

**BOARD OF
SELECTMEN
MEETING
MINUTES**

May 17, 2016

Town Hall

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

1
2 The meeting was called to order at 6:00pm in the Main Hall by Chairman Brochu.

3
4 **INVITED GUESTS**

5 The Police Chief, Fire/EMS Chief and members of both fire and police departments were present
6 to be recognized for their efforts to provide public safety during two recent working fires in
7 Upton. Senator Moore and Rep. Muradian were also to present certificates in recognition of
8 these events.

9
10 Police Officer Matthew Rankins was recognized for distinguishing that there was a home on fire
11 at 74 Hopkinton Road and his valiant efforts to call for help and get the homeowners out. That
12 early intervention avoided loss of life and limited damage to the home.

13
14 Both Police and Fire/EMS staff put themselves at risk at a fire that happened 48 hours prior on
15 Main Street to rescue an occupant of that building, and to search for others when the building
16 was actively on fire and all were recognized.

17
18 Detective Nicholas Palmieri was also recognized for making a rescue in the Main Street fire.
19 Detective Palmieri was at the Upton center when the fire broke out, and entered the apartment
20 building's front unit to evacuate a tenant.

21
22 The meeting was recessed at 6:20 and moved to the LTH upstairs.

23
24 Chairman Brochu reopened the meeting at 6:25 and after the pledge of allegiance reviewed the
25 agenda.

26
27 **RECOGNITION**

28 Selectmen Fleming gave condolences to the family and remembered Durwood A. "Curley"
29 Tetreault a former selectman and Town DPW Director for several years who passed earlier in the
30 week.

31
32 Selectmen Fleming also congratulated Ellen Arnold for being named the 2016 Upton Citizen of
33 the Year for all the work she has done for the town of Upton.

34
35 **MINUTES**

36 ***Motion #1:*** Motion made by Selectman Fleming to approve the May 3, 2016 regular session
37 meeting minutes.

38
39 Second: Selectman Daugherty, Unanimous Chairman Brochu.

40
41 ***Motion #2:*** Motion made by Selectman Fleming to approve the May 5, 2016 executive session
42 meeting minutes.

43
44 Second: Selectman Daugherty, Unanimous Chairman Brochu.

45 **MANAGER'S REPORT**

46 Four bids for construction of the new parking lot at Kiwanis Beach adjacent to the upper field
47 were received this week. It was recommended to the Recreation Commission that they award a
48 contract to Kazowski Contracting for \$139,000 and which they have. It is anticipated that
49 construction will begin by the end of the month and tree clearing by Cook Landscaping will
50 begin tree removal next week. Area residents will be notified.

51
52 There are a number of upcoming town events:
53 Library Book Sale – Risteen Building Lawn - May 21st
54 Town Government Day for 3rd Graders – May 25th
55 Memorial Day Parade – May 30th
56 Hazardous Waste Collection Day – DPW Facility - June 4th
57 Police Fishing Derby – June 11th

58
59 Household Hazardous Waste Day is June 4th and there is a detailed flyer on the website from the
60 Board of Health. Given that this event is held once a year now and anticipated to be busy,
61 residents are encouraged to review the details so they are prepared that day to pay cash for the
62 items for which we charge a fee, and some items we cannot accept – such as Styrofoam.

63
64 The fire department would like to make residents aware that there are smoke detectors available
65 to seniors and certain residents at the station.

66
67 **DISCUSSION ITEMS**

68 **Execute Documents for Refinancing the Quint Fire Truck**

69 Town Meeting authorized a borrowing to cover the \$365,000 purchase price for the tower truck.
70 The Treasurer/Collector utilized the “State House Note” program to arrange that financing. The
71 first note carried an interest rate of .5%, and the second is at .75%. The budget includes \$60,534
72 towards the principal outstanding, and \$2,000 towards interest. The goal is to pay off the truck
73 in seven years or less.

74
75 **Motion to make Annual Appointments**

76 The Board appointed residents to the various boards and commissions that are under their
77 purview. A list of openings is maintained on the town website.

78
79 **Motion #3:** Motion made by Selectman Fleming to reappoint the following:
80

ONE YEAR APPOINTMENTS	2016
Kopelman & Paige, P.C	X

CENTRAL MA REGIONAL PLANNING DELEGATE	
James R. Bates Jr, Alternate Delegate	X

DISABILITY AFFAIRS GRIEVANCE COORDINATOR	
Janice Read Nowicki	X

GREEN COMMUNITY COMMITTEE

Robert Jordan	X
Brad Rolph	X
Marcella Stasa	X
William Taylor	X

Land Stewardship Committee subcommittee of Conservation

Scott Heim	X
Michael Penko	X
Marcella Stasa	X
Bill Taylor	X

Open Space Committee sub committee of Conservation

Tom Dodd	X
Rick Holmes	X
Alan Miano	X
Mike Penko	X
Marcella Stasa	X
Bill Taylor	X

Opiate Task Force

Jim Brochu	X
Bob Fleming	X
Ken Picard	X
Chief Aaron Goodale	X
Chief Michael Bradley	X
Joe Maruszczak	X
Amy Leone	X
Kelly Graves	X
Al Holman	X
Betsy Sadler	X
Kelly McElreath	X
Michelle Cotton	X
Janice Nowicki	X
Gary Daugherty	X

PARKING CLERK

Kelly McElreath	X
-----------------	---

SENIOR WORK OFF PROGRAM COORDINATOR

Janice Read Nowicki	X
---------------------	---

TREE WARDEN

Vincent Roy	X
-------------	---

TWO, THREE & FIVE YEAR APPOINTMENTS

COMMUNITY PRESERVATION COMMITTEE (3 YEAR TERM)

Richard Desjardins	3X
--------------------	----

CONSERVATION COMMISSION (3 YEAR TERM)

Tom Jango	3X
Sandra Lajoie	3X
Marcella Stasa	3X

COUNCIL ON AGING (3 YEAR TERM)

Maria Griffin	3X
Annette Castanguay	3X

CULTURAL COUNCIL (3 YEAR TERM x2 - 1 yr off)

Jean Houskeeper	3X
-----------------	----

FOREST FIRE WARDEN (3 YEAR TERM)

Fire Chief Aaron Goodale	3X
--------------------------	----

HISTORICAL COMMISSION (3 YEAR TERM)

Howard Glassman	3X
Jim Brochu	3X

OPEB TRUST COMMISSIONERS TRUST

Nicholas Ensko	3X
Kenny Costa Town Accountant	1X
Ken Glowacki Treasurer/Collector	1X

PERSONNEL BOARD (3 YEAR TERM)

Debra Amorelli	3X
Robert Carnegie	3X

REGISTRAR OF VOTERS (3 YEAR TERM)

Cynthia Robertson	3X
-------------------	----

TRENCH PERMITTING AUTHORITY (3 YEAR TERM)

Fire Chief Aaron Goodale	3X
--------------------------	----

ZONING APPEAL BOARD

James R. Bates Jr. - Associate Member	3X
Bill Andrews	3X

81
82 Second: Selectman Daugherty, Unanimous Chairman Brochu.

83
84 **Motion #4:** Motion made by Chairman Brochu to reappoint:
85

COUNTY ADVISORY BOARD MEMBER

Robert J. Fleming	X
-------------------	---

86
87 Second: Selectman Daugherty, Selectman Fleming Unanimous.

88
89 **Motion #5:** Motion made by Selectman Daugherty to reappoint the following:
90

FIRE & EMS ADVISORY COMMITTEE (2 YEAR TERM)

Chief Aaron Goodale	
Brian Kemp Career firefighter/EMT representative	2X
Kerry Spoopack Paid-on-call ems representative	2X
Anthony Cervasi Paid-on-call firefighter representative	2X

91
92 Second: Selectman Fleming, Unanimous Chairman Brochu.

93
94 **Motion #6:** Motion made by Selectman Fleming to appoint:
95

FIRE & EMS ADVISORY COMMITTEE (2 YEAR TERM)

Scott van Raalten Citizen representative	2X
--	----

96
97
98 Second: Selectman Daugherty, Unanimous Chairman Brochu.

99
100 **Motion #7:** Motion made by Selectman Fleming to appoint:
101

OPEB TRUST COMMISSIONERS TRUST

Jim Brochu Chair BOS	1X
----------------------	----

102
103
104 **Motion #8:** Motion made by Selectman Fleming to appoint:
105

CULTURAL COUNCIL (3 YEAR TERM x2 - 1 yr off)

Jennifer Conrad	3X
-----------------	----

106
107
108 Second: Selectman Daugherty, Unanimous Chairman Brochu.

109
110
111

112
113
114
115
116
117

Discuss schedule to meet with appointed/elected boards (Liaison Assignments)

The Board has typically chosen its list of liaison assignments to assist other boards should they need Selectmen to reach out to with a question or concern and that Selectman can bring matters back for the full board to address. The Board agreed on the following liaison assignments:

Jim Brochu	Bob Fleming	Gary Daugherty
Board of Assessor	BVT	Affordable Housing Trust
Capital Budget Committee	Planning Board	Board of Health
Finance Committee	Zoning Appeal Board	Library Trustees
MURSD	Fire & EMS Advisory	Recreation Commission
		Treasurer/Collector

118

Motion to Appoint Full-Time Communications Officer

The Board reviewed a memo from Chief Bradley recommending that John Bergstrom be promoted from the position of a part-time Communications Officer to full-time. Recently Drew McInerney was appointed to this role after a search process, but Mr. McInerney has resigned to take a federal position that he had been hoping to receive. Mr. Bergstrom has been working for the town for about two years and is fully trained, and had not applied for this recent opening because he was working to achieve a personal goal that has changed. Ms. Robinson concurs with the Chief’s recommendation that he be promoted to this role, and that Mr. McInerney be retained in a part-time role. The Personnel Board has been advised of the situation and concurs with the process.

129

Motion #9: Motion made by Selectman Fleming to appoint John Bergstrom from the position of a part-time Communications Officer to full-time.

132

Second: Selectman Daugherty, Unanimous Chairman Brochu.

134

Discuss Intent to Convert – Land on Chestnut Street that is under MGL Chapter 61A

During 2015 the Town was approached by Nexamp with a proposal to develop a solar array at the intersection of Route 140 and Chestnut Street on land owned by Mr. Harvey Trask. A plan was approved by both the Planning Board and the Conservation Commission for the project, and Town Meeting gave the Board the approval to enter into a Payment in Lieu of Taxes (PILOT) agreement for payment to the town for the right to site it here.

141

Terms for that contract have since been agreed upon. This project requires two other steps, one at the State level to raise the cap on solar projects such as this to be built which occurred last month, and the second to convert the land for this purpose.

145

For a number of years this parcel has been utilized as agricultural/forested land and classified by the Assessors under State Chapter 61A, allowing it to be taxed at a lower rate. In order for the project to proceed the trustees for the owner have filed paperwork requesting they be allowed to “convert” a total of 19.22 acres from two separate parcels to a disqualifying use.

150

151 The Town has the right under State law to purchase the property at fair market value, which is
152 the decision that was before the Board. The Board does not wish to purchase it, but allow the
153 conversion to take place. The law will then require that the property owner pay back to the Town
154 the taxes that have been foregone while it was in Chapter 61A, and to pay taxes on it at the
155 higher rate going forward.

156
157 **Motion #10:** Motion made by Selectman Fleming to waive the Town’s “right of first refusal” to
158 purchase the land owned by Mr. Harvey Trask at the intersection of Route 140 and Chestnut
159 Street and convert a total of 19.22 acres from two separate parcels to disqualifying use under
160 State Chapter 61A.

161
162 Second: Selectman Daugherty, Unanimous Chairman Brochu.

163
164 Motion to Approve Contract for Road Reconstruction and Repair
165 A memo from DPW Roy outlining the bidding process for this season’s road reconstruction and
166 repair work was reviewed by the Board. Ms. Robinson has requested the contract be awarded as
167 outlined, and authorize her to execute that in an amount not to exceed \$586,617.60 on the Town’s
168 behalf. The plan is to begin work as early as possible in July so that it can be completed while
169 school is out of session and with the least impact to residents and the travelling public.

170
171 **Motion #11:** Motion made by Selectman Fleming to approve the contract for road reconstruction
172 and repair as outlined and authorizes the Town Manager to execute it in an amount not to exceed
173 \$586,617.60 on the Town’s behalf.

174
175 Second: Selectman Daugherty, Unanimous Chairman Brochu.

176
177 Motion to ratify a successor agreement with Teamster’s Local 170 - Supervisors
178 The Selectmen reviewed the completed successor contract for this bargaining unit for the period
179 from July 1, 2015 through June 30, 2018 and a copy of the Memorandum of Agreement which
180 outlines the specific changes that were agreed to in negotiations.

181
182 **Motion #12:** Motion made by Selectman Fleming to approve the successor agreement with
183 Teamster’s Local 170 – Supervisors for the period from July 1, 2015 through June 30, 2018.

184
185 Second: Chairman Brochu, Majority Action of the Board.

186
187 Discuss Algonquin Gas Pipeline Expansion
188 Several residents have expressed concern about the Algonquin Gas Pipeline Expansion. In
189 response to their concerns the Board of Selectmen together with the Board of Health, Planning
190 Board, Green Community Committee and Conservation Commission and residents will meet to
191 discuss the proposed project on May 25th.

192
193 The Selectmen will convene this meeting to gather input that will help the Board formulate a
194 response from the Town. All residents will be invited to attend this public meeting.

195

196 Comments on the preliminary plan are due to the Federal Energy Regulatory Commission on
197 May 31st.

198
199 Camille Hamlett spoke on her concerns about the proposed pipeline and the negative impact it
200 may have on the Town and residents as she will be unable to attend next week's meeting.

201
202 **NEW BUSINESS**

203 Planning Board to discuss the model village district bylaw

204
205 **MEETING LOOK AHEAD TOPICS**

206 TIP project

207 Insurance Advisory

208 Grants for street light conversion

209
210 **ADJOURN MEETING**

211 ***Motion #13:*** At 7:12pm motion was made by Selectman Daugherty to adjourn the regular
212 meeting.

213
214 Second: Selectmen Fleming, Unanimous Chairman Brochu.

215
216 Respectfully submitted,

217
218 Sandra Hakala
219 Executive Assistant