

Town of Upton



Massachusetts

**Meeting Minutes of May 20, 2008**

*Location:* Upton Town Hall, Main Hall.

*Present:* Chairman Robert J. Fleming, Selectman Kenneth E. Picard, Michael E. Goodwin and Administrative Clerk Karen L. Varney.

The meeting was called to order at 7:30pm.

Appropriation Treasury Warrant No. 47e in the amount of \$66,400.74 was signed.  
Payroll Treasury Warrant No. 47P in the amount of \$60,957.61 was signed.

**Motion # 1**

Selectman Goodwin Motioned to approve the meeting minutes of May 13, 2008, Seconded by Selectman Picard, unanimous by Chairman Fleming.

**Motion # 2**

Selectman Goodwin Motioned to approve the Executive Session meeting minutes of May 13, 2008, relative to a confidential letter. Seconded by Selectman Picard, unanimous by Chairman Fleming.

**Motion # 3**

Selectman Goodwin Motioned to approve the Executive Session meeting minutes of May 13, 2008, regarding the Pleasant Street drainage matter. Seconded by Selectman Picard, unanimous by Chairman Fleming.

**Motion # 4**

Selectman Goodwin Motioned to approve the Executive Session meeting minutes of May 13, 2008, regarding a personnel matter. Seconded by Selectman Picard, unanimous by Chairman Fleming.

The Board was pleased to receive an invitation to the Nipmuc Regional High School Commencement Exercises for Saturday, May 31<sup>st</sup>. Due to prior commitments, Chairman Fleming and Selectman Picard are unable to attend. Selectman Goodwin will represent the Board.

In the continuation of the annual appointment process, the Board of Selectmen discussed some of the "holds" that were placed on specific appointments. Discussion

45 relative to the Board of Fire Engineers, Director of Emergency Medial Services,  
46 Assistant Director, Emergency Medical Service and Director of Emergency  
47 Management remain on hold until after the Adjourned Annual Town Meeting.

48 Due to the budget constrains, Selectman Picard held on the Assistant positions,  
49 i.e., Assistant Inspector of Buildings and instead of salaried positions, and recommends  
50 a per-diem position. The Board has requested Building Commissioner Patrick Roche  
51 come before the Board on June 10<sup>th</sup> to have a discussion about this possibility.  
52 The Zoning Board of Appeals still on hold. The position of Facilities Maintenance /  
53 Transportation Coordinator for the COA was appointed.

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55 **Motion # 5**

56 Selectman Goodwin motioned to appoint Steven D. MacDonald as the Facilities  
57 Maintenance / Transportation Coordinator for the COA. Seconded by Selectman Picard,  
58 unanimous by Chairman Fleming.

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60 In the absent of a DPW Director, Assistant Highway Supervisor John Johnson  
61 has been performing multiple jobs. Chairman Fleming had a discussion with Mr.  
62 Johnson about taking on the position of Highway Supervisor. Mr. Johnson stated that he  
63 would accept the position of Highway Supervisor / Parks Supervisor.

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65 **Motion # 6**

66 Chairman Fleming motioned to appoint John Johnson as Highway Supervisor.  
67 Seconded by Selectman Picard, unanimous by Selectmen Goodwin.

68  
69 Chairman Fleming will be meeting with both the Personnel Board and the  
70 Finance Committee tomorrow night (Wednesday). He will address Mr. Johnson's  
71 promotion to the Personnel Board for a reclassification of the position.

72  
73 In continuing of the review of appointments, the Fire & EMS Management Study  
74 & Implementation Committee remains on hold, however the Town Manager Assessment  
75 Committee has completed their obligation and therefore the Committee can be  
76 dissolved. Selectman Picard talked about the need for a search committee.

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78 **Motion # 7**

79 Chairman Fleming motioned to dissolve the Town Manager Assessment  
80 Committee, with a great deal of gratitude and thanks for an outstanding job. Seconded  
81 by Selectman Picard, unanimous by Selectman Goodwin.

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83 Chairman Fleming said the Board would need to discuss not only a Town  
84 Manager Search Committee but also a Search Committee for a new DPW Director.

85  
86 After receiving letters of interest this month from two residents volunteering to  
87 serve on the Finance Committee, Selectman Goodwin stated that Michele A. Goodwin  
88 has withdrawn her request. Therefore the following appointment was made.

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90

91 Motion # 8

92 Chairman Fleming motioned to appoint Lydia Schroter as a Member of the  
93 Finance Committee for a one-year term for FY09. Seconded by Selectman Picard,  
94 unanimous by Selectman Goodwin.

95  
96 Over the years there has been frequent turnovers in the Management position  
97 within the DPW Department, Selectman Picard spoke of forming an Advisory Board.  
98 This Board would be of great benefit to future DPW Directors and would like to have  
99 more discussion with implementing this Board. This Board would not set policy but  
100 simply to assist with the Department's workload. Both Chairman Fleming and Selectman  
101 Goodwin agree with Selectman Picard that this would be a good move.

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103 Motion # 9

104 Selectman Picard motioned to establish an Advisory Board to the Department of  
105 public works consisting of a three-member Board, who will advise the Board of  
106 Selectmen and the DPW Department on matters that are appropriate. Seconded by  
107 Selectman Goodwin, unanimous by Chairman Fleming.

108  
109 Chairman Fleming noted that the Board has previously spoken about inviting  
110 Leonard White of Whitewater, to a meeting for the purpose of revisiting a conversation  
111 the Selectmen had relative to Mr. White working with the Town on a number of  
112 opportunities to provide services in assisting the Town. The Board members agreed on  
113 Thursday, May 29<sup>th</sup> at 4:00pm.

114  
115 7:45pm, Chairman Fleming opened the Pole Location Petition Hearing for  
116 Southborough Road (Plan #4094221) and Hopkinton Road (plan # 4016618). A  
117 representative from National Grid came before the Board. All abutters were notified. The  
118 descriptions were read aloud by Chairman Fleming. The Administrative Clerk received a  
119 memorandum from Assistant Highway Supervisor John Johnson that was forwarded to  
120 National Grid noting that pole #9, Southborough Rd, should be a minimum of 5' off the  
121 paved surface. Also the new pole #31-84 on Hopkinton Rd needs to be a minimum of  
122 10' off the paved surface. After a brief discussion with the National Grid representative,  
123 the Selectman made a motion to approve with conditions. No abutters attended this  
124 hearing.

125  
126 Motion # 10

127 Selectman Fleming motioned to approve the Pole Location Petition for the  
128 Southborough Rd (Plan #4094221) to alleviate a sagging pole and Hopkinton Road  
129 (plan # 4016618) to install new pole. Subject to approval of National Grid and DPW  
130 Highway Supervisor with working on an arrangement relative to the 5' off the paved  
131 surface. Seconded by Selectman Picard, unanimous by Selectman Goodwin.

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133 At 7:51pm, Chairman Fleming gaveled to close the Pole Location Hearing.

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137 FYI:

- 138     ▪ Email from Grant Writer John Zakian. **(In response to Mr. Zakian's letter, the**
- 139     **Board asked that the AA, Mr. Bates send Mr. Zakian a letter outlining his**
- 140     **time commitment to the Town. Observations received from Mr. Zakian will**
- 141     **be reviewed next week).**
- 142     ▪ RBC Advisor Account Statement.
- 143     ▪ Memo from Selectman Picard to the Board Re: ConCom Meeting.
- 144
- 145         □ Review DRAFT Warrant for the Special Town Meeting June 12<sup>th</sup>.
- 146

147         The Board of Selectmen will not be meeting on June 3<sup>rd</sup>. On June 2nd the Board

148 will be meeting in Executive Session for the purpose of Union negotiations. This

149 meeting may run late therefore the Board will not conduct any general business that

150 evening.

151

152         Selectman Picard gave the Board an overview of the Conservation Commission

153 meeting he attended last Wednesday, May 14<sup>th</sup>. Actions items that were discussed: 1)

154 Noble Vista proposal to mitigate drainage issues. 2) Pleasant St drainage easement

155 issue. 3) Town roadway improvements. 4) Beaver control coordination. (Chairman

156 Fleming asked that a representative come before the Board on June 10<sup>th</sup> to discuss a

157 general policy / flow chart. 5) Storm Water Management By-Law. 6) North St &

158 Mechanic St issues. (Chairman Fleming offered to research these issues with the Water

159 Department).

160

161         A statement made by Chairman Fleming saying he has meet with the DPW

162 Department personnel confirming that Highway Supervisor John Johnson and

163 Water/Wastewater Superintendent Ron SanSouci are responsible for the maintenance

164 of the DPW Department and the Board will provide assistance when necessary.

165

166         Selectman Goodwin recommended the solicitation of letters of interest to serve

167 on the DPW Advisory Board. The members agreed to place ads in the Town Crier and

168 Local cable channel 12.

169

170 Project review list reviewed.

171

172 Reminders:

- 173     □ Special Town Meeting June 12<sup>th</sup> 7:00pm followed by the Adjourned Annual Town
- 174     Meeting at 7:30pm.

175

176         The Warrant for the Special Town meeting was reviewed and approved by the Board

177 for posting.

178

179 Project list:

- 180         ⇒ COA: Draft estimate **(Looking for recommendation from Town**
- 181         **Counsel).**

182                   ⇒ Fire & EMS Management Study & Implementation Committee: See letter  
183                   from M. Bradford, Sr.  
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188 Motion # 11

189                   Selectman Picard motioned to close Town Government operations for all non-  
190 public safety personnel at noontime on Friday may 23, 2008 and to re-open on  
191 Tuesday, May 27<sup>th</sup> at the employees regular start time. Seconded by Seconded by  
192 Selectman Goodwin, unanimous by Chairman Fleming.  
193

194                   The Board extends a safe and happy Memorial Day holiday to all employees.  
195

196                   A proposal submitted by Richard Henderson to assist the Town with Chapter 90  
197 reimbursements for roadway improvements was reviewed by the Board. This proposal  
198 dated May 11, 2008 was approved and signed off by the Board.  
199

200                   Regarding an email from the Town Crier, in connection with the DPW Director, a  
201 response was written by Chairman Fleming, approved by Selectman Picard and  
202 Selectman Goodwin. This response will be forwarded to the reporter.  
203

204                   The Board reviewed a request from Reid Blute to upgrade the North Street  
205 Athletic Field. It was the unanimous decision of the Board to have the Administrative  
206 Assistant contact Mr. Blue and refer him to the Planning Board and to copy the  
207 Recreation Commission. Once the Planning Board has reviewed, they are to forward  
208 their recommendations to the Selectmen.  
209

210                   The Selectmen spoke of forming three Committee's, 1) DPW Advisory Board, 2)  
211 Town Manager Committee and 3) Fire Chief Committee. Selectman Picard will draft a  
212 mission statement. To be advertised in the Town Crier, the Town's Web site and local  
213 cable channel 12.  
214

215                   Regarding the Board of Selectmen's summer schedule, it was a unanimous  
216 decision to move the meeting night from Tuesday to Monday during the summer months  
217 and change the meeting time from 7:30pm to 4:00pm. The Board will meet every other  
218 Monday beginning June 16, 2008 and will return to their regular time and Tuesday  
219 nights on September 9<sup>th</sup>.  
220

221                   A policy was set by Chairman Fleming that anyone who wishes to come before  
222 the Board is to submit in writing a request noting the matter for discussion.  
223

224                   Regarding Storm Water Management, Selectman Picard will meet with Tata &  
225 Howard along with the Conservation Commission Chairman to discuss an action plan.  
226

227 After review of the Pare proposal (#EP106.08) dated April 7, 2008, the Board  
228 agreed to move forward.

229

230

231 Motion # 12

232 Selectman Picard motioned to approve the Proposal and Agreement for  
233 Professional Services, submitted from Pare Engineers, relative to Infiltration and Inflow  
234 support efforts (#EP106.08) in the amount of \$9,850.00. Seconded by Selectman  
235 Goodwin, unanimous by Chairman Fleming.

236

237 Reminder: Memorial Day festivities on Monday May 26<sup>th</sup>.

238

239 Confidential:

240 □ Noble Vista (***The Board has requested a meeting be set up with***  
241 ***Attorney Talerma to discuss this matter).***

242

243 Motion # 13

244 Chairman Fleming motioned to adjourn the meeting at 8:50pm. Seconded by  
245 Selectman Picard, unanimous by Selectman Goodwin.

246

247 Respectfully submitted,

248

249 Karen L. Varney, Administrative Clerk

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