

Town of Upton



Massachusetts

Meeting Minutes of Thursday, February 7, 2008

Location: Upton Town Hall – 1 Main Street

Present: Selectman Robert J. Fleming, Selectman Kenneth E. Picard and Administrative Clerk Karen L. Varney. Chairman Marsha A. Paul did not attend this meeting.

1:00pm Opened regular meeting.

At 1:01pm Selectman Fleming gavelled to enter into Executive Session under M.G.L. Chapter 39, s. 23B, exception 6. Robert Fleming "I", Ken Picard "I". At the completion of the Executive Session, the Board will reconvene their regular meeting.

The regular meeting was reconvened at 2:05pm.

Selectman Fleming noted that the Board had received a letter from the COA Director requesting a compensation adjustment that was declined by the Board. A formal letter will be sent.

In reference to the Pleasant Street matter, the Board agreed to set up an Executive Session for February 19th at 7:00pm.

As the Liaison to the Fire Department, Selectman Fleming spoke to one of the members of the Department relative to their recommendations coming forward to the position of Fire Chief whether it is a Strong Chief or Weak Chief. While speaking with Counsel in Boston Selectman Fleming asked him to give a response on whether the Town could dissolve the Board of Fire Engineers and put in place it's own structure.

The Town Manager position was discussed. Brian Riley of Kopelman & Paige reviewed the Special Act draft, establishing the office of Town Manager and copied the Board on concerns he had over form rather than substance of the proposed Petition. Also the MMA made some minor changes. Selectman Picard has reviewed the comments and feel comfortable with them. A proposed Warrant Article for a Special Town Meeting was discussed. There needs to be public forum first with the Committee giving a presentation. Selectman Fleming stated that the Committee must start this process. The Committee is scheduled to meet with the Board on Tuesday, February 19th.

44 In reference to an email from Director Soma who said he had a discussion with
45 Mass Highway District 3 regarding speed limit signs along the section of roadway
46 adjacent to the proposed strip mall on Milford Rd (Route 140). Once the project is
47 completed, the State will conduct a speed study assessment to determine what the
48 posted signs should be. If possible, this email is to be forwarded to the residents
49 involved informing them of the process of Mass Highway.

50
51 Selectman Fleming came across a very informative Newsletter that the Town of
52 Natick includes with their tax bills and commented that this Board could get some ideas.

53
54 In reviewing the Whitewater matter, Selectman Fleming would like to see how
55 they could assist the Town with the 3rd water source and down the road, a potential for a
56 4th. They incur the cost the Town reaps the benefits. Selectman Picard agrees selling
57 water to adjacent Towns, is a benefit to the Town and all avenues should be pursued.
58 It was previously agreed that the Board would submit in writing, to each member, the
59 issues of concern. The list will be consolidated and submitted to Whitewater.

60
61 Selectman Picard gave an overview of the Pratt Pond project he is working on.
62 The Conservation Commission will be having a public hearing relative to trimming of the
63 trees and bushes for construction of three-fishing jetties. He has submitted the NOI to
64 the Conservation Commission, Mass Department of Environmental Protection and Mass
65 Natural Heritage & Endangered Species Program. A packet of information has been
66 compiled for the Board to review and will be part of their meeting packet on February
67 26th. Copies will be available at the Town Clerk's office for public view. Selectman
68 Picard said had a conversation with Mass Wildlife Fishing as they have a program to
69 assist with the construction of the fishing jetties. Selectman Picard's plan is to use 50 %
70 CPC funds and 50% State funds. One of the fishing piers will be handicapped
71 assessable. Construction could start in the spring.

72
73 Project list reviewed:

74 The RFP's for the Water Main replacement project have been submitted and a
75 recommendation from DPW Director Steve Soma was presented to the Board. It was
76 suggested to meet in Executive Session to review all submittals. The Board asked that
77 Director Soma be present at this session.

78
79 Relative to the Maple Ave property the Board noted it is important that the
80 Purchase and Sale Agreement get signed as soon as possible. UDG's Attorney needs
81 to contact the Town's Attorney. The Board asked that Mr. Henderson be contacted. The
82 Board of Selectmen will conduct an informational forum on February 26th.at 7:30pm at
83 the Fire & EMS Headquarters.

84
85
86 ***Motion # 1***

87
88 Selectman Picard motioned to cancel the February 8th scheduled meeting,
89 seconded by Selectman Fleming.

90
91 The Board spoke of the Police Chief Search Committee's recommendation letter
92 and Selectman Fleming endorsed their recommendation. Selectman Picard would like
93 the candidate to have a physiological evaluation done and based on the report; the
94 Board will move forward with their decision. Selectman Fleming asked that the
95 Administrative Assistant contact this individual and set up an evaluation as soon as
96 possible.

97
98 *Motion # 2*

99 Selectman Fleming motioned to amend Motion # 3 of the January 29, 2008
100 meeting minutes scheduling the Special Town Meeting on March 18th and changing it to
101 March 10, 2008. The Warrant is presently open and will close on February 15, 2008 for
102 the final posting be done on February 21, 2008. Majority vote: Selectman Picard.

103
104 With regards to the Town Warrant, Selectman Picard would like to propose the
105 Board submit a Warrant Article to reduce CPC funds to 1%. Further discussion will take
106 place. A Town Crier insert was written by Selectman Picard and will be reviewed by the
107 Board.

108
109 In reference to the proposed Cemetery land, Selectman Picard noted that walked
110 the site this past weekend and commented that if access were ever granted, this land
111 would be very promising for use as a cemetery. The Administrative Assistant Jim Bates
112 will be working on this project.

113
114 A proposal from Atlas Insulation of Rhode Island for the Town Hall ceiling, project
115 was considered.

116
117 *Motion # 3*

118 Selectman Picard motioned to approve the amount of \$4,500.00 to Atlas
119 Insulation for insulation (R30 Kraft faced batts160c) for the Town Hall ceiling. Funds
120 coming from the William Knowlton Trust Fund. Majority vote: Selectman Fleming. The
121 Board would like to see this project move forward quickly.

122
123 In a related project, Selectman Picard has ordered four high efficiency light
124 fixtures for the main hall, which should be received within the next few weeks.

125
126 A request from Social Service Coordinator James Gardner for fuel assistance
127 came before the Board for review. The Board would like Mr. Gardner to come before the
128 Selectmen to answer questions they have. This will be set up for the February 12th
129 meeting.

130
131 The Board has agreed to meet with the Permanent Firefighters Association Local
132 3338A to begin the Union negotiations on Tuesday's starting February 19th at 7:00pm.
133 Dates for the negotiations with Police Union Local 162 are in process.

134

135 Relative to a confidential letter the Board received from a Department Manager
136 concerning a personnel matter, the Board requested an Executive Session be set up to
137 address this problem.

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139 *Motion # 4*

140 Selectman Fleming motioned to adjourn the meeting at 2:45pm, Majority by:
141 Selectman Picard.

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143
144 Respectfully submitted,

145
146 Karen L. Varney, Administrative Clerk

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