

**BOARD OF
SELECTMEN
MEETING
MINUTES**

October 4, 2016

Town Hall

Chairman James Brochu; Selectman Robert J. Fleming; Selectman Gary Daugherty; Town Manager, Blythe C. Robinson; Executive Assistant, Sandra Hakala

1 The meeting was called to order at 6:00pm. Chairman Brochu opened the meeting and after the
2 pledge of allegiance reviewed the agenda.

3
4 **MINUTES**

5
6 ***Motion #1:*** Motion made by Selectman Daugherty to approve the September 20, 2016 regular
7 session meeting minutes.

8
9 Second: Selectmen Fleming, Unanimous Chairman Brochu

10
11 ***Motion #2:*** Motion made by Selectman Daugherty to approve the September 20, 2016 executive
12 session meeting minutes.

13
14 Second: Selectmen Fleming, Unanimous Chairman Brochu.

15
16 **INVITED GUESTS**

17 **Recreation Commission**

18 The Recreation Commission attended the meeting to discuss adding funds to the general fund
19 budget to enable them to hire a new Director for 30 hours/week. The part-time director recently
20 resigned her position, and the Commission believes that a full-time position with benefits is
21 needed in order for them to manage the Kids at Play summer program, and grow programs
22 throughout the rest of the year. The Commission recently conducted a survey of how
23 surrounding towns are structured. The Board of Selectmen will support this request.

24
25 **MANAGER'S REPORT**

26
27 The ABCC has concluded their violation hearing with the Rose Garden who has one week to
28 offer a closing statement.

29
30 The Library Feasibility Committee has been disbanded and the Library Trustees will meet to
31 determine how to move forward in their quest for a new facility.

32
33 **RECOGNITION**

34
35 Selectmen Fleming gave praise to Fivefork Farm for their recent recognition from *Yankee*
36 *Magazine* for nurturing a business using sustainable practices to grow blooms.

37
38 Carl Ambrosino and Anthony Cervassi were also mentioned as recipient of Certificates of
39 Appreciation by the VFW for their service to the Town of Upton.

40
41 Selectman Brochu also thanked all the participates and volunteerism that was displayed during
42 Heritage Day and thanked all for their time and efforts.

43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88

DISCUSSION ITEMS

Update on Village Center Bylaw Public Forum

The Planning Board held a very well attended public forum at Nipmuc High School last Tuesday to discuss with property owners and residents the proposed new zoning district. There were a number of comments and questions raised both positive and negative, and because of that the Planning Board would like to hold off on bringing this item to Town Meeting until May so that they will have additional time to refine the document and make residents aware of the matter. Selectman Daugherty and Fleming attended on the Board’s behalf.

Review Draft Special Town Meeting Warrant

The Board reviewed the articles for the November 15th meeting. The list was amended with the removal of the article for the Village Center Zoning Bylaw and the addition of two fire department articles and a petition to increase the size of the board to five members. DOR certification on our new growth has not been completed thus whether all items can be funded or adjustments made is not yet known. The draft has been sent to Town Counsel for review.

Discuss Budget Proposal to Construct Parking Lot at #2 Grove Street

A budget prepared by DPW Director Roy to complete the new parking lot at #2 Grove Street was discussed. After acquiring several quotes to have private contractors build the parking lot, it was determined that this was not a cost effective solution. The Town Manager and Director’s recommendation to the Board is that town staff completes those portions of the project capable of doing in house, and contract out only the paving, Cape Cod berm and guardrail work. The budget for this joint solution is \$36,775 as opposed to the lowest quote by Bevilacqua Paving at \$53,900. The Risteen D Beautification Fund has a balance of \$153,199.84 as of July 1st to cover this cost. The paving could be completed concurrently with the repairs to the Oak Knoll Lane cul de sac.

Motion #3: Motion made by Selectman Fleming to appropriate from the Risteen D Beautification Fund \$36,775 to complete the construction of the parking lot at 2 Grove Street.

Second: Selectmen Daugherty, Unanimous Chairman Brochu.

Discuss Draft Water Shut Off Policy

The Public Works Department encounters difficulties in gaining access to resident’s homes to either repair or replace water meter because residents have resisted our efforts to let our staff in. Also, cash flow for the enterprise fund is challenging at times when customers who for various reasons do not pay their bills in a timely fashion. The Town Manager and Director are recommending to the Board a policy where access is not gained to a property or a customer has not paid their bill or taken steps to agree to a payment plan, their water can be shut off. The goal is not to shut off anyone’s water, but have the ability to do so in extreme situations. Mr. Roy has also reviewed this with the Treasurer/Collector.

The Board took this under advisement and will consider it at their next meeting.

Motion to Appoint – Historical Commission Department Assistant

89 Included in the budget this year is \$600 so that the Historical Commission can retain a clerk to
90 post their meeting agendas as take the minutes of the board. Recently, Deb Teta who already
91 clerks the Personnel Board, CPC and Recreation Commission provided this assistance the
92 Historical Commission for which they were very pleased. Deb would like to continue in this role
93 and they would like to have her. Ms. Robinson recommends her appointment, and ask that the
94 Board waive the 15 day waiting period.

95

96 **Motion #4:** Motion made by Selectman Fleming to appoint Deb Teta as department assistant to
97 the Historical Commission waiving the 15 day waiting period.

98

99 Second: Selectmen Daugherty, Unanimous Chairman Brochu.

100

101 Review Future Changes – Health Insurance

102 During last year’s renewal process, the Insurance Advisory Committee looked at ways to bring
103 costs down including bidding out plans and various co-pay and deductible plan changes. In the
104 end, despite an offer from the Board to mitigate the cost of plan design changes the plans were
105 not altered, and it was best financially to remain with MIIA. A memo and the loss run reports
106 over the years we have been a MIIA client will be discussed at the Board’s next meeting where
107 Ms. Robinson will review how experience ratings may impact rate increases for next year and
108 whether the Board would like to entertain any changes in the plans.

109

110 Discuss Date for Tax Classification Hearing

111 The Board of Assessor’s have asked if the Selectmen would be willing to have an extra meeting
112 on either Tuesday November 22nd or 29th to have hearing to set the tax rate as the Board’s next
113 regular meeting is not until December 6th where it will be very difficult to both have the tax rate
114 approved by the Department of Revenue and have the bills printed and mailed out before the end
115 of that month. The Selectmen agreed to have a meeting on the 29th.

116

117 Review Draft Capital Improvement Plan

118 Ms. Robinson handed copies of the draft FY 18 – FY 23 capital improvement program. Copies
119 will also be provided to the Finance Committee and the Capital Budget Committee. She
120 reviewed the overall picture with the Board and then asked them if they wanted to setup
121 meetings for the various departments to come in and make presentations at future meetings. The
122 Board agreed with this approach.

123

124 Discuss Executive Summary

125 The Chairman has asked that this item be discussed in executive session with all parties in
126 attendance on October 11th.

127

128 At the conclusion of the regular meeting Dominic Coombe an Upton resident asked to address
129 the Selectmen regarding a structure fire on Grafton Road which he witnessed from his own
130 home. He said the Fire Department, EMS and Chief did an outstanding job to contain the fire
131 especially since there are no hydrants in the area and had to rely on water tankers. He also
132 mentioned the expertise in which a three-foot propane tank was removed from the site of the fire
133 and the coordinated efforts by surrounding towns that responded was fantastic.

134

135 **EXECUTIVE SESSION**

136 The Board will enter into Executive Session under MGL 30A, section 21(a)(3) to discuss
137 strategy with respect to litigation where an open meeting may have a detrimental effect on the
138 litigation position of the Board as declared by the Chair.

139
140 The Board will enter into Executive Session under M.G.L. Chapter 30A, Section #21, Exception
141 #3 to discuss strategy with respect to litigation if an open meeting may have a detrimental effect
142 on the litigating position of the public body and the chair so declares.

143
144 **ADJOURN MEETING**

145 ***Motion #5:*** At 7:00PM motion was made by Selectman Daugherty to adjourn.

146
147 Second: Selectmen Fleming, Unanimous Chairman Brochu.

148
149 Respectfully submitted,

150
151 Sandra Hakala
152 Executive Assistant