

Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes: October 8, 2009

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

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

The meeting was called to order at 7:00pm.

Appropriation Treasury Warrant No. W10-15 in the amount of \$91,628.21 and Payroll Treasury Warrant No. PR10-15 in the amount of \$81,571.84 was approved as submitted.

Cub Scout pack 132 attended the Board meeting to get a first hand account of Town Government in progress.

Motion # 1 Selectman Fleming motioned to approve the meeting minutes of September 24, 2009 with a minor revisions. Second: Selectman Goodwin, unanimous: Chairman Picard.

Motion # 2: Selectman Fleming motioned to approve the meeting minutes of October 1, 2009. Majority: Chairman Picard.

Jon Delli Priscoli, President of the Grafton-Upton Railroad was to meet with the Board this evening however due to a personal matter; Mr. Priscoli was not able to attend the meeting. It will be rescheduled for a future date.

Review of the H1N1 flu Policy drafted by Selectman Fleming was well received by the Board. Selectman Goodwin suggested a modification **to read: notes for return to work will not be required. (Union members are to refer to their respective Contracts).**

The Board approved this Policy with the change and asked that it be sent to all employees.

Motion # 3: Selectman Fleming motioned to approve and forward the H1N1 Flu Policy to all employees with the amendment proposed by Selectman Goodwin. Second: Selectman Goodman, unanimous: Chairman Picard.

Next on the Agenda is the Wastewater Operator position. On September 24th, the Board voted not to accept the employment letter received from the original candidate and discussed the options of filing this position in a timely manner. Chairman Picard asked the Board for reconsideration of the September 24th Motion. Selectman Fleming stated that there is no

45 guarantee as to when this individual will be able to perform his work therefore he is not in
46 agreement with reconsidering this individual. Selectman Goodwin was also not in favor of
47 reconsideration.

48 Moving forward, Chairman Picard asked the Board how they wish to proceed to expedite
49 filing this DPW position. Selectman Goodwin said he would be satisfied with a 2nd interview
50 with candidate #2. Selectman Fleming informed **the Board that the job posting was still listed**
51 **on the Wed site when it generated more applications.** He does not have a problem with
52 candidate #2, but in light of the new application that was submitted and the fact that this person
53 is a fully certified operator, is a plus. The Board agreed. Not wanting to violate any Town by-law,
54 Chairman Picard asked to hold off on any action until the Personnel Board is contacted.
55 Chairman Picard will speak with the Personnel Board Chairman and inquire if they can move
56 forward in interviewing this other candidate.

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58 Regarding the Fire Chief Search Committee, Selectman Goodwin noted lack of interest
59 compared to other Committees who has had a good diverse number of individuals come forward
60 and said he is not sure as to how to proceed. Chairman Picard said correspondences were sent to
61 three local Fire Chiefs, one Fire Chief has declined due to a potential conflict of interest, Chief
62 Daugherty of Framingham is happy to assist and Milford Fire Chief Touhey is willing to
63 participate in some role. Chairman Picard said the Board needs to move forward and include one
64 of the BOFE, start the process with drafting the job description, posting of the internal job
65 position and moving on to the external posting. Selectman Fleming said it was the voter's
66 decision and the Board's obligation to get this moving.

67 After discussion, it was agreed to poll the members of the BOFE (letter of interest
68 received from a member), three members of the Board of Selectmen and one-Acting Fire Chief
69 as a resource and not a voting member. The next two-week membership should be in place.

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71 Six Articles that were passed over at the Annual Town Meeting in June were up for
72 discussion for possible action at the Special Town Meeting in November. Free cash has not yet
73 been certified therefore it is uncertain as to how much cash will be available.

- 74 ○ Article 10: Cost of renovation of the COA excessive. Possible pass over.
- 75 ○ Article: 19: Opinion is to request less than the \$50,000 for energy conservation
76 projects in Town Buildings.
- 77 ○ Article 22: Ok with \$4,000 for the Classification and Compensation plan
78 review and update that is a requirement of the Town's Personnel By-law.
- 79 ○ Article 23 & 25: The plan is to incorporate both Articles under Storm Water
80 Management.
- 81 ○ Article 26: Not in favor of this Article.

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83 According to the AA Jim Bates, the building utilities account ran over budget as well as
84 the Street lighting account and the snow plowing account. What ever the balance in free cash
85 should go to stabilization.

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87 In reference to the DPW annual budget, Chairman Picard had a conversation with
88 Highway Supervisor John Johnson regarding the age and condition of the Department's
89 equipment. Some of the vehicles are twenty-years old. It was suggested that the DPW Advisory
90 Board look at lease vs. purchase. This lease payment can be added directly to a line item.

91 Aquatic weed control to be part of the Park and Recreation Departments line item. Chairman
92 Picard confirmed that the DPW Advisory Committee has not been meeting regularly and it was
93 suggested the Board give them the task of looking into leasing and working with both John
94 Johnson and Consultant Larry Bombara along with the Finance Committee. Chairman Picard
95 will follow up.

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97 *Correspondence reviewed:*

- 98 1. Memorandum to Municipal Clients: Review of Civil Service Bypass
- 99 standards & Procedures
- 100 2. Notice Re: NOI and Permit application for phase 2
- 101 of the Maple Ave landfill closure plan.
- 102 3. Notification to abutters NOI: 84 Pine Island Rd,
- 103 Piney Island – North Pond.
- 104 4. Correspondence re: Station St Pump Station upgrades.
- 105 5. MIIA Wellness program kick off session October 14
- 106 6. The Beacon (*Noted: Fire Chief article: use as benchmark*)
- 107 7. Memo to all Boards, Committees, Commissions Re; Warrant opening.
- 108 8. Email from West River St resident
- 109 9. Copy of a correspondence from Chief Bradford
- 110 to Grafton Fire Chief Michael Gauthier.

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112 The Board welcomed Jennifer MacDonald, Tom Morris and other Pleasant Street
113 residents. Ms. MacDonald, the spokesperson for the residents, asked the Board what their plan of
114 action is in moving forward with the agreement (signed September 2008) in working to alleviate
115 the drainage problems that have occurred on their Pleasant St property. Selectman Fleming stated
116 that their plan is to incorporate a Storm Water Management Article along with funding for the
117 cleaning and repair of drainage on Pleasant Street. Concerns over the Article not passing at Town
118 Meeting, Ms. MacDonald voiced her apprehension. Selectman Fleming stressed that Stormwater
119 Management is mandated by the Federal Government and he will enforce the importance to the
120 voters and approach the Finance Committee for a favorable recommendation. Tom Morris asked
121 about attending a Finance Committee meeting to have dialog with them. Chairman Picard
122 responded by saying that it is a public meeting and therefore anyone can attend.

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124 Key issues for the up coming October 15th meeting: Discussion on a proposal submitted
125 for a cell tower located on Town own land.

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127 Selectman Fleming informed the Board that he had a conversation this morning with
128 Superintendent Antonio J. Fernandes, Jr. in addressing some financial issues that have come to
129 light. The intent of the meeting is that the Board of Selectmen and the School district meet to
130 work together. The School Departments are facing the same dilemma as the Town, the revenues
131 are down and the Commonwealth of Massachusetts funding levels are down and therefore they
132 are getting that impact. The Board of Selectmen along with the School Committee could have
133 dialog as to what affects the budget. He stated that the Commonwealth of Massachusetts could at
134 some point change the structure and the cost of contribution to the Regional District could
135 increase to as much as 3% or more as soon as 2012. This would be a significant impact on the
136 Town's budget.

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In closing Chairman Picard spoke about the stimulus program package. The Town did apply for this funding and were #48 on the list. The only funding was through the Sates revolving fund which is an only interest bearing loan, not free money. The Town actually did better going through private sources by the State.

Regarding the Water main project, Chairman Picard met with Robert Sims about the Pump station project moving ahead. The water main project is coming to a close with the side walks and yard clean-up currently in process. The project is on budget and the scheduled time line for completion is the end of October.

Motion # 4: Chairman Picard motioned to adjourn the meeting at 8:05pm. Second: Selectman Goodwin, unanimous: Selectman Fleming.

Respectfully submitted,
Karen L. Varney, Department Coordinator