

Town of Upton



Massachusetts

Meeting Minutes of April 10, 2007

**Present:** Chairman Joan E. Shanahan, Selectman Marsha A. Paul, Selectman Robert J. Fleming and Karen L. Varney, Administrative Clerk.

**Location:** Upton Fire and EMS Headquarters – 20 Church St.

The meeting was audio taped by the Board and Jonathan Miguel, Cable TV Access Provider videotaped the meeting.

The meeting was called to order at 7:30pm. The Pledge of Allegiance was recited.

Stephen Soma, DPW Director attended the Board's meeting. In a memorandum to the Board, Director Soma addressed the Plumbley Road drainage issue describing a serious backed up drainage system. After a recent visit to the site, it was found that the drainage ditch, which the Town has easement rights, receives all storm water from this area and has been filled for a length of about 100 feet. The outlet pipe has been buried and no longer functions. It was reported that drainage issues did not exist prior to this area being filled by a contractor hired by the owner of 19 Plumbley Road. The owner noted approval from the Conservation Commission within the last year. Selectman Fleming stated that he would like a report from the Conservation Commission regarding this matter.

On another subject, Director Soma stressed to the Board the importance of hiring a Parks Forestry, Cemetery Laborer / Heavy Equipment Operator noting critical training needed now before the summer months. The Personnel Board has approved this position. Cost to support this position is available through the balance of the DPW Wages for FY'07 funds. The Board gave Director Soma the approval to move forward with the process in filling this position.

Appropriation Treasury Warrant No. 41e in the amount of \$95,947.95 was signed. Payroll Treasury Warrant No. 41P in the amount of \$83,531.47 was signed.

**Motion # 1**

Selectman Paul motioned to approve the meeting minutes of March 20<sup>th</sup>, March 27<sup>th</sup> and April 4, 2007, seconded by Selectman Fleming, unanimous by Chairman Shanahan noting correction of two spelling errors on line 133 and 135.

44 Chairman Shanahan recently received two plaques from the Cub Scouts, one for  
45 the UCTV and the Board of Selectmen for their continued support for Upton's Pack 132.  
46 The Board sent out a thank you for the Commendation.

47  
48 The Board addressed Rena Richard, Community Preservation Act Committee  
49 Chairman and Members Ellen Arnold and Rick Homes. Ms. Richard gave a  
50 comprehensive review of the Community Preservation Act (CPA) beginning with the  
51 adoption of this Act in March 2003. In the detailed report, Ms. Richard gave an  
52 overview of how the CPA works, the criteria for funding, the application process,  
53 outlining the allowable spending purposes, projects completed and current active  
54 projects. The funding for the preservation of the Town's historical records will be voted  
55 on at the May 10, 2007 meeting. After Town Meeting, the CPC will have approved  
56 expenditures totaling \$620,000.00. State matching funds are usually forwarded in  
57 October of the calendar year and will be considered Fy'08 revenues. There is  
58 approximately \$160,000.00 in funds reserved for Community Housing and therefore a  
59 recommendation for a Community Housing Partnership Committee. Members Ellen  
60 Arnold and Rick Homes added input to the report. All information can be accessed on  
61 the Web: [www.communitypreservation.org](http://www.communitypreservation.org). The Board appreciated the great report.

62  
63 Next on the Agenda was a meeting scheduled with Mr. Brendan Perry, 57 South  
64 Street, however the Selectmen's office received a hand delivered letter at about 2:15pm  
65 this afternoon stating that Mr. Perry has chosen not to attend the informal meeting. The  
66 letter continued on by noting that if a hearing is scheduled by the Board, he may attend.  
67 Therefore Chairman Shanahan asked her colleagues how they would like to address  
68 the issue. Selectman Fleming added that there is no need to discuss the matter further,  
69 and a simple motion would be definitive enough.

70  
71 **Motion # 2**

72 Selectman Fleming motioned that as a result of a (Dog) Hearing on September  
73 26, 2006, and as a result of a letter dated October 12, 2006, the Board of Selectmen  
74 hereby orders Mr. Brendan Perry (57 South Street) to remove his dogs from the Town  
75 of Upton within a thirty-day period. Seconded by Selectman Paul, unanimous by  
76 Chairman Shanahan.

77  
78 A letter will be hand delivered to Mr. Perry, copied to Chief Stockwell and all  
79 parties concerned.

80  
81 The Board reviewed the Warrant Articles for the Annual Town Meeting on May  
82 10, 2007. Selectman Fleming talked about the printing costs of the By-law changes and  
83 the Warrant. Costs estimate is \$2,000.00 - \$2,500.00. This would be inserted in the  
84 local Town Crier and better serve the community. Selectman Fleming will follow-up.  
85 Selectman Paul thought it would be a great idea. Chairman Shanahan will check with  
86 the schools also for a cost estimate. The Town will supply the paper.

87  
88 The adjourned Annual Town Meeting is scheduled for Monday, May 14,2007 if so  
89 needed.

90 Treasurer / Collector Ken Glowacki submitted a packet to the Board in reference  
91 to their request last week. He has provided a number of debt service schedules for  
92 different amounts of borrowing and different terms and interest rates. Due to the Board  
93 receiving this information just before meeting time, they will review the report at next  
94 weeks meeting and perhaps addressing infrastructure needs.  
95

96 A brief discussion took place regarding holding a Special Town Meeting to  
97 address a few Articles just before the Annual Town Meeting on May 10, 2007.  
98

99 **Motion # 3**

100 Selectman Fleming motioned to open a Warrant for a Special Town Meeting, for  
101 May 10, 2007 at 6:30pm and to close the Warrant on April 20, 2007. Seconded by  
102 Selectman Paul, unanimous by Chairman Shanahan.  
103

104 The Special Town Meeting Warrant will be reviewed, approved and signed on  
105 April 24, 2007 and posted, Wednesday, April 25, 2007.  
106

107 **FYI's reviewed:**

- 108 ⇒ RBC Dain Rauscher Account Statements
- 109 ⇒ Notice to the schools and Town Library regarding Scholarship Applications.
- 110 ⇒ Email from Senator Augustus's office Re: Legislature's proposal to increase local  
111 aid by \$235 million in FY08 also a proposal to increase Chapter 70 funds.
- 112 ⇒ Notice from the DOR Re: Local Aid resolution.
- 113 ⇒ Federal Grant Update from Senator John Kerry's office.
- 114 ⇒ Employment offer letter for the position of COA Social Service Coordinator.
- 115 ⇒ Personnel Board Meeting minutes of February 26, 2007  
116

117 **Mail items:**

- 118 1. Memorandum from the Planning Board Re: Speed Limit sign change – Route  
119 140. (Request for a letter to be sent to Mass Highway).
- 120 2. Email from Fire Chief Mike Bradford Re: Surplus property – sealed bids.
- 121 3. Quarterly Payment Schedule notification received from Blackstone Valley District  
122 Treasurer.
- 123 4. Copy of a letter from Inspector of Buildings, Patrick Roche.
- 124 5. Letter from C-21 Millennium Re: Violation Fine (Cc: Code Enforcement).
- 125 6. Correspondence from the Governor's office Re: Chapter 90 Local Transportation  
126 Aid funding for FY08.
- 127 7. MMA Action
- 128 8. Letter of interest from Barbara A. Morgan to serve on the Cable Advisory  
129 Committee. Recommended by the Cable Advisory Committee.
- 130 9. Letter from M-U Regional School District Treasurer, Joseph Kogut, Jr. Re:  
131 Revised contribution.  
132

133 **Motion # 4**

134 Selectman Fleming motioned to approve the hiring of a Grant Writer on a  
135 commission only salary. Submit bids for review. Seconded by Selectman Paul,  
136 unanimous by Chairman Shanahan.  
137 Advertising for this position is to be submitted to the Beacon.

138  
139 Due to the holiday (Patriots day) on Monday, April 16<sup>th</sup>, the Board of Selectmen  
140 as elected officials will be unable to attend the meeting with the Fire & EMS Personnel.  
141 The Administrative Clerk will reschedule the meeting.

142  
143 In addressing mail item #4, Selectman Paul stated that this person has called a  
144 number of times to arrange a meeting. Selectman Fleming added that the Code  
145 Enforcement Department has Saturday morning hours so this meeting should be  
146 forthcoming.

147  
148 Also letter # 5 needs to be addressed by the Code Enforcement Department.  
149 Selectman Paul informed the Administrative Assistant to notify the Real Estate Agent to  
150 remove the signs. Everyone needs to be cognizant of the Town by-laws.

151  
152 **Motion # 5**

153 Selectman Fleming motioned to appoint Barbara A. Morgan, as a member of the  
154 Cable Television Advisory Committee until the annual appointments in May 2007.  
155 Seconded by Selectman Paul, unanimous by Chairman Shanahan.

156  
157 A statement made by Chairman Shanahan that she received an offer this  
158 afternoon on one of the Orchard Street lots. Due to the low offer however, the Board did  
159 not entertain a counter-offer.

160  
161 **Motion # 6**

162 Selectman Paul motion to approve payment of invoice #902 in the amount of  
163 \$1,160.00 from Chapter 40B funds payable to Blatman, Bobrowski & Mead, LLC.  
164 Seconded by Selectman Fleming, unanimous by Chairman Shanahan.

165  
166 An Upton resident who is interested in purchasing the Holy Angels Church,  
167 approached the Board with questions she has about parking and other concerns.  
168 Chairman Shanahan noted that any talks at this time is premature, Selectman Fleming  
169 informed the citizen that under Massachusetts Law, the Town has the opportunity to  
170 match the offer.

171  
172 **Motion # 7**

173 Selectman Fleming motioned to adjourn the meeting at 8:55pm, seconded by  
174 Selectman Paul, unanimous by Chairman Shanahan.

175  
176 Respectfully submitted,  
177 Karen L. Varney, Administrative Clerk