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UXBRIDGE BOARD OF SELECTMEN MEETING
UXBRIDGE TOWN HALL
BOARD OF SELECTMEN'S MEETING ROOM
MONDAY, AUGUST 9, 2010 – 7:00 PM

Present: Chair Beth Pitman, Vice-Chair Bruce Desilets, Clerk Jay Cahill, and Selectman Peter Baghdasarian. Also present Town Manager Michael Szlosek.

Selectman Robertson and Tracey Ante were not present.

Note: Some matters may have been taken out of agenda order but are presented below based on agenda order for ease of location information.

I. CALL TO ORDER AT 7:00PM

A. Announcements – [notes]

MMA is having their 5th annual Essay contest for 6th graders. Topic: "If I were elected I would make a difference by..." . Only public schools can participate. Contest deadline is 11/5/10. First 100 communities who sign up will be allowed to participate. Mike will send a letter to Superintendent Zini to see if there is interest; if so, the Board agrees that we should move it forward.

Mr. Cahill reminded citizens of the Kohls Cares Facebook contest whereby Kohls will be donating \$500,000 for each school registered that receives the most votes through Facebook. Further information will be presented by the group who organized the response at the next BOS meeting on 8/23/10.

B. Citizen's Forum – [notes]

Senator Moore presented a US and State flag, per the request of the Board for new flags. Both flags were flown over the State House. Moore presented the flags and certificates to Ms. Pitman.

Additionally, residents of Waterman Way's have contacted Senator Moore and he has forwarded the information from the residents to the Board. Town Manager stated that we will work to get that done.

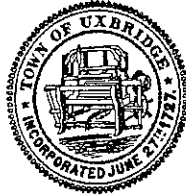
Tara Corcoran 35 Cassie Way: Updated Board on the status of the road. All home owners titles are clear except one. Paperwork was done by the final home owner on 6/26/10 and submitted to Bank of America. Bank of America says that it takes up to 90 days to process. September 25th is deadline for the Warrant so they are hopeful the response from the bank will be in time. Inspection of Cassie Way was done by the Dept. of Public Works. Benn Sherman recommends moving the basins in September to recheck. There is a piece of road that will need to be repaved. They are getting bids on the work. There are a couple of other small items, but things are looking good. The home owners are working hard and doing as much as possible.

The Board agrees that Ms. Pitman send a letter on behalf of the Town to Bank of America to expedite the process as best it can, if provided by Ms. Corcoran with the appropriate contact information.

NO ACTION OF BOARD REQUIRED.

II. APPROVE MEETING MINUTES

7/26/10 Regular Session Minutes - Motion by Mr. Baghdasarian to approve the minutes for Monday 7/26/2010 Regular Session Minutes. Seconded by Mr. Desilets, the motion carried 3-0-1, Mr. Cahill abstained.



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7/26/10 Executive Session Minutes - **Motion by Mr. Baghdasarian to accept the 7/26/2010 Executive Session Minutes. Seconded by Mr. Desilets, the motion carried 3-0-1, Mr. Cahill abstained.**

7/29/10 Regular Session Minutes - **Motion by Mr. Baghdasarian to approve the 7/29/2010 Regular Session Minutes. Seconded by Mr. Desilets, the motion carried 3-0-1, Mr. Cahill abstained.**

III. OLD BUSINESS

A. Town Manager Goals

All Board members should submit their goal modifications/additions for Town Manager to Ms. Pitman by next Monday, 8/16/10, for consolidation followed by distribution. Ms. Pitman to schedule a dedicated meeting to discuss the submitted goals.

NO MOTION REQUIRED.

B. CIF Rates – Vote borrowing \$3.5M –

David Genereux stated that there is nothing new to add since last meeting. Mr. Genereux recommends 20 year borrowing as it saves +\$800,000 over the life of the loan, however he believes Mr. Baghdasarian's rationale on a 30 year period is sound. Mr. Baghdasarian is in favor of the 30 year debt because that covers the expected life of the well.

Before approving the final borrowing, the Board will have to look at putting an exception to the BOS policy on approving borrowing for more than 20 years.

MOTION by Mr. Cahill to authorize the construction of a well and process building at the Rosenfeld well field, design and construction of water lines from said well field to existing lines on Quaker Highway and/or Millville Road said project to be financed on a 30 year debt schedule, to be recouped through the application of a CIF rate, and to meet this appropriation, that the Treasurer with the approval of the Board of Selectmen be authorized to borrow up to \$3,500,000 under Chapter 44 of the General Laws or any other enabling authority, Seconded by Mr. Baghdasarian, the motion Carried unanimously.

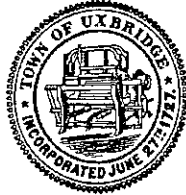
C. Update CAC – new hire/endorse contract extension/BOS appointment –

NEW HIRE 1

Full-time is posted for Ben's departure and position. 20 resumes have been received. Resumes are being accepted until 8/20/10. It's a Technical position.

NEW HIRE 2

19-hours position for part-time on-air position. The Town Manager and Cable Access Coordinator Barry Giles are not seeing eye-to-eye on the candidates. The goal of this on-air position is to produce a bi-monthly magazine news program about what is going on in Town. The individual would be an on-air talent that can additionally run Q&A. The biggest issue is that we don't have original programming. This service would be available to anyone in town. The new Production Assistant and Mr. Giles would support the production of it. The job requisition closed last week after receiving approximately 20 resumes.



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Mr. Giles was asked by the Town Manager to hold off on this hire until the surveys are tallied and reviewed completely before moving forward. There is a possibility that residents may not be in support of PEG content.

SURVEY STATUS

A recent high school graduate was hired and began working on the resumes last week (19 hours/week). She should be done in 2 weeks. The Board will look at the results before extend the new hire #2 position. PEG Access discussion around whether people should have the right to elect in or out of PEG financially.

CONTRACT EXTENSION

Motion by Mr. Baghdasarian to sign a 6-month extension to cable contract with Charter seconded by Mr. Desilets. Motion passed unanimously.

CAC & BOS APPOINTMENT

No new CACA meetings are scheduled yet.

Discussion of whether a member of the BOS should be member of the Cable Advisory Committee. Cable Advisory Committee is acquiring the information so that the BOS can negotiate the contract. According to Mr. Giles, the CAC has met with the Charter, but they are not in negotiation discussions. Mr. Giles was under the impression that the Board would negotiate with Charter based on the information brought back by the CAC. Mr. Baghdasarian clarified that this is not the case based on the 4-1 vote last year the Board took to empower the CAC to do the negotiation with Charter.

MOTION by Ms. Pitman to appoint Ms. Pitman to the CAC committee for Contract Negotiations only. Favorable 2-1-1, Desilets-aye, Cahill –aye, PB-No, BP-Abstained.

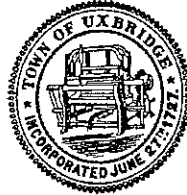
IV. NEW BUSINESS

A. Presentation on CM at Risk, Josselin Lesser – Jeff Luxenberg, Discussion and Vote to follow.

- Mr. Luxenberg provides overview of CM at risk.
- Josselin Lesser have been approved 3 times to use CM at risk.

The process is:

- Put out a request for Qualification.
- Then RFP
- Then Interview responder's
- Rank the firms in order, then move to present one in a contract to the board for approval moving forward. (\$100k)
- No cost for first phase.
- Once elected we'd be in design development.
- Then they would procure trade contractors.
- Then they established Guaranteed Maximum Price.
- Amendment is then presented to the Board for the full amount.



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Advantages

- 1% discount – about \$388k
- Can select based on qualification and fees. (fees = overhead and profit)
- Early packages – we could start locking in pricing on contractors. (Site work and Steel)
- Contractor is involved early in the design process.
- Trade contracts will know who the CM will be, so you can avoid controversy down the road with CM.
- Typically results in less change orders.

Disadvantages

- Less competition because CM will only go to the ones they have worked with in the past. Minimum of 3 bids mitigate this risk.
- \$120k of upfront costs. Mitigated by \$388k or 1% discount.
- Early packages could back fire if you need adjustments down the road.
- If for some reason costs are wrong, we could be in tough pricing situation. Mitigated by 3 point price checking.

Mr. Luxenberg recommends CM at Risk for the new high school project. He believes it will be more price competitive and a better quality project as a result.

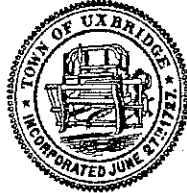
Minimum 3 CM at Risk firms will be assessed. The interview committee is comprised of a minimum of 4 people: 1 rep from OPM, 1 rep from Architect, 5 or 6 from the SBC including the Superintendent of Schools. Town Manager and Superintendent Zini are non-voting members.

CM at Risk started in 2004 and were used with Salem High School and Housing Authority in Milford. 4 of 6 projects have been at CM at Risk. The size and scope (small) of GC projects made them the right choice and honestly they were the two earliest in the queue of projects.

MOTION by Mr. Desilets that the Town of Uxbridge use CM at Risk to build a new High School, Seconded by Mr. Baghdasarian, the motion passed unanimously at 4-0.

- B. Resident Request for snowing plowing services – Peter DiBatista – Cedar Woods Subdivision, Anthony and Giacomo Way –

Mr. DiBatista was here to follow up on the board meeting 2 weeks ago and to see how the Board was moving this issue forward. The street update includes: last week the service has been put out to bid and IFB went out last week as well. Mr. DiBatista did not have a good feeling that the process was going to move forward in time for Fall Annual Town Meeting. Mr. DiBatista asked if the construction is not done in time, would the Board agree to have the Town do winter plowing. Mr. Baghdasarian states it is a premature request at this time, considering it is only August.



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Benn Sherman states that the work seems relatively easy to complete. From Mr. Sherman's opinion, it's a matter of waiting to see the outcome from the bids. All the work necessary should be capable of being done by one General Contractor. With that said, there were 2 bids out as the work needed is:

1. Surveying work
2. Contractor work

Once the surveying is completed, a single GC should do the work. Mr. Sherman has received several oral inquiries on the IFB. He sent out one for the actual roadwork today. The IFB closes on 9/9/10,

Engineering complete by Oct 31st.
Roadwork Nov 30th.

Giacomo way has paving needs.
Anthony's way has catch basins needs.

Christine Nolan of Giacomo Way commented that residents have been receiving indications from the Town since 2002 that the road will be accepted and was desiring more confidence that this time around it would get done.

The Board will provide an update after the receipt of the IFBs.

NO ACTION OF BOARD RECOMMENDED AT THIS TIME.

C. Constitution Week Proclamation

MOTION by Mr. Desilets for the Board to authorize the Chair to authorize the proclamation for Constitution Week. Seconded by Mr. Baghdasarian, the motion Carried favorably 3-0-1, Ms. Pitman abstained.

D. Citation – Eagle Scout Christopher Berthelette

Reading of the citation letter by the Chair and presentation of the award to Mr. Berthelette.

NO ACTION OF BOARD REQUIRED.

E. One Day Permits, Alcohol and Entertainment, Italian Club

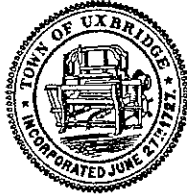
Steak, lobster, chowder and clams will be served.

Two bands will be there. Noon – band outside. 5:00pm – inside band.

Tickets only sold in advance. For tickets see Joe.

Limited to 150 people - Squire White will be catering.

For tickets, call 508.889.1479.



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MOTION by Mr. Baghdasarian to grant a one day alcohol license for beer and wine to the North Uxbridge Italian American Club Inc. to have clambake on Aug 21st, 2010 from 12 pm- midnight, Seconded by Mr. Desilets, the Motion carried unanimously.

MOTION by Mr. Baghdasarian to grant a one day Entertainment Licenses for the North Uxbridge Italian American Club Inc. to have a clambake on Aug 21st, 2010 from 12pm - midnight, Seconded by Mr. Desilets, the Motion carried unanimously.

V. TOWN MANAGER REPORT

A. Pout Pond –Update

The chemicals are working as they should and are killing off the weeds. The weeds are sinking to the bottom and dissipating. The 2nd or 3rd week of September will be as good as Pout Pond will be for this year with the additional work being done by then as well. (Pine tree, loaming, and seeding.)

B. Conservation Commission – The Town Manager appointed Michael Potaski to the Commission, and there is one remaining opening to be filled. It is a 3 year term open permission. If there is a resident with interest in Pout Pond, please contact Town Hall about filling the final vacancy.

C. Discuss Home Rule Petition submitted by Lowell, Employee Health Plan Design.

Town Manager received a letter from the Town Manager of Lowell, in regard a petition to allow the Town of Lowell to choose their healthcare plan design. Town Manager suggests that Uxbridge place a Home Rule Petition that will allow the Town to do what the State does, i.e., negotiation of things such as co-pay.

D. AG Open Meeting Update

Mr. Baghdasarian and Town Manager attended the hearing this afternoon. They were first and second to testify. Town Manager stressed the difficulties of 24 hour posting.

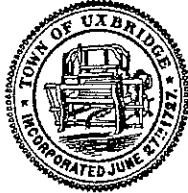
E. Other issues.

Benn Sherman – update on the water ban. The residents have been in pretty good compliance. A letter was generated and distributed to the Water and HW Dept to handout to homeowners and businesses that had been seen to violate the water ban. No changes to the ban plan are needed at this time.

VI. MEMBER ISSUES

Mr. Baghdasarian – Angel of Hope and the sign of the Charlie Smith Pond – the sign is clearly out of place. When the Board talked about the park, it was related to the pond. The Board needs to address it. Ms. Pitman confirmed that she is addressing this issue to bring before the Board.

Mr. Baghdasarian – Tom Bentley asked about building a single family home on land zoned for business. Mr. Bentley went to ZBA and paid \$600 dollars. The ZBA didn't have the authority to make this decision. He researched and is comfortable that it's not allowed. Mr. Baghdasarian asked that the Board work to get Mr. Bentley his money back. Town Manager will take action on the refund to Mr. Bentley. Mr. Bentley was told that



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the ZBA was going to do a site visit. Then he was told that they cancelled the site visit because of 48-hour postings rules. It is not necessary to post a site visit 48-hours in advance. We (the Board) need to make sure the other bodies are passing out the right information. We (the Board) need to provide people guidelines on where the rules are.

Jay Cahill – Question regarding the follow-up to an inquiry for space by Mass Econ Development for a company looking for a site to build solar panels. Town Manager reached out to Cappy Fournier and discussed the potential with a couple of people. However, the company wanted an existing 200k sq. ft. building, not a location that could be built out. Town Manager advised the Mass Econ Development to keep Uxbridge in mind for future projects.

VII. EXECUTIVE SESSION (MGL c.39, §23B)
Update Police and DPW Union Negotiations

VIII. ADJOURNMENT: Next BOS Meeting August 23, 2010

At 10:13pm, MOTION by Mr. Baghdasarian to adjourn the meeting and enter into executive Session to discuss Police and DPW Union negotiations with no further business to follow, Seconded by Mr. Desilets, the motion carried unanimously by a role-call vote (Pitman – aye, Desilets – aye, Baghdasarian – aye, Cahill – aye)

Minutes respectfully submitted by Clerk, Jay Cahill.

Minutes approved by Board of Selectmen:



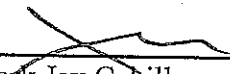
Chairman Beth Pitman



Selectman Peter Baghdasarian

Vice Chairman Bruce Desilets

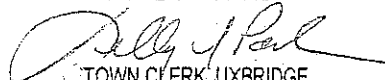
Selectman Cari Kay Robertson



Clerk Jay Cahill

Date Approved

A TRUE COPY ATTEST


TOWN CLERK, UXBRIDGE