

Town of Upton



Massachusetts

Meeting Minutes of January 29, 2008

Location: Upton Fire and EMS Headquarters, 2nd Floor Training room.

Present: Chairman Marsha A. Paul, Selectman Robert J. Fleming, Selectman Kenneth E. Picard and Administrative Clerk Karen L. Varney.

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

At 7:01pm Chairman Paul gavelled to enter into Executive Session under M.G.L. Chapter 39, s. 23B exception #2.

At the completion of the Executive Session, the Board will reconvene their regular meeting. Ken Picard "I", Robert Fleming "I". Marsha Paul "I".

At 7:33pm the Board reconvened their regular meeting with the Pledge of Allegiance. Videotaping provided by Jonathan Miguel, Cable TV Access Provider.

Motion # 1

Selectman Picard motioned to approve the meeting minutes of January 22, 2008, Majority vote: Selectman Fleming.

Motion # 2

Selectman Picard motioned to approve the Executive Session Meeting Minutes of January 22, 2008, Majority vote: Selectman Fleming

Appropriation Treasury Warrant No. 31e in the amount of \$828,154.96 was signed.

Payroll Treasury Warrant No. 31P in the amount of \$64,130.75 was signed.

Motion # 3

Selectman Fleming motioned to open a Warrant on January 29, 2008 and to close the Warrant on February 15, 2008 for a Special Town Meeting to be held on March 18, 2008. Seconded by Selectman Picard, unanimous by Chairman Paul.

Relative to the two appraisals obtained on the Maple Ave project, the Selectmen asked that Bob Henderson be invited to come before the Board on Friday, February 1st a 5:00pm to talk about these appraisals.

44 At 7:40pm Chairman Paul opened the Pole Location Petition Hearing for Crockett
45 Road. Representative Dana Larson, Operations Design Technician from National Grid,
46 came before the Board. All abutters were notified. The Board received a letter of
47 concern from a resident of 103 Crockett Road who was not able to attend the hearing in
48 person. The resident is concerned that the wires will crisscross their property and stated
49 they do not support the plan as it is presented. Mr. Larson stated that the wires will not
50 be crisscrossed and in fact will be less of a hardship on the property. He handed out a
51 color GIS current overhead layout with the proposed overhead layout. (This will be
52 mailed to the property owner for better clarification). The Selectman were satisfied with
53 Mr. Larson's presentation. No abutters attended this hearing.

54
55 Motion # 4

56 Selectman Fleming motioned to approve the Pole Location Petition for the
57 Crockett Road Plan #2007-145 to install new poles #25 and #26 for relocation of
58 overhead service wires from National Grid. Seconded by Selectman Picard, unanimous
59 by Chairman Paul.

60
61 At 7:51pm, Chairman Paul gaveled to close the Pole Location Hearing.

62
63 DPW Director Stephen Soma came before the Board to discuss a proposal to
64 raise the current water rates and other ongoing projects.

65 The first to review was the Town's water rate structure and the comparison with
66 contiguous Towns. It is the recommendation of Director Soma to increase the rates
67 effective with the next billing cycle (May 15th). His proposal per 1,000 gallons: 0 to
68 15,000 gallons: \$2.60, 15,001 to 40,000 gallons: \$3.50 and 40,001 gallons and up:
69 \$4.50. Dialog took place on maintaining the current semi-annual billing cycle or
70 changing over to a quarterly billing cycle. The change over would result in more man-
71 hours. Selectman Fleming commented that it is difficult to determinate the cost
72 effectiveness of quarterly billing at this time. Chairman Paul agreed and said the first
73 step is to raise the rates now for the next billing cycle.

74 Discussion on changing the recommended \$4.50 proposed rate to \$5.00. The
75 change was received well by the Board.

76
77 Motion # 5

78 Selectman Picard motioned to change the proposed water rate of \$4.50 to \$5.00
79 for gallons over 40,001. Seconded by Selectman Fleming, unanimous: Chairman Paul.

80
81 Motion # 6

82 Selectman Fleming motioned to adopt a water rate increase as recommended by
83 the DPW Director, with the modification to \$5.00 for 40,001 gallons and up effective with
84 the May 15, 2008 billing cycle. Seconded by Selectman Picard, unanimous: Chairman
85 Paul.

86
87 Selectman Picard spoke of inserting an attachment with the water bills informing
88 the residents of the increase and the fact the Upton will still be one of the lowest in the
89 surrounding area.

90
91 Next on the agenda was the Glenn Echo Bond release matter. After speaking
92 with Mark Mastroianni, Director Soma noted that Pulte has agreed for a release of all
93 but \$300,000.00 in bonding to cover the water main installation and the construction of
94 the Booster Pump Station on North St. The Director recommended to the Board of
95 Selectmen the release of \$1.2 million and to revisit full release of the remaining
96 \$300,000.00 in November of 2008.

97
98 Motion # 7

99 Selectman Fleming motioned to approve the release of \$1.2 million of the overall
100 \$1.5 million bond, for the installation of water mains on Mechanic and North Street and
101 the construction of the Glenn Echo Booster Pump Station on North Street as
102 recommended in a memorandum dated January 28, 2008 by DPW Director Stephen
103 Soma. Seconded by Selectman Picard, unanimous by Chairman Paul.

104
105 Relative to the Main Street Water Main Replacement RFP's, Director Soma noted
106 he has received four proposals to date: LEI Engineering, Pare Corporation, Tata &
107 Howard and Weston & Sampson. After review, Director Soma has recommended Pare
108 Engineering. The Selectmen need time to review the RFP's and will make their
109 determination at next weeks Board meeting.

110 Director Soma mentioned the seminar he attended last week was very
111 informative and actually helped in the process of selection of the RFP.

112
113 In review of the current and past correspondence relative to the drainage matter
114 at 44 Grafton Road, it was noted by Selectman Fleming that this is not within the Boards
115 parameter. The bottom line is that this is natural ground water. Director Soma will call
116 Mr. Wilga directly and follow up with a correspondence in hopes to gain closure with this
117 issue.

118
119 Board of Selectmen Project List updated:

- 120 Maple Ave Project: Invite Mr. Henderson to the meeting on Friday,
121 February 1st at 5:00pm to discuss the two appraisals on the property.
- 122 Noble Visa: Jim Bates to contact Attorney Talerman Re: Conservation
123 Commission's response for closure of this matter.
- 124 Grant Writer John Zakian looking forward to working with the Town.
- 125 Town Manager Committee: Meeting scheduled for January 30th.
- 126 Police Chief's Search Committee will send a recommendation to the
127 Selectmen on Thursday of this week.
- 128 Budgets: Selectman Fleming requested taking 10 minutes at the
129 posted meeting on Friday, February 1st to talk about.
- 130 Cemetery Land: Jim Bates investigating Deed. Re: Access. Selectman
131 Picard walking the property on Friday.

132
133 Chairman Paul added the Enterprise Committee to the project list. The
134 Committee has completed a report on revenue and expenses. Committee members
135 have made calls to surrounding Towns for the pros and cons. 70% of all Towns in

136 Massachusetts have Enterprise Funds. More information will be shared at the Annual
137 Town Meeting.
138

139 **FYI:**

- 140 ⇒ Wilga: Grafton Rd property.
- 141 ⇒ *Motion:* Right of First refusal (62 Knowlton Circle)
- 142 ⇒ Memo dated January 17, 2008 from Seema Kenney, Personnel Board Re:
143 Department Managers request for a mid year salary adjustment. (BOS agrees
144 with Personnel Board re: midpoint range. No adjustment)
- 145 ⇒ Invitation from Representative Peterson Re: Chapter 70 formula meeting.
- 146 ⇒ Meeting Minutes of the Personnel Board
- 147 ⇒ Copy of the Agreement for Judgment Re: B. Perry (to revisit).
- 148 ⇒ Barking Dog Complaint: 57 South St. (If the calls continue, the Board needs to see
149 documentation from Dog Officer. Also to send a letter to Ms. Hawkins asking if she
150 responded to the 1/28 complaint and to follow up with her that this Agreement for Judgment
151 is followed, i.e., barking collars etc.)
- 152 ⇒ Discussion Re: Recreation Commission / Ramsey Building. (Selectman Fleming
153 has no problem with sleep overs, as there is adult supervision and entrust the Recreation
154 Commission. Selectman Picard agrees now that the Fire Detectors are in place. In response,
155 the Selectmen feel that the Recreation Commission should draft a Policy for this occasion.
156 Once completed, the Board would like to review this Policy).
- 157 ⇒ Annual request from Dr. Fitzpatrick. (Permit approved)
- 158 ⇒ Memorandum from the BOS to the FinCom Re: Transfers.
- 159 ⇒ Police Chief Search Committee meeting minutes of 1/17/08.
- 160 ⇒ Email Re: Snowplows damaging property. (Next week's agenda).

161
162 Selectman Picard spoke of a project he has been working on and contacted Mark
163 Allen, of Allen Engineering from Mendon to assist him. Mr. Allen was asked to help
164 design three-fishing piers on specific locations on Pratt Pond. To do the necessary
165 survey and design work for the piers, Mr. Allen gave a total cost quote of \$1,750.00. The
166 Board agreed to move forward and approve the cost.

167
168 **Motion # 8**

169 Selectman Fleming motioned to approve \$1,750.00 payable to Mark E. Allen, PE
170 of Allen Engineering, for survey and design work for three-fishing piers on Pratt Pond.
171 Funds coming from the E.W. Knowlton Risteen Beautification Fund. Majority vote:
172 Chairman Paul.

173
174 The Board of Selectmen had a brief discussion regarding the dual Animal Control
175 and Dog Officer stipend position. The Board would like to hear input from the Board of
176 Health and their position on the matter. Chairman Paul has expressed an interest in
177 attending their next meeting.

178
179 A letter was received by the Board from CHAPA (Citizen's Housing and Planning
180 Association, Inc.) informing the Town that they have been notified by the owner of an
181 affordable property under Chapter 40B, located at 62 Knowlton Circle the desire to sell.
182 Thus notifying the Town of its option of Right of First Refusal. The Administrative Clerk

183 will speak with Town Clerk Kelly McElreath to see if she has any letters of interest
184 relative to the purchase of an affordable unit. This information will be sent by the Town
185 Clerk, Kelly McElreath, with a letter from the Board of Selectmen, to CHAPA confirming
186 the Board's action of Right of First Refusal.

187
188 Motion # 9

189 Selectman Fleming motioned to grant Blackstone Valley Vocational Regional
190 School District, a one-day Special License for Alcohol Consumption on April 4, 2008
191 from 5:00 – 10:30pm for the Superintendent's Annual Dinner. Seconded by Selectman
192 Picard, unanimous by Chairman Paul.

193
194 It was noted in general conversation that the Selectmen is scheduled to meet
195 with the Finance Committee on March 12, 2008 at 8:00pm.

196
197 Motion # 10

198 Selectman Picard Motioned to exercise the Right of First Refusal on the Chapter
199 40B affordable property located at 62 Knowlton Circle. Seconded by Selectman
200 Fleming, unanimous by Chairman Paul.

201
202 The Board approved statement # 72759 from Kopelman and Paige, P.C. in the
203 amount of \$1,868.38 for payment.

204
205 Motion # 11

206 Selectman Fleming motioned to adjourn the meeting at 8:58pm, Seconded by
207 Selectman Picard, unanimous: Chairman Paul.

208
209
210 Respectfully submitted,

211
212 Karen L. Varney, Administrative Clerk

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214
215
216