

Town of Uptc



Massachusetts

Meeting Minutes of February 19, 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 6:00pm.

At 6:01pm Chairman Paul gavelled to enter into Executive Session under M.G.L. Chapter 39, s. 23B exception #3 to have a general Department conversation with the DPW Director Stephen Soma.

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

At 6:40pm the Board reconvened their regular meeting.

The Board asked the DPW Director Stephen Soma to attend their meeting this evening to have a discussion relative to the Request for Proposals (RFP) received for the Main Street water main replacement project. It was recommended by Mr. Soma through the evaluation and ranking process to award the contract to Pare Corporation out of Rhode Island. He noted he has seen some of the work this company has done and is confident the person taking charge of the project will do a good job. Chairman Paul said that Tata and Howard Engineering have done most of the Town's water related work and is familiar with the Town and questioned his reasoning to recommend an out of State Company. Mr. Soma said it was a ranking process by points. Selectman Picard disagrees with the ranking process and is concerned as Pare Corporation did not list any references for work performed in Massachusetts. The Board wants what's best for the community, a proven vendor. Chairman Paul said she respects his decision; however the Board asked Mr. Soma to call references and to report back to them with the outcome.

At 6:58pm Chairman Paul motioned to enter into another Executive Session under M.G.L. Chapter 39, s. 23B exception #3, to have a confidential discussion with the COA Director Natasha Heimrath.

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

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At 7:05pm the Board reconvened their regular meeting.

At 7:08pm Chairman Paul motioned to enter into a third Executive Session under M.G.L. Chapter 39, s. 23B exception #3 to have a discussion with the Pleasant Street residents relative to drainage issues.

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

At 7:45 the Board reconvened their regular meeting with the Pledge of Allegiance. Videotaping provided by Jonathan Miguel, Cable TV Access Provider.

The Board was pleased to welcome Representative George N. Peterson, Jr. to their meeting. Representative Peterson presented the Board with the Local aid numbers based on the Governor's proposal. Lottery aid was cut by \$80,933, however, the Governor added a separate distribution by the same amount from funds generated by the sale of casino licenses. Rep Peterson said this would not happen this year. He noted that he has some concerns, which he has expressed on several occasions and his conversation with members of the House Ways and Means Committee as well as others. His feeling is to level fund the Lottery at last years level. He also reviewed the Department of Education FY09 Chapter 70 preliminary breakdown, which can be complicated. He voiced his concerns about projected revenues from the Governor, i.e., gaming and new programs. Representative Peterson said the State should honor prior commitments first.

Also, Rep Peterson updated the Board on the sex offender classification amendment, which was recently filed, and hopefully by mid March the Legislature might close a loophole that recently allowed a registered sex offender to move into Upton without being classified. The Selectmen thanked Rep Peterson for stopping by and updating them.

Grant Writer John Zakian addressed the Board. He is looking forward to working with the Town in obtaining grants. In a letter of Engagement for Consulting Services, which was signed by both Mr. Zakian and the Board of Selectmen outlined his compensation and responsibility and is ready to begin. The next step Chairman Paul said is to meet with Town Department Managers. Mr. Zakian said he will have a template in place and with the guidance of the Selectmen, will work with the Department Managers, asking their needs and give them an overview and to share secrets he has learned. He will be available by cell phone and email. Mr. Zakian will notify the Board of his availability so these sessions can be set up. Chairman Paul is very enthusiastic about moving forward in seeking out grants for the Town.

91 Motion # 1
92 Selectman Picard motioned to approve the meeting minutes of February 7, 2008
93 as amended, Majority vote: Selectman Fleming.
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95 Motion # 2
96 Selectman Picard motioned to approve the Executive Session meeting minutes
97 of February 7, 2008, Majority vote: Selectman Fleming.
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99 Motion # 3
100 Selectman Picard motioned to approve the meeting minutes of February 12,
101 2008 as amended (delete 28 on line 130), Majority vote: Chairman Paul.
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103 *Project Review List:*

- 104 Maple Ave Project: working out the language on the P&S. STM March 10th.
- 105 Town Manager forum will be set up soon. Article scheduled for the ATM in May.
- 106 Pratt Pond: *Sample* Land Management Agreement with rules and regulations
107 from the Department of fish and game. Selectman Picard will review sample
108 agreement.
- 109 Town Building energy audits. Administrative Assistant Jim Bates was asked to
110 follow up with information supplied by Chief Bradford.
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112 An open public forum regarding the proposed purchase of the Maple Ave
113 property (by the Town) will take place next Tuesday February 26th at 7:30pm at the Fire
114 and EMS Headquarters, 2nd floor training room.

115 This Public Forum has been posted on Local Access Cable Channel Twelve with
116 a notice from AA J.R. Bates, that equal time will be provided if requested, on the Local
117 Access Cable for anyone with an opposing view to this proposed purchase by the Town.
118

119 Regarding the on going matter of the Noble Vista project, the Board has not
120 heard officially about any decision to accept the agreement proposed by the Board.
121 Selectman Picard said his concern is that he believes there was a condition that
122 Attorney Talerman added that the applicant would pay for the Town's legal fees. He
123 noted that he would like to revisit the letter for clarification.
124

125 *FYI's reviewed:*

- 126 Copy of a letter sent to CHAPA Re: affordable housing unit.
- 127 RBC Dain Rauscher account statement.
- 128 CODE Enforcement mileage submittal.
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130 Appropriation Treasury Warrant No. 34e in the amount of \$38,418.88 was signed.
131 Payroll Treasury Warrant No. 34P in the amount of \$68,023.40 was signed.
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133 After the Warrant Articles for the Special Town Meeting on March 10th were
134 reviewed, it was the decision of the Board to take out Article 8. This Article will be put on
135 the Annual Town Meeting Warrant in May.
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Motion # 4

Selectman Fleming motioned to remove Article 8 from the Warrant for Special Town Meeting on March 10, 2008. Seconded by Selectman Picard, unanimous: Chairman Paul.

Motion # 5

Selectman Fleming motioned to accept, with regret, the resignation of Kelly Carey, as a member of the Library Board of Trustees and to declare a vacancy. Seconded by Selectman Picard, unanimous: Chairman Paul.

Mail folder reviewed.

Before the Board adjourned Chairman Paul reminded everyone of the School Committee meeting Monday, February 25th at Nipmuc Regional. Superintendent of Schools Antonio J. Fernandes will be explaining the budget.

Motion # 6

Selectman Picard motioned to adjourn the meeting at 8:55pm, Seconded by Selectman Fleming, unanimous: Chairman Paul.

Respectfully submitted,

Karen L. Varney, Administrative Clerk