

Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes of September 9, 2008

Location: Upton Town Hall, Main Hall.

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

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

Appropriation Treasury Warrant No. 11e in the amount of \$40,352.28 was signed.
Payroll Treasury Warrant No. 11P in the amount of \$67,248.00 was signed.

Chairman Fleming announced the VFW Flea Market & craft sale scheduled for Saturday from 8:00am-2:00pm. Funds will be to offset the VFW expenses and for charitable work performed by the members.

Motion # 1: Selectman Goodwin motioned to approve the meeting minutes of August 25, 2008. Seconded by Selectman Picard, unanimous by Chairman Fleming.

Chairman Fleming noted that a representative from Verizon was to come before the Board this evening to discuss Verizon FIOS access however that meeting has been cancelled. The dilemma Upton has is that it is weighted based upon density of population and cost of installation. Because Upton is geographically spread out, the Town is not on the list for services. It is uncertain as to when Upton will eventually make the list for installation.

The Board welcomed resident Heidi Schultz. Heidi was asked to come before the Board for purposes of thanking her for her laboring extensive hours to create a mural on the main hall wall. This mural depicts a typical Town Meeting and a welcome home dance for veterans in the 1940's. Heidi said she wanted to give back to the Town and to help the citizens remember the Town's history. She thanked the AA Jim Bates and Historical Commission Chair Barbara Burke for their input and enjoyed the many fascinating stories told. The Board thanked her and commented that when the Town Hall is eventually renovated, that wall will never be removed. Heidi also volunteered her time to create a mural for the Police Department last year.

At a posted meeting this morning, Chairman Fleming and Selectman Picard took part in a conference call today with the Army Corps of Engineers to talk about a potential for development of an additional water source in South Upton (flood plain) which is in control of the Army Corp of Engineers. After all the analysis and the extent of dollars and time and coming

45 with no guarantees, this does not make this option feasible at this time. The Board is aware that
46 the Town will need water for future generations and will continue to look for additional sites.
47 Selectman Picard added that the ACOE does not look favorable on having one high yield site in a
48 community. The preference is multiple low yield sites to protect the water source. They
49 recommend the Town look at finding multiple sources and doing improvements or
50 augmentations to the current wells. Chairman Fleming said it is most likely the Board will not
51 pursue the South Street well avenue.
52

53 Over the past few weeks the Board has received letters of interest to serve on the DPW
54 Advisory Board. They will review these requests and make the appropriate appointments at their
55 September 23rd meeting. The Board expressed their gratitude to the Water / Wastewater
56 Superintendent, the Highway Supervisor and the employees for working together in the absence
57 of a DPW Director.

58 FYI:

- 59 ⇒ Notice from CHAPA Re: right of first refusal: 16 Knowlton Circle. **(Under Chapter 40B**
- 60 **the Town has 60 days to notify CHAPA of its intent to purchase above property.**
- 61 **The Board is not interested in acquiring this property and therefore took no action.**
- 62 ⇒ Report Re: DPW trailer fees from Treasurer / Collector Ken Glowacki. **(Selectman**
- 63 **Picard will speak with Mr. Glowacki for additional information).**
- 64 ⇒ Correspondence from Dept. of Public Utilities dated August 25th Re: Safety regulation.
- 65 ⇒ Copy of a letter from the BOS to State Parks and Recreation Re: Cemetery Land access.
- 66 ⇒ Bulletin from DOR Re: Setting demand charge for delinquent local taxes. (Cc:
- 67 Collector/Treasurer) **(Chairman Fleming noted that the revenue does not offset the**
- 68 **hardship therefore the Board agreed that no action will be taken).**
- 69 ⇒ Memo from Town Clerk Re: Approval from Attorney General: Amendments, General
- 70 By-law, establishment of Fire & EMS Advisory Committee and new Zoning map.
- 71 ⇒ Correspondence from the DEP Re: 3rd water source.
- 72 ⇒ Letter of interest to serve on the DPW Advisory Committee.
- 73 ⇒ Letter of interest to serve on the Fire & EMS Advisory Committee.
- 74 ⇒ The Beacon (see ad for Town Accountant)
- 75 ⇒ Street Sign request from a Westboro Rd resident. (approved by DPW and Chief Bradley)
- 76 ⇒ Bulletin: Community Preservation reporting requirements (Cc: R. Richards & B. Perkins)
- 77 ⇒ Report from Treasurer/Collector Re: Vacation / sick hours used (see folder).
- 78 ⇒ Information from MORE (see Energy savings) **(Selectman Picard offered to attend one**
- 79 **of the meetings and noted the free hours of service this will generate from CMRP.**
- 80 **Chairman Fleming will try to attend the October 17th meeting).**
- 81 ⇒ Violation notices from the CODE Enforcement Dept.
- 82 ⇒ Communication from Chief Bradley
- 83
 1. Radio Repeater system failure **(Selectman Goodwin will talk with Chief**
 - 84 **Bradley about obtaining additional quotes).**
 - 85 2. CEMLEC Mutual Aid Agreement **(BOS agreed to have Upton participate**
 - 86 **in the Mutual Aid)**

87 Motion # 2: Selectman Goodwin motioned to approve a Street Sign request from Michelle
88 Michel, 17 Westboro Road for a “bus stop ahead” sign. Seconded by Selectman Picard,
89 unanimous by Chairman Fleming.

90 Motion # 3: Selectman Picard motioned to approve the recommendation of Police Chief Michael
91 Bradley for Upton to participate in the Central Mass Law Enforcement Council Mutual Aid
92 Agreement. Seconded by Selectman Goodwin, unanimous by Chairman Fleming.

93 The Board of Selectmen reviewed a proposal from Margaret Laneri, Ph.D., to provide
94 executive / leadership development coaching services to various Department Managers in the
95 Town of Upton. All agreed that her services would benefit the Town and to schedule Dr. Laneri
96 to come before the Board for further discussion.

97
98 Relative to the Boards weekly meeting schedule, they agreed to modify the meeting times
99 to 3 times a month vs. every Tuesday with a starting time of 7:00pm vs. 7:30pm. This change
100 will become effective September 23rd. Due to the State Primary, there will be no meeting on
101 September 16th.

102 The Board of Selectmen reviewed a letter of interest from Gregg Trussell to serve on the
103 Personnel Board. The Board approved his request.

104 Motion # 4: Selectman Picard motioned to approve and appoint the request of Gregg Trussell for
105 an appointment to the Personnel Board until May 2009. Seconded by Selectman Goodwin,
106 unanimous by Chairman Fleming.

107 At 8:00pm the Board welcomed Conservation Commission Chair Chris Scott, members
108 Tom Dodd, Mike Penko and Land Stewardship Committee Marcella Stasa. One of the purposes
109 of this meeting was to conclude the matter of Mr. Cutter Wyman relative to his request of an
110 access Road to the Warren Brook Conservation area. The Conservation Commission has been
111 working diligently compiling related documents, preparing a report and accommodating Mr.
112 Wyman’s demands. In an email sent to the Conservation Commission from Mr. Wyman, dated
113 August 25, 2008 he informed the members that he does not wish to devote any more time to
114 pursuing the matter. The Conservation Commission has drafted a final letter addressed to his
115 Uncle Tom Chace with a cc: to Mr. Wyman, respectfully declining his offer to construct an
116 access road on a strip of land at the Warren Brook Watershed Conservation area.

117 In other business, the Conservation Commission spoke of the beaver issues on Southboro
118 Road. Selectman Picard notified the DPW and the Police Department of the high water level
119 which is causing road flooding. Conservation Commission Chair Chris Scott has scheduled a site
120 meeting at the State Forest tomorrow. Discussion on repairing the Beaver Deceivers. The fee
121 quoted was \$400.00. Ms. Scott gave an overview of the trapping process and the need for the
122 DPW Department to assist with this process. Selectman Picard noted his concerns with DPW
123 man hours to support this process. After consideration, Chairman Fleming recommended that
124 the Conservation Commission move forward with repairing of the Beaver Deceivers. It was not
125 determined what account the funds will come from. In closing, Ms. Scott noted her appreciation
126 to the Board.

127 Energy costs for the upcoming winter months were discussed by the Board.

128 Motion # 5: Selectman Picard motioned to approve the amount of \$10,000.00 coming from Ella
129 Whitney Risteen Claus B to assist Upton families with fuel assistance this winter. Distribution of
130 these funds is to be managed by the Council on Aging (James Gardner, Social Services).
131 Seconded by Selectman Goodwin, unanimous by Chairman Fleming.

132 Motion # 6: Selectman Picard motioned to approve the request of Caroline Nicholson
133 (Sweetwilliam Farm) to place signs at specific locations advertising two events, the Music Fest:
134 September 13th and the Powwow September 20th. Signs can be put up a day or two prior the
135 event as long as they do not obstruct traffic and to be removed the morning after the event.
136 Seconded by Selectman Goodwin, unanimous by Chairman Fleming.

137 The Board reviewed the list of pending issues.

138 Confidential material reviewed:

139 ⇒ Letter from the BOS to F. Ruland.

140 ⇒ Memorandum from Chief Bradley Re: Contract Negotiations

141 Motion # 7: Selectman Picard motioned to approve the proposal for an Energy Cost Efficiency
142 Study for the Town Hall as submitted on July 31, 2008 by Michael Gorman of Gorman
143 Richardson Architects. Seconded by Selectman Goodwin, unanimous by Chairman Fleming.

144
145 A possible date of October 28th for a Special Town meeting was discussed but not
146 finalized. It was agreed that the Board needs to organize potential Articles for debate. Further
147 discussion at the Board's September 23rd meeting.

148
149 Selectman Picard noted that he has processed two CPA applications, one is for the
150 installation of fishing jetties along the Pratt Pond shore line and the second is for rehabilitation of
151 the Town Hall. A CPC hearing is scheduled for October 1, 2008. Citizens are encouraged to
152 attend.

153
154 Motion # 8: Chairman Fleming motioned to adjourn the meeting at 8:40pm. Seconded by
155 Selectman Goodwin, unanimous by Selectman Picard.

156
157 Respectfully submitted,
158 Karen L. Varney, Administrative Clerk

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