

Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes: July 14, 2009

Location: Fire & EMS Headquarters, 20 Church Street

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

The meeting was called to order at 6:03pm.

Motion # 1: Selectman Goodwin motioned to approve the June 30, 2009 meeting minutes. Majority: Chairman Picard.

Motion # 2: Selectman Fleming motioned to approve the June 23, 2009 Executive Session (Personnel matter) meeting minutes. Second: Selectman Goodwin, unanimous: Chairman Picard.

Motion # 3: Selectman Fleming motioned to approve the June 23, 2009 Executive Session (Local 170) meeting minutes. Second: Selectman Goodwin, Unanimous: Chairman Picard.

Motion # 4: Selectman Fleming motioned to approve the June 23, 2009 meeting minutes. Seconded: Selectman Goodwin, unanimous: Chairman Picard.

Motion # 5: Selectman Fleming motioned to approve the May 12, 2009 Executive Session (Local 170) meeting minutes. Second: Selectman Goodwin, unanimous: Chairman Picard.

Appropriation Treasury Warrant No. 55e (posted 6/30/09) in the amount of \$105,104.47 also Warrant No. 10-03 (7/17/09) in the amount of \$12,238.04 was approved. Payroll Treasury Warrant No. PR10-03 in the amount of \$68,640.63 was approved.

Prior year and General Fund appropriations were reviewed by the Board.

Larry E. Bombara, President of Lorinc Consulting Group LLC was welcomed by the Board. Mr. Bombara provides consulting services for both the public and private sector specializing in the areas of Operations Compliance, staffing requirement, utilities, highways, permitting, planning and development. The Board may be interested in his services for the DPW Water/Wastewater and Highway Departments. Mr. Bombara gave an overview of his qualifications and remarked that he held the position of Superintendent of Public Works for 23 years in the Town of Uxbridge. He has a large network of individuals he can access for input if necessary. He recommended working about five-hours a week or on as needed basis working

45 closely with the DPW Department. Chairman Picard stressed the first priority was working on  
46 Chapter 90 funds. The Board agreed to draft a proposal. In closing, Mr. Bomara said he took the  
47 liberty of drafting a proposal for the Board's consideration. The Board will evaluate this  
48 proposal.

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50 The Board welcomed President of the G-U Railroad Jon Delli Priscoli to their meeting.  
51 This gave the full Board an opportunity to personally meet Jon and have an informal meeting  
52 about potential development of the Maple Ave site. Selectman Fleming began by saying he  
53 appreciates the professionalism Mr. Priscoli has maintained during the past few months.

54 Mr. Priscoli gave an extensive overview of his experience through the purchase of the  
55 G&U Railroad. His philosophy is good business and working amicably with the Town. This will  
56 be an economic engine for the Town. Primarily he will be doing transloading and revitalizing  
57 Industries. The rail will run between the Towns of Grafton, Upton, Hopedale and Milford. He has  
58 secured property in Hopedale and is working well with the Selectmen.

59 In regards to upgrades of the Railroad crossings, they will be funded by Mass Highway.  
60 He personally thanked Senator Moore, former Senator Augustus and Representative Peterson for  
61 working in the best interest of the Town. He continued by saying he will be offering (Railroad)  
62 safety programs and working with Public Safety Officials in the coming months.

63 In closing, Mr. Priscoli announced that he has cancelled his contract with Cox Industries  
64 and therefore will be removing their utility poles off the Maple Ave property by July 30<sup>th</sup>. He  
65 cancelled Cox's contract thus removing the utility poles, because it's the right thing to do. He  
66 further noted that the odor emulating from these poles were not a health issue, just a nuisance.  
67 He especially wished to thank the Board of Health and in particular Chairman (Al Holman) of  
68 the Board of Health. He also thanked the Selectmen and the residents of Upton for their patience.

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70 Relative to the proposed Town Meeting Schedule Calendar for fiscal year 2010,  
71 Chairman Picard requested that it be distributed to all the Boards, Committees and Commissions.  
72

73 The Board had a discussion about a sub-contractor asking for an additional \$12,000.00  
74 for the Pumping Station upgrades. Bids for this project were good for one-hundred and twenty  
75 days (120) and the Town unfortunately went over that time. Selectman Fleming is in favor of  
76 renegotiating with this contractor vs. going out to rebid noting the cost associated with rebidding.  
77 Chairman Picard prefers to rebid the project, saying he is uncomfortable with deviating from the  
78 specs which is what this contractor may do. All other sub-contractors will honor their bid  
79 proposals. Chairman Picard will speak with the representative from Pare Corporation in an effort  
80 to negotiate with the sub-contractor and to insure the specifications stay the same. Selectman  
81 Goodwin asked to see the particulars related to the \$12,000.00 increase.

82  
83 The Main Street Water Main replacement project has commenced. This process is being  
84 done in segments with completion late fall. The AA, Jim Bates will make contact with Brian  
85 Kemp for a reverse 911 notice to the Main Street residents.  
86

87 FYI's reviewed:

88 ⇒ FY2010 Local Aid Estimates

- 89 ⇒ Letter from Ken Glowacki Re: Main St mail delivery. (BOS endorses Mr. Glowacki's  
90 request. The AA will draft a letter of support to the Post Master).
- 91 ⇒ Correspondence from Pare Corp., Re: Main St Water Main Replacement.
- 92 ⇒ Information from FEMA Re: Flood Insurance Study report / Rate Map. (Cc: Planning  
93 Board)
- 94 ⇒ Email from Town Counsel Re: Temporary Occupancy Permits.
- 95 ⇒ FY2010 budget certification from M-U Regional School District.
- 96 ⇒ FYI only. Invoice from Aquatic control Technology Re: Aquatic Management program.
- 97 ⇒ Fax to PARE Corp. & Horacio Freitas Construction Re: Notice to proceed.
- 98 ⇒ Email from K&P Re: Open Meeting Law update. (BOS recommended to proceed).
- 99 ⇒ Email from K&P Re: State Budget – Quinn Bill update.
- 100 ⇒ National Grid notice: Requested rate increase.
- 101 ⇒ Thank you from Sergeant Cyr.
- 102 ⇒ 7/2/09 Meeting Minutes from Dr. Michael Fitzpatrick.
- 103 ⇒ Correspondence from Representative George N. Peterson, Jr. Re: Bottle Bill.

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105 The Board took no action with respect to the Code Enforcement Assistant Inspectors  
106 appointments. Salary and budget issues still need to be addressed.

107

108 Letters of interest to serve on open Committees were received. The Board opted to hold  
109 some of these appointments until additional letters of interest are received.

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111 Motion # 6: Selectman Goodwin motioned to appoint David Mackey to the Town Hall Window  
112 Replacement Committee for FY2010. Second: Selectman Fleming, unanimous: Chairman Picard.

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114 Motion # 7: Selectman Goodwin motioned to appoint Kelly A. McElreath to the Town Hall  
115 Window Replacement Committee. Second: Selectman Fleming, unanimous: Chairman Picard.

116 The AA Jim Bates will call Michael Gorman, Principal of Gorman Richardson Architects  
117 and request that he fine tune the window replacement proposal.

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119 Motion # 8: Selectman Fleming motioned to appoint Jean Jette to the Town Manager Search  
120 Committee. Second: Selectman Goodwin, unanimous: Chairman Picard.

121 Selectman Fleming will notify the Chairman of the Town Manager Search Committee of  
122 this appointment.

123

124 Motion # 9: Selectman Fleming motioned to remove the Temporary Interim status of COA  
125 Director for James Gardner and to appoint him to the position of COA Director for the ensuing  
126 2010 fiscal year. Second: Selectman Goodwin, unanimous: Chairman Picard.

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128 Motion #10: Chairman Picard Motioned to remove Town Accountant Fred Aponte from  
129 temporary employee status to regular employee status. Second: Selectman Fleming, unanimous:  
130 Selectman Goodwin.

131 Chairman Picard noted the excellent job performance of Mr. Aponte and is a great asset  
132 to the Town of Upton.

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134 Motion # 11: Selectman Goodwin Motioned to adjourn the meeting at 7:30pm. Seconded:  
135 Selectman Fleming, unanimous: Chairman Picard.

136  
137 Respectfully submitted,  
138 *Karen L. Varney, Department Coordinator*

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140 Post Script: It was the intention of the Board to sign the final approved three-year (7/1/09 –  
141 6/30/12) Agreement between the Town of Upton and Truck Drivers Union Local 170 during the  
142 meeting; however they did sign this Agreement just after Adjournment.

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