

Board of Selectmen

Town of Apton



Massachusetts

Meeting Minutes of April 28, 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 5:30pm.

***Motion # 1:*** At 5:31pm Chairman Fleming motioned to enter into Executive Session under M.G.L. Chapter 39, section 23B, exception 3 to have a conversation with Building Inspector Patrick Roche. Second: Selectman Picard, unanimous: Selectman Goodwin. The Board will reconvene their regular meeting upon completion of this Executive Session.

Robert Fleming "I", Ken Picard "I", Michael Goodwin "I".

At 6:04pm, the Board reconvened their regular meeting

***Motion # 2:*** At 6:05pm Chairman Fleming motioned to enter into another Executive Session under M.G.L. Chapter 39, section 23B, exception 3, Collective Bargaining, with Local 170. Second: Selectman Picard, unanimous: Selectman Goodwin. The Board will reconvene their regular meeting upon completion of this Executive Session.

Robert Fleming "I", Ken Picard "I", Michael Goodwin "I".

At 7:11pm, the Board reconvened their regular meeting

Appropriation Treasury Warrant No. 44e in the amount of \$779,261.00 was approved.

Payroll Treasury Warrant No. 44P in the amount of \$59,695.97 was approved.

***Motion # 3:*** Selectman Picard motioned to approve the meeting minutes of 4/21/09. Second: Selectman Goodwin, unanimous: Chairman Fleming.

***Motion # 4:*** Selectman Picard motioned to approve the Executive Session (Local 170) meeting minutes of 4/21/09. Second: Selectman Goodwin, unanimous: Chairman Fleming.

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FYI's reviewed:

- Correspondence from Mass Turnpike Authority Re: Yearly Operation Plan filed with the DAR.
- Charter Communications Re:
  - Bankruptcy court
  - Form 394 filing.
  - Notice to residents Re: Senior Discount
- Copy of letter from the DEP to the Water Department Re: Order to complete for Permit renewal.
- Request for copies of documents Re: Samreen Villa. **(AA to complete)**
- Memorandum from the Planning Board Re: Planning Board Associate Member vote. **(Planning Board members will be invited to the Selectmen's May 12<sup>th</sup> meeting at 6:50pm to exercise their vote).**

In an update relative to the third water source, Selectman Picard noted that the Purchase and Sale Agreement is in the hands of the Attorneys reviewing the final language. The Board is looking forward to receiving this Agreement in the next few weeks for their signatures.

In an effort to better inform the residents of Upton, the Board agreed to insert both the Finance Committee's budget for FY10 and the ATM Warrant Articles in the Town Crier. The Board approved invoice #03717 with funds coming from the printing account. Polls open from 7:00am to 8:00pm on Monday, May 4<sup>th</sup>. Chairman Fleming encouraged Upton citizens to attend the Annual Town Meeting on Thursday, May 7<sup>th</sup>.

Discussion on passing over certain Articles at the Annual Town Meeting with Selectman Picard asking the Board for reconsideration of not passing over Article 9, for the transfer from the CPA, funds for Town Hall window replacement. He confirmed the CPA supports this process. Chairman Fleming said that he respects Selectman Picard's passion and will not hold to a pass over.

**Motion # 5** Chairman Fleming motioned to reconsider Article 9 and allow for debate at the Annual Town Meeting. Second: Selectman Goodwin, unanimous: Selectman Picard.

At 7:30PM Chairman Fleming opened the Class II License hearing of Patrick Davidson. Application was filed at the Board of Selectmen's Office on April 8<sup>th</sup>. The description of the property location, 3 Farm St was reviewed by the Board. All abutters have been notified. No abutters attended the meeting and no correspondence was received by the Selectmen's Office. The Board approved the Class II License.

**Motion # 6:** Chairman Fleming motioned to approve the Class II License request from Patrick Davidson of 137 Warren St for the 3 Farm Street location with specified restrictions noted on the License. Second: Selectman Picard, Unanimous: Selectman Goodwin.

Chairman Fleming gaveled the Hearing closed.

92 Selectman Goodwin spoke of the disposition of the Cemetery Commission's  
93 surplus equipment. The Commissioners will submit a list of this equipment to the  
94 Selectmen.

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96 Selectman Picard asked that the process of posting the vacant position at the Water  
97 Department begin.

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99 In a follow up concerning the Pratt Pond Sonar herbicide treatment, the Board  
100 asked the Aquatic Weed Control Committee members, Charlie Pedersen and Jim Bates  
101 to attend their meeting on May 5<sup>th</sup> to talk about the funding and the process of this  
102 treatment.

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104 Relative to the Town Manager position, Selectman Picard will be meeting with  
105 the Personnel Board on Thursday, April 30<sup>th</sup>. The Board reviewed the job description  
106 for this position and noted that the full process will take time.

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108 Barbara Burke, Chair of the Historical Commission and Member Jerry  
109 Owczarzak, came before the Board and gave an overview of the ongoing cleanup  
110 project of the 18 Elm St. property. A Notice of Intent was filed under the Mass Wetlands  
111 Protection Act M.G.L. c. 131, §40 which is a requirement of the DEP, was signed off by  
112 Chairman Fleming.

113 Jerry spoke of the many volunteers he has been working with that have come  
114 forward to help. He is anticipates working on the layout of the trails this summer. Ms.  
115 Burke commenting on the structure located on the property saying it would be a great  
116 value to use as a training tool for both the Police and Fire. Chairman Fleming noting that  
117 there is no funding for a tear down appeared to welcome Ms. Burke's idea. Selectman  
118 Picard agreed it would be a good starting point to talk with Chief Bradley and Chief  
119 Bradford for their thoughts. It is the intention of Ms. Burke to open the Park next year  
120 during the Town's 275<sup>th</sup> Anniversary celebration.

121 Also in the works for the 275<sup>th</sup> Celebration, setting up craft displays, 18<sup>th</sup> Century  
122 tools and a concert at United Parish is just a few ideas being considered. To date,  
123 donations total \$1,500.00.

124 In closing, Ms. Burke noted that she was notified by Blackstone Valley Ranger  
125 Chuck Arning, that Upton has been selected to host a Historic and Cultural Preservation  
126 Tour for the ICW Delegation from the Ukraine on Wednesday, May 6<sup>th</sup> at 2:00pm.  
127 Selectman Picard will represent the Town. The Board was appreciative of the update.

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129 Chairman Fleming noted the full context of the ATM Warrant and the budget will  
130 be published in the next issue of the Town Crier.

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132 Motion # 7: Selectman Goodwin motioned to adjourn the meeting at 8:03pm,  
133 Seconded by Selectman Picard, unanimous by Chairman Fleming.

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135 Respectfully submitted,  
136 Karen L. Varney, Administrative Clerk