

Town of Upton



Massachusetts

Meeting Minutes of July 14, 2008

Location: Upton Town Hall, Main Hall.

Present: Chairman Robert J. Fleming, Selectman Kenneth E. Picard, Selectman Michael E. Goodwin and Administrative Assistant James R. Bates.

The meeting was called to order at 4:05pm. The schedule on the Board's Agenda:

- * EMS Director Brian Kemp (Alert transport)
- * Margaret Stanton 81 Grove St (property under 61A) BOS right of first refusal.
- * Executive Session under M.G.L. Chapter 39, s. 23B, exception #3, Collective Bargaining Local #170 Supervisors.
- * Executive Session under M.G.L. Chapter 39, s. 23B, exception #3, Collective Bargaining Local 3338A.

Motion # 1

Selectman Picard motioned to accept the meeting minutes of June 30, 2008 (with a clarification on line 73 to sate: Mike Gorman). Seconded by Selectman Goodwin, unanimous by Chairman Fleming.

Motion # 2

Selectman Goodwin motioned to accept the Executive Session (Local #170) Meeting minutes of June 30, 2008. Seconded by Selectman Picard, unanimous by Chairman Fleming.

Motion # 3

Chairman Fleming motioned to approve the request for transfer of funds under Chapter 77 of the Acts of 2006, M.G.L. Chapter 44 section 33B (as amended) from Fire Chief Michael J. Bradford, Sr., in the amount of \$2,000 from the Fire Department Training Expense Account 01-220-5313 to the Fire Department General Expense Account 01-220-5421. Seconded by Selectman Picard, unanimous by Selectman Goodwin.

Motion # 4

Chairman Fleming motioned to approve the request for transfer of funds under Chapter 77 of the Acts of 2006, M.G.L. Chapter 44 section 33B (as amended) from Water/Wastewater Supervisor Ron SanSouci. The amount of \$4,380.00 from the DPW

45 Treatment Maintenance Account 01-440-5532 to the DPW Water Maintenance Account
46 01-450-5532 and \$843.00 from the DPW Toxicity Account 01-440-5300 to the DPW
47 Water Maintenance Account 01-450-5532 and \$826.00 from the DPW General Account
48 01-422-5421 to the DPW Water Maintenance Account 01-450-5532. Seconded by
49 Selectman Picard, unanimous by Selectman Goodwin.

50

51 Motion # 5

52 Selectman Picard Motioned to appoint Joyce Heywood as a member of the
53 Upton Historical Commission until May 2009. Seconded by Selectman Goodwin,
54 unanimous by Chairman Fleming.

55

56 In review of the request from Building Commissioner Patrick Roche, to appoint
57 the Assistant Inspectors, Selectman Picard has a dilemma in appointing Assistants
58 when the Town is in a financial bind. This will be readdressed at the July 28th meeting.

59

60 *Confidential material reviewed:*

61 The Administrative Assistant Jim Bates will set up an Executive Session meeting
62 next week relative to the Noble Vista project.

63

64 *FYI Discussion*

65 ⇒ Request to meet with the Board in Executive Session from Chair Conservation
66 Commission Chris Scott. (**Executive Session scheduled for 7/28/08 6:30pm**).

67 ⇒ Management Letter (draft) from Borgatti – Harrison for year ended June 30,
68 2007. (**To be reviewed**).

69 ⇒ Request from Building Commission Patrick Roche Re: Increase in Electrical
70 permit fees, Plumbing fees and wiring fees. (**On hold – to be addressed at a later
71 time**).

72 1. Also request to approve increase of the multiplier from .007 to .008
73 (**same as above-hold**).

74 ⇒ Email from Mark Allen, PE Allen Engineering Re: Fishing Jetties fee. (See plan)

75 ⇒ DRAFT (Upton well project) from Leonard H. White.

76 ⇒ Correspondence from Army Corps of Engineers Re: Update existing Master Plan
77 – West Hill Dam, and requesting input from the Board.

78 ⇒ Copy of a memorandum to Town Accountant Bob Perkins from AA Jim Bates,
79 Re: FY09 funding for PEG Access Provider.

80 ⇒ BOS FY09 salaries

81 ⇒ Copy of a letter to Patrick Roche, Building Commissioner from Chair Planning
82 Board Re: 252 Milford St (Cook Co).

83 ⇒ Correspondence Re: 2009 Silver Star / Proclamation.

84

85 The Board welcomed EMS Director Brain Kemp. Director Kemp came before the
86 Board recommending the Emergency Ambulance rates be adjusted. Also due to
87 the closing of Milford Hospital's Paramedic Services that closed on June 28th, he has
88 secured Advanced Life support from both a private ambulance service and
89 neighboring Town's paramedic level ambulances. The private service, Advanced
90 Life Support will charge Upton a flat rate of \$200.00 per intercept. An agreement

91 was submitted for the Boards review. It was a unanimous decision to forward this
92 agreement to Town Counsel for review.
93

94 Motion # 6

95 Selectman Picard Motioned to approve the Emergency Ambulance Rates
96 adjustment as submitted by EMS Director Brain Kemp in a correspondence dated July
97 1, 2008. Seconded by Selectman Goodwin, unanimous by Chairman Fleming.
98

99 Next on the Agenda, the Board welcomed Grove Street resident Margaret
100 Stanton. Under 61A guidelines the Town of Upton has the right of first refusal on two
101 lots of land owned by Ms. Stanton. She has come before the Board to ask if the Town is
102 interested in the purchase of these lots. It is her intention to list the lots for sale and
103 market them at \$180,00.00 per lot. Chairman Fleming noted that the Selectmen's office
104 will contact the other Boards and Commissions and ask them to submit their
105 recommendations for this property in writing. They thanked Ms. Stanton for coming and
106 will get back to her as soon as possible.
107

108 PROJECT LIST UPDATE
109

110 In other business. Selectman Picard noted that Mark Allen of Allen Engineering
111 was hired to do the original design and site work for the Pratt Pond fishing jetties. The
112 fee of \$1,200.00 is for the architectural / structural services provided. This requires
113 approval from the Board.
114

115 Motion # 7

116 Chairman Fleming motioned to approve the amount of \$1,200.00 from the
117 William Knowlton trust fund in the amount of \$1,200.00 to be used for the completion of
118 the design work for the fishing jetties on Pratt Pond payable to Mike Gorman. Majority
119 vote by Selectman Goodwin.
120

121 Note: Selectman Picard recused himself from the voting as he has a working
122 relationship with Mr. Gorman.
123

124 Selectman Goodwin spoke of the annual Town Cleanup saying he spoke with the
125 Men's Club president Rick Binaco and discussed the first Saturday in September or
126 during the Heritage Homecoming weekend for this Town wide cleanup. Mr. Binaco as a
127 member of the Board of Health feels his Department would be an asset with this
128 cleanup. A date will be secured shortly. Selectman Goodwin is hoping to receive
129 information in time for the Selectmen's July 28th meeting.
130

131 The Board reviewed and signed the weekly Warrants. Expense Warrant:
132 \$68,878.56 and payroll Warrant of \$65,120.48.
133

134 At 4:38pm Motion was made by Chairman Fleming to enter into Executive
135 Session under M.G.L. Chapter 39, s.23B, Exception #3, Collective Bargaining with
136 Teamsters Local 170, DPW Supervisors.

137 The Board will reconvene their regular meeting at the completion of this Executive
138 Session.

139 Poll taken: Ken Picard "I" Michael Goodwin "I" Robert Fleming "I".
140

141 Just before 5:00pm the Board reconvened their regular meeting.

142 Poll taken: Ken Picard "I" Michael Goodwin "I" Robert Fleming "I".
143

144 Chairman Fleming addressed a correspondence from the U.S. Army Corps of
145 Engineers relative to the possibility of entering into a preliminary negotiation with the
146 Army Corps as a sponsor along with Milford Water Company regarding the study of the
147 West Hill Dam tract no. 305. The Board reviewed the draft received from Leonard H.
148 White, P.E., and agreed to enter into negotiation regarding this public water supply.
149

150 At 5:08pm Motion was made by Chairman Fleming to enter into Executive
151 Session under M.G.L. Chapter 39, s.23B, Exception #3, Collective Bargaining with
152 Local 3338A.

153 The Board will adjourn their regular meeting at the completion of this Executive Session.

154 Poll taken: Robert Fleming "I" Ken Picard "I" Michael Goodwin "I"
155

156 Respectfully submitted,
157

158 Karen L. Varney, Administrative Clerk
159
160
161
162