

Town of Uptc



Massachusetts

Meeting Minutes of April 8, 2008

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

Present: Chairman Marsha A. Paul, Selectman Robert J. Fleming, Selectman Kenneth E. Picard and Administrative Assistant James R. Bates.

The meeting was called to order at 6:00pm.

At 6:01pm Chairman Paul motioned to enter into Executive Session under M.G.L. Chapter 39, § 23B, exception # 3, to have a discussion with the Treasurer / Collector, Kenneth Glowacki.

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

At 6:30pm the Board reconvened their regular meeting and again motioned to enter into Executive Session under M.G.L. Chapter 39, § 23B, exception # 3, to have a discussion with the BOFE relative to Collective Bargaining of Local #3888A.

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

The Board reconvened their regular meeting at 7:53pm. The Pledge of Allegiance was recited.

Videotaping provided by Jonathan Miguel, Cable TV Access Provider.

Chairman Paul welcomed the Town Manager Assessment Committee Chairman John Robertson, Jr., and Committee members, Mike Bravo, Joan Scribner and Robert J. Miller. Vice Chairman Richard Desjardins did not attend due to a family matter. The purpose of the five-member Committee that was formed in June of 2007 was to evaluate the need for a change in the form of Town Government.

Mr. Robertson gave an update of the Committee's report beginning with the charge, which consisted of four questions the Selectmen posed for resolution by the Committee. 1), what factors trigger the need for a Town Manager and when will the Town of Upton meet those milestone, 2) The role, responsibility and authority of the Town Manager, 3) the hiring, termination and evaluation processes for a Town Manager and 4) Develop the language for a Special Act for approval.

45 In this extensive report, the Committee gave an overview of their research and
46 findings. Statistical data was primarily drawn from information supplied by the MMA
47 (Mass Municipal Association) and the Annual Town Reports. The Committee
48 developed the language for the Special Act of the Legislature to be voted on at an
49 Annual Town Meeting and for submission to the State Legislature for approval.

50 Member Robert Miller reported the conclusion was that the Committee
51 unanimously agreed that the Town of Upton should implement the Town Manager form
52 of Government. Mike Bravo gave an overview of the Town Manager's responsibilities
53 and the role of the Town employees. Joan Scribner added budgetary and other
54 Management duties and responsibilities. Mike Bravo reported on the implementation
55 process.

56 The full report is on file in the Board of Selectmen's office, Town Clerk's office,
57 Library and the Town of Upton's Webb site. Selectman Fleming commented that he is
58 extremely impressed with the efforts and energy that went into this project. Chairman
59 Paul and Selectman Picard also expressed kudos to the Committee for a great job.

60
61 The Selectmen reviewed the Articles (DRAFT) submitted for the ATM and made
62 some revisions.

63
64 DPW Director Steve Soma came before the Board and stated that the PARE
65 Agreement was all set. Brief discussion on the starting and completion date of the Main
66 Street water main project. The Board and Director Soma is in agreement that the design
67 plan should be done.

68
69 **Motion # 1**

70 Selectman Picard motioned to approve the submitted revised contract from
71 PARE Engineering for the Main Street water main replacement. Seconded by
72 Selectman Fleming, unanimous by Chairman Paul.

73 The AA, James R. Bates will call Mr. Sims tomorrow and inform him that the
74 Board signed the contract with changes noted.

75
76 Discussion relative to a minimal water fee to be assessed to the residents in the
77 0 to 5,770 gallon range.

78
79 **Motion # 2**

80 Selectman Picard motioned to accept the recommendation of the DPW Director
81 to increase the municipal water rates for residents who use 0 to 5,700 gallons of water
82 to a minimal fee of \$15.00. Seconded by Selectman Fleming, unanimous by Chairman
83 Paul.

84
85 Chairman Paul asked the Board if they had any questions or comments relative
86 to the letter she drafted to Congressman Richard Neal about the Grafton & Upton
87 Railroad line. The Selectmen and residents of Upton are concerned about the plan of
88 owner Jon Delli Priscoli to reopen this railroad line for freight traffic in the next few
89 years. The Board would like to understand the process of bringing a dormant railroad up
90 to standards, the level of regulation and oversight that exists for the Town. Also rights

91 with regard to land use. The Board approved sending the correspondence to
92 Congressman Neal.

93
94 The Board welcomed the Fire & EMS Management Study Committee members,
95 Dan Lazarz, Assistant Fire Chief Michael J. Marchand, Robert Henderson and Alfred
96 Holman. The Committee members presented their final report and noted it's just not a
97 recommendation of a structure change within the departments, but a comprehensive
98 plan to be implemented over the next four to six years. The Committee has also focused
99 on the International Association of Fire Chiefs (IAFC) report, Lighting the Path of
100 Evolution, The Red Ribbon Report, designed to assist cities and Towns across
101 American facing similar challenges to transition from a volunteer type organization to
102 include a fully integrated combined Fire & EMS Department. The first recommendation
103 is to replace the two separate management structures for Fire and EMS and merge both
104 Departments into one under the management of a Chief of Department. Second:
105 develop an Advisory Board that will be appointed by and operate under the authority of
106 the BOS as permitted under MGL chapter 48, S42A. Third: Replace the existing Board
107 of Engineers management structure with a Chief of Department that is hired and
108 appointed by the Board of Selectmen to lead and manage the newly formed Fire & EMS
109 Department.

110 A lengthy discussion ensued relative to the Committee's recommendation of an
111 Advisory Board. Chairman Paul echoed both Selectman Fleming and Selectman
112 Picard's response; she does not believe the Board of Selectmen should interfere with
113 the daily operations of the Department. She continued by saying she understands the
114 concept of an advisory Board, to keep the team working together. Assistant Chief
115 Marchand stated he plans on presenting the Committee's recommendation to the Fire &
116 EMS Departments sometime next week and asked the Board or a member of the Board
117 to attend. The AA, Jim Bates will follow up with Dan Lazarz relative to posting a meeting
118 so the Board can attend. Selectman Fleming wished to make note that the Board of
119 Selectmen have not yet accepted the Committee's (DRAFT) proposal. The Selectmen
120 thanked the Committee.

121
122 Appropriation Treasury Warrant No. 41e was signed.

123 Payroll Treasury Warrant No. 41P was signed.

124
125 Project List: Review next week.

126
127 The Selectmen reviewed a letter from Sergeant Bradley regarding heavy
128 Commercial vehicle exclusion on School Street. Selectman Picard would like the Police
129 Chief to attend a Board meeting to discuss further.

130
131 Parking dog complaint at 57 South St at 1:15am on March 29, 2008. This person
132 is in violation of a court order. The AA, Jim Bates will contact Attorney Corbo relative to
133 filing a contempt of court order.

134

135 Chairman Paul noted that next Tuesday, April 15th there will be a swearing in
136 ceremony and appointment of Sergeant Michael J. Bradley, Jr., as the new Police Chief
137 of Upton.

138
139 Two part-time positions are available, the Town Accountant and Clerk to the Town
140 Accountant. Applications are available through the Board of Selectmen's office.

141
142 Motion # 3

143 Selectman Picard motioned to enter into Executive Session under M.G.L.
144 Chapter 39, § 23B exception # 3. Seconded by Selectman Fleming, unanimous by
145 Chairman Paul.

146 The Board will adjourn their regular meeting upon completion of the Executive
147 Session.

148 Poll taken: Marsha Paul "I", Robert Fleming "I" Ken Picard "I".

149
150 Respectfully submitted,
151 Karen L. Varney, Administrative Clerk

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