare Re: Projects for the stimulus funding.
- 91 ▪ Letter from a North Street resident Re: Request for consideration. ***(A response letter will***
- 92 ***be drafted to the property owner informing them that this request falls within the***
- 93 ***Planning Board and approved at Town Meeting).***
- 94 ▪ Invitation from the Commonwealth of Mass, General Court, to attend a forum on
- 95 Tuesday, March 3rd 6:30pm Re: State of the Economy.
- 96 ▪ The Beacon
- 97 ▪ Copies of Violation notices from the Code Enforcement Department.
- 98 ▪ Correspondence from Mass Wildlife Re: Stream channel maintenance.
- 99 ▪ Memorandum from CMRPC Re: New 2008 Pictometry Imagery & Training Sessions.

100
101 Chairman Fleming asked for consideration from the Board members to delay the Executive
102 Session until they can review other material in their packets. It was agreed to delay this
103 Executive Session for a short time.

104
105 A request for an appointment to the Conservation Commission from resident Rosely
106 Rupinski is on hold until additional information is received. The Board will review at a future
107 meeting.

108
109 Selectman Goodwin spoke with John Robertson, Library Trustee Director and Mathew
110 Bachtold, Library Director, and was informed that they have reached a preliminary (tentative)
111 agreement with Maple Wood Cemetery to lease the land adjacent to the Cemetery (Corner of
112 Pleasant St and Maple Ave) for a new library. They would need to process a new Grant
113 application.

114
115 Motion # 5 Based on the recommendation of Police Chief Michael J. Bradley, Jr., dated February
116 23, 2009, Selectman Goodwin motioned to appoint Heidi Shultz of Upton and Laura Wooding of
117 Worcester, to the Position of Part-Time Communications Officer effective February 25, 2009
118 until the May 2009 appointments. Seconded by Selectman Picard, unanimous by Chairman
119 Fleming.

120
121 Discussion on adjusting the water usage rates. Chairman Fleming has left his
122 documentation at the Selectmen’s office so he was unable to go over specifics. He will make sure
123 the Board members get copies so they can discuss at next weeks meeting.

124
125 The Board had dialog about putting the two Proposition 2.5 overrides regarding the Water
126 and Wastewater on the ATM Election. After a little hesitation, the Board decided to put this on
127 hold for now.

128
129 Selectman Picard has completed a new application to be presented to the CPC for
130 refurbishing the Town Hall and window replacement / repair. He asked for approval in moving
131 forward and submitting this report to the CPC. Chairman Fleming has reservations about the
132 project and feels the Town is sending the wrong message to the tax payers during these uncertain
133 financial times even though the funding is coming from CPC funds. On the other hand, he feels
134 strongly the projects needs to be done.

135
136 Relative to the land swap (Cemetery), Selectman Picard will draft a letter to the State
137 Representatives and ask for their involvement. The Board agreed that he continue to work on this
138 matter.

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140 The request for a \$5,000 transfer from the Finance Committee Reserve fund was submitted
141 and approved by the Finance Committee. The groundwater exploration program agreement
142 (#1293) was signed off by the Board now that the funding has been identified and approved.

143
144 *Motion # 6* At 8:00pm Selectman Goodwin motioned to enter into Executive Session under
145 M.G.L. Chapter 39, S.23B exception 3 with the intention to reconvene to regular session for
146 Adornment. Seconded by Selectman Picard, unanimous by Chairman Fleming. Poll taken:
147 Michael Goodwin "I"; Ken Picard "I", Robert Fleming "I".

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149 At 8:06pm the Board reconvened their regular meeting.

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151 *Motion # 7:* Selectman Goodwin motioned to adjourn the meeting at 8:06pm. Seconded by
152 Selectman Picard, unanimous by Chairman Fleming.

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154 Respectfully submitted,

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156 Karen L. Varney, Administrative Clerk

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