

Board of Selectmen

Town of Upton



Massachusetts

Meeting Minutes of December 16, 2008

Location: Fire & EMS Headquarters, 20 Church Street.

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 7:00pm.

Appropriation Treasury Warrant No. 25e in the amount of \$48,813.13 was approved.

Payroll Treasury Warrant No. 25P in the amount of \$63,369.66 was approved.

Motion # 1: Selectman Goodwin motioned to approve the meeting minutes of 12/9/08, majority vote by Selectman Picard.

F.Y.I's reviewed:

- Request from Resident Michael Oliver to serve on the 275th Anniversary Committee. (**Appointed approved**)
- Memorandum to Municipal Clients from K&P: New Legislation & Regulations for use of Road Flaggers & Police Details. (**Cc: Chief Bradley**).
- Memo from Chief Bradford Re: the award of 2 State Grants.
- Notice from Registry of Motor Vehicles Re: Abuse of the State's handicap parking program.
- The Beacon
- Correspondence from CMEMSC.
- RBC Account Statement.
- Copy of a correspondence from Conservation Commission to Mr. Migliaccio.
- Email Re: emergency repairs / water flow on Southborough Rd.
- Copy of a memo to Building Inspector Pat Roche to DPW Supervisor John Johnson Re: request for permit for DPW office.
- Fire and EMS Advisory Board 1st meeting: Wednesday, December 17th.
- Memo from the Board of Health re: Health Insurance benefits. (**The Board was under the impression that this position was a stipend position. This request will be forwarded to the Personnel Board for their input**).

43 Motion # 2: Selectman Picard motioned to appoint Michael Oliver to serve on the 275th
44 Anniversary Committee. Seconded by Selectman Goodwin, unanimous; Chairman
45 Fleming.

46
47 Motion # 3: Chairman Fleming motioned to declare the former Police 2003 Ford Crown
48 Victoria (vin 2fafp71w63x110600) held by the Town at the DPW Garage, obsolete and
49 granted permission to dispose of said vehicle as it has no value or use. Seconded by
50 Selectmen Picard: unanimous by Selectman Goodwin.

51
52 Based upon the request from Pulte Homes LLC of New England, dated
53 December 16, 2008, and with the approval of all relative Town Departments, the Towns
54 engineering firm and outside entities, the following Motion was made.

55
56 Motion # 4: Selectman Picard motioned to release the remaining \$300,000 bond
57 #6364646 held by the Town to secure the construction of the Municipal Water System
58 Extension including the North Street water booster Pump Station associated with the
59 "Glen Echo Estates" residential subdivision. Seconded by Selectman Goodwin,
60 unanimous by Chairman Fleming.

61
62 The Board reviewed the letter addressed to Attorney Henry J. Lane outlining the
63 conditions that will become part of the Boards approval relative to the Noble Vista, LLC
64 (LIP) project.

65
66 Motion # 5: Selectman Picard motioned to accept the letter addressed to Attorney Henry
67 J. Lane to endorse their approval of the Noble Vista LLC project. Seconded by
68 Selectman Goodwin, unanimous by Chairman Fleming.

69
70 Discussion relative to the Southboro Road water flow emergency repairs done by
71 the DPW Department. This work involved an extensive amount of time and manpower.
72 Upon completion, this eliminated the threat of the Road being washed out. The Board
73 was informed that an individual (of the ConCom) went to the site and altered what the
74 DPW had done. Selectman Picard made it clear to Chairman Chris Scott that individuals
75 are not to alter or modify the work the DPW has done or he will make a Motion to un-
76 appoint this person. The DPW is performing acts for public safety and welfare of the
77 community. Selectman Picard made a statement saying the Board will not tolerate
78 individuals modifying the DPW's work. He understands there are environmental
79 concerns, however there are safety concerns as well.

80
81 7:15pm, Chairman Fleming opened the Pole Location Petition Hearing for School
82 Street (Plan #5132319). Representatives Crystal Tognacci and Richard Desjardins from
83 National Grid came before the Board for all three requests. All abutters were notified.
84 The description was read aloud by Chairman Fleming. The Administrative Clerk
85 received an approval from Highway Supervisor John Johnson. After a brief discussion
86 with the National Grid representative, the Selectman made a motion to approve the
87 request. No abutters attended this hearing.

88 At 7:19pm, Chairman Fleming closed the Pole Location Hearing.

89 Motion # 6 Selectman Fleming motioned to approve the Pole Location Petition for
90 School Street (Plan #5132319). Second by Selectman Picard, unanimous by Selectman
91 Goodwin.

92
93 7:20pm, Chairman Fleming opened the Pole Location Petition Hearing for
94 Westborough Road (Plan #5132319). All abutters were notified. The description was
95 read aloud by Chairman Fleming. The Administrative Clerk received an approval from
96 Highway Supervisor John Johnson. An Abutter made a statement saying he would like
97 this tree guy moved further to the left of his driveway. After a brief discussion with the
98 National Grid representatives, Chairman Fleming recessed the hearing. The Board will
99 continue the hearing at a time to be determined once Mr. Desjardins and the land owner
100 has had a chance to revisit the location of this tree guy. At 7:25pm, Chairman Fleming
101 recessed the Hearing.

102
103 7:25pm, Chairman Fleming opened the Pole Location Petition Hearing for North
104 Street (Plan #5132319). All abutters were notified. The description was read aloud by
105 Chairman Fleming. The Administrative Clerk received an approval from Highway
106 Supervisor John Johnson. After a brief discussion with the National Grid representative,
107 the Selectman made a motion to approve the request. No abutters attended this
108 hearing.

109 At 7:29pm, Chairman Fleming closed the Pole Location Hearing.

110
111 Motion # 7: Selectman Fleming motioned to approve the Pole Location Petition for North
112 Street (Plan #5132319). Second by Selectman Picard, unanimous by Selectman
113 Goodwin.

114
115 The Board of Selectmen reviewed the request of Ted Briggs, Chairman of the
116 Board of Health, for an appointment as a Special Municipal Employee. This request was
117 signed off by Alfred Holman, Board of Health member.

118
119 Motion # 8: Selectman Goodwin motioned to appoint Stedman F. Briggs, Jr., as a
120 Special Municipal Employee. Seconded by Selectman Picard, unanimous by Chairman
121 Fleming.

122
123 The first meeting of the Fire & EMS Advisory Committee will take place on
124 Wednesday, December 17th. Selectman Picard will attend this meeting for observation
125 purposes only.

126
127 Discussion relative to the permitting authority in which Municipalities are required
128 to establish under MGL c. 82A, ss2, 520 CMR 14.03. The three possibilities are the
129 Code Enforcement Building Inspector, the DPW Highway Supervisor or the Fire Chief.
130 The final decision and appointment will be further discussed at the December 30th
131 meeting.

132
133 Chairman Fleming met with DPW Supervisor John Johnson and
134 Water/Wastewater Superintendent Ron SanSouci yesterday. All culverts had been

135 cleaned and no major issues reported due to the weekend storm. Chairman Fleming
136 sent kudos to all the Public Safety Departments.

137
138 The budget process will begin in January. Chairman Fleming suggested meeting
139 with Department Supervisors to identify where possible cuts can be made. Also, possible
140 increases to the water and wastewater rates will be discussed with the DPW.

141
142 Relative to the Cemetery land, the Administrative Assistant will continue move
143 forward on researching the possibility of a land swap with the State.

144
145 Selectman Picard briefly talked about the Town Manager position and the Town's
146 budget. He will follow up with the Town Manager Search Committee members.

147
148 Motion # 9: Selectman Goodwin Motioned to adjourn the meeting at 7:55 pm. Seconded
149 by Selectman Picard, unanimous by Chairman Fleming.

150
151 Respectfully submitted,

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153 Karen L. Varney, Administrative Clerk

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