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TOWN OF UXBRIDGE
21 S. MAIN STREET, UXBRIDGE, MA 01569 – 508-278-8600
BOARD OF SELECTMEN'S MEETING MINUTES
BOARD OF SELECTMEN'S MEETING ROOM
MONDAY, AUGUST 27, 2012 – 6:00PM

Received by
Uxbridge
Town Clerk

Present: Chair Peter A. Petrillo, Vice Chair Jay Cahill, Clerk Tim Rice, Selectman Bruce Desilets and Selectman Peter Baghdasarian. Also present, Town Manager Sean Hendricks and Administrative Assistant Tracey Ante.

I. CALL TO ORDER

A. Announcements

The Uxbridge Board of Selectmen is calling a public hearing to be conducted by the Charter Review Committee on Wednesday, September 5, 2012 at 7:00PM at Uxbridge Town Hall, Lower Town Hall Meeting Room, 21 S. Main St., Uxbridge, MA to consider the proposed changes to the Town Charter. The proposed changes may be reviewed at Town Hall during regular business hours. Anyone interested in wishing to discuss the matter should appear before the Board at the above aforementioned time and place.

The People's First Food Pantry will be holding their Annual Italian Dinner, Sat. 9/8, 6-7:30PM at the Uxbridge VFW. For tickets and more information, contact the People's First Food Pantry at 508-278-5506.

Mr. Desilets thanked Wendy Washington for her email and is in agreement not to sell Pout Pond.

Mr. Cahill thanked the Cultural Council, event coordinators and vendors for their participation in the event at River Bend Farm Sunday, 8/25. Briefcase Full of Blues performed. It was a Blues Brothers Tribute band.

Mr. Rice thanked everyone for the contribution of peanut butter for Haiti Relief.

- B. Citizen's Forum – Dave Lewcon discussed concerns about a proposed warrant article to sell Pout Pond. Other residents were present and expressed the same concerns. The Board was encouraged to not sell Pout Pond and to reach out to the Recreation Commission to further develop activities and programs at the pond.

Mr. Harry Romasco was present and advised that the Charter Review Committee will conduct a public hearing on Wednesday, 9/5 to discuss the proposed changes to the charter. All are encouraged to attend. Information is available at Town Hall and on the Town's website.

II. BUSINESS

A. OLD BUSINESS

1. High School project – update – Mr. Desilets updated the Board.
2. Fall Town Meeting Warrant 11/20/12 – review/vote inclusion of articles

ARTICLE: REPORTS

To hear the report of any outstanding committee and act thereon.

SPONSOR: Board of Selectmen

MOTION: I, Mr. Desilets, move that the Board include the article Reports in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: TRANSFER OF UNEXPENDED UNENCUMBERED FUND BALANCE TO THE CABLE PEG ACCESS ACCOUNT

To see if the Town will vote to transfer and appropriate a sum or sums, including so called Unexpended Unencumbered Fund Balance to the Cable PEG Access Account.

Or take any action relating thereto.

SPONSOR: Finance Director

MOTION: I, Mr. Desilets, move that the Board include the article Transfer of Unexpended Unencumbered Fund Balance to the Cable Peg Access Account in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried 4-1-0 (Mr. Baghdasrian opposed).

ARTICLE: TRANSFER TO STABILIZATION

To see if the Town will vote to transfer and appropriate a sum or sums, including Unexpended Unencumbered Fund Balance to the Stabilization Fund Account.

Or take any action relating thereto.

SPONSOR: Finance Director

MOTION: I, Mr. Desilets, move that the Board include the article Transfer to Stabilization in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: PRIOR YEAR BILLS

To see if the Town will vote to raise and appropriate, or transfer from available funds such sums as required to pay prior fiscal year's bill(s).

Or take any other action relating thereto.

SPONSOR: Finance Director

MOTION: I, Mr. Desilets, move that the Board include the article Prior Year Bills in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: FY13 INTER/INTRA DEPARTMENTAL TRANSFERS

To see if the Town will vote to transfer from available funds, including funds previously appropriated to other uses, or Unexpended Unencumbered Fund Balance and enterprise fund retained earnings, to general fund and/or enterprise fund accounts for purposes to be specified at the Fall Annual Town Meeting.

Or take any action relating thereto.

SPONSOR: Finance Director

MOTION: I, Mr. Desilets, move that the Board include the article FY13 Inter/Intra Departmental Transfers in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: FY13 BUDGET AMENDMENTS

To see if the Town will vote to raise and appropriate, or to approve budget reductions, in order to balance the FY 2013 Town Budget approved under Articles 4, 8, 9, 10 and 11 of the May 8, 2012 Spring Annual Town Meeting.

Or take any other action relating thereto.

SPONSOR: Town Manager

MOTION: I, Mr. Desilets, move that the Board include the article FY13 Budget Amendments in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: FUNDING APPROPRIATION FOR THE PURCHASE OF CABLE PEG ACCESS EQUIPMENT

To see if the Town will vote to transfer \$25,000 for the purchase of Cable PEG access equipment for the current fiscal year, such sums of money to be offset by Cable PEG Access "Receipts Reserved for Appropriation Account," or take any other action related thereto.

SPONSOR: Cable Access Coordinator

MOTION: I, Mr. Desilets, move that the Board include the article Funding Appropriation For the Purchase of Cable Peg Access Equipment in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice , the motion carried unanimously.

ARTICLE: ESTABLISH COMMUNITY GARDEN COMMITTEE

To see if the Town will vote to establish pursuant to the Uxbridge Home Rule Charter, Article 5, Section 1, a Community Garden Committee, to consist of five (5) members, to be appointed by the Town Manager for a term of office of three (3) years, said terms to be staggered in the Committee's first year to 2 three-year appointments, 2 two-year appointments and 1 one-year appointment for the purpose of overseeing and managing the activities of the Uxbridge Community Gardens.

or take any action relating thereto.

SPONSOR: Town Manager

MOTION: I, Mr. Desilets, move that the Board include the article Establish Community Garden in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried 2-3-0 (Mr. Petrillo, Mr. Cahill and Mr. Baghdasarian opposed). **MOTION FAILED.**

ARTICLE: REVOLVING FUND ACCOUNT FOR UXBRIDGE COMMUNITY GARDEN

To see if the Town will vote to establish and authorize pursuant to GLc.44, §53E ½ a revolving fund for operation and restoration costs associated with the Uxbridge Community Garden, under the Community Garden Committee, to be derived from user fees and donations, not to exceed \$12,000;

or take any action relating thereto.

SPONSOR: Town Manager

The Board passed over.

ARTICLE: REVOLVING FUND ACCOUNT FOR FIRST AID/CPR TRAINING

To see if the Town will vote to establish and authorize pursuant to GL c.44, §53E ½ a revolving fund for First Aid/CPR Training, under the Fire Chief, to be derived from course tuition and fees, not to exceed \$10,000.

Or take any action relating thereto.

SPONSOR: Fire Chief

MOTION: I, Mr. Desilets, move that the Board include the article Revolving Fund Account for First Aid/CPR Training in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: BORROWING AUTHORIZATION – AMBULANCE CHASSIS

To see if the Town will vote to appropriate \$107,000 for the purpose of purchasing and equipping an Ambulance Chassis for the Fire Department; and further, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow under Chapter 44 of Massachusetts General Laws or any other enabling authority; that the repayment of said borrowing to be made from the Ambulance Enterprise fund budget; and that the Board of Selectmen is authorized to apply for and accept any federal or state funds or grants and/or gifts of any kind for the purpose of this acquisition; or take any other action related thereto.

SPONSOR: Fire Chief

MOTION: I, Mr. Desilets, move that the Board include the article Borrowing Authorization – Ambulance Chassis in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: BORROWING AUTHORIZATION – WATER MAIN DESIGN AND CONSTRUCTION

To see if the Town will vote to appropriate a sum of moneys for the design and construction of the “Uxbridge Water Distribution System Improvements, Main Street (Route 122) and North Main Street (Route 122) Water Mains”; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; That \$3,186,000 is appropriated for the purpose of financing the design and construction of “Uxbridge Water Distribution System Improvements, Main Street (Route 122) and North Main Street (Route 122) Water Mains” including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow \$3,186,000 and issue bonds or notes therefore under (Chapter 44 of the General Laws or insert reference to other applicable general or special law governing the issuance of local bonds) and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78; and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and to take any other action relating thereto.

SPONSOR: DPW Director

MOTION: I, Mr. Desilets, move that the Board include the article Borrowing Authorization – Water Main Design and Construction in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: TRANSFER FROM WASTEWATER ENTERPRISE RETAINED EARNINGS FOR THE PURCHASE OF WASTEWATER DIVISION EQUIPMENT

To see if the Town will vote to transfer and appropriate the sum of \$100,000 from Wastewater Enterprise retained earnings in the Wastewater Enterprise Fund and transfer to the Wastewater Enterprise Capital Fund for the purchase of department equipment for the current fiscal year; or take any other action related thereto.

SPONSOR: DPW Director

MOTION: I, Mr. Desilets, move that the Board include the article Transfer From Wastewater Enterprise Retained Earnings for the Purchase of Wastewater Division Equipment in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Rice, the motion carried unanimously.

ARTICLE: ACCEPTANCE OF MASSACHUSETTS GENERAL LAW CHAPTER 59, SECTION 5N, RELATIVE TO VETERAN'S PROPERTY TAX WORK-OFF PROGRAM

To see if the Town will vote to accept the provisions of G.L. Chapter 59, Section 5N, to allow the Board of Selectmen to establish a program to allow veterans, as defined in clause forty-three of section 7 of Chapter 4 or Massachusetts General laws to volunteer to provide services to the Town which shall allow the Town to reduce real property tax obligations of that veteran on the veteran's tax bills.

or take any other action related thereto.

SPONSOR: Town Manager

MOTION: I, Mr. Desilets, move that the Board include the article Acceptance of Massachusetts General Law Chapter 59, Section 5N, Relative to Veteran's Property Tax Work-Off Program in the Fall Annual Town Meeting Warrant of November 20, 2012. Seconded by Mr. Cahill, the motion carried unanimously.

B. NEW BUSINESS

1. Eagle Scout Project at the Angel of Hope – Jonathan Robert discussed the proposed Eagle Scout Project to be constructed at the Angel of Hope. **MOTION:** I, Mr. Desilets, move that the Board approve the Eagle Scout Project at the Angel of Hope, subject to the comments and suggestions in the email from DPW Director, Benn Sherman dated 8/23/12 (attached to the minutes). Seconded by Mr. Rice, the motion carried unanimously.
2. Update Stormwater Bylaw – DPW/Stormwater Committee – DPW Director, Benn Sherman updated the Board on the stormwater management and erosion control bylaw. He advised, there were minor changes (as noted) that were discussed at the last meeting but these are not substantive overall. The Stormwater Committee is looking to get constructive comments from the Board, as well as, support from the Board on the bylaw going forward. It is the intention of the Stormwater Committee to begin public discussion through the BOS, Conservation Commission and Planning Board and plan additional public meetings with the Blackstone River Coalition as they are actively involved throughout the valley with stormwater issues.
3. New developments with the E. Hartford Ave culvert/104 E. Hartford Ave. bldg. – DPW Director, Benn Sherman updated the Board on the new developments with the E. Hartford Ave. culvert/104 E. Hartford Ave. building. It is anticipated work on the culvert will commence Summer 2013. Attorney Rob Knapik was also present, representing the owners of the Larkin Building at 104 E. Hartford Ave. He discussed concerns with the deteriorating building. Water flow is a major concern. The DPW Director will work with Atty. Knapik in an effort to try to resolve the issues.

4. Endorse Warrant for 2012 State Primary – Town Clerk – **MOTION: I, Mr. Desilets, move that the Board endorse the Warrant for the 2012 State Primary. Seconded by Mr. Rice, the motion carried unanimously.**
5. Appointments – CMRPC – one delegate and one alternate – **MOTION: I, Mr. Cahill, move that the Board appoint Mr. Cahill as a Delegate Member to CMRPC. Seconded by Mr. Desilets, the motion carried unanimously. MOTION: I, Mr. Desilets, move that the Board appoint Mr. Dan Antonellis, Planning Board Member, as an Alternate Member to CMRPC. Seconded by Mr. Cahill, the motion carried unanimously.**
6. Application – One Day Beer and Wine License - Rod & Gun Club – Knights of Columbus – St. Mary’s Annual Parish Fair, Sat. 9/16, 12-4pm – **MOTION: I, Mr. Desilets, move that the Board approve the One Day Beer and Wine License for the Knights of Columbus at the Uxbridge Rod and Gun Club for the St. Mary’s Annual Parish Fair, Sunday, 9/16 from 12-4PM. Seconded by Mr. Cahill, the motion carried unanimously.**

III. PUBLIC HEARING

None

IV. STRATEGIC PROJECTS

V. MEETING MINUTES

8//13/12 Meeting Minutes – **MOTION: I, Mr. Cahill move that the Board approve the 8/13/12 Meeting Minutes. Seconded by Mr. Desilets, the motion carried unanimously.**

8/22/12 Meeting Minutes – **MOTION: I, Mr. Cahill move that the Board approve the 8/22/12 Meeting Minutes. Seconded by Mr. Desilets, the motion carried unanimously.**

VI. TOWN MANAGER UPDATE

The Town Manager updated the Board on the following topics:

Chief Freitas Retirement Celebration was 8/22.

Lt. Emerick was appointed Interim Chief on 8/23.

RFP Blanchard – The site visit was 8/21 and there was one attendee. The bid closes 9/20.

Pout Pond Swimming 2nd round lessons have concluded with a successful finish.

Town Hall renovations are almost complete, moving to Blanchard and Library for small projects.

Fire boxes project – there are preliminary plans to remove the boxes.

COA Building – A Notice of Intent has been filed with the Conservation Commission and tentatively scheduled to be heard on 9/10.

School starts Wednesday 8/29, be aware of bus and pedestrian traffic especially on Quaker Hwy.

The Fall Annual Town Meeting Warrant closes on Friday, 9/21 at 5PM.

VII. MEMBER ISSUES

The Board had general discussion including budget review process, department budgets, department functions and responsibilities and whether or not functions performed by departments are statutorily required. The Town Manager will have departments prepare reports for the Board to review at a future meeting.

TM Evaluation Form and Timelines - Mr. Cahill discussed the Town Manager evaluation form and review period. The Town Manager provided feedback. The Board confirmed the evaluation criteria and review period for the next schedule review of the Town Manager. The Board asked that the Town

Manager provide advance notice of any requested amendments to the Town Manager's Employment Agreement. Notice shall be forwarded to the Chair.

VIII. NEXT MEETING AGENDA

IX. EXECUTIVE SESSION

Grievance Fire Fighters Assoc.

X. ADJOURNMENT: NEXT BOS MEETING MONDAY, SEPTEMBER 10, 2012- 6:00PM

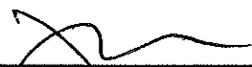
At 9:20PM, MOTION: I, Mr. Cahill, move that the Board adjourn the meeting and enter into Executive Session to discuss a grievance from the Fire Fighters Assoc. with no further business to follow. Seconded by Mr. Baghdasarian, the motion carried unanimously by a role-call vote (Petrillo – aye, Cahill – aye, Rice – aye, Desilets – aye, Baghdasarian - aye).

Minutes respectfully submitted by, Tracey Ante

Minutes approved by Board of Selectmen:



Chair Peter A. Petrillo

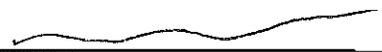


Vice Chair Jay Cahill



Clerk Tim Rice

Selectman Bruce Desilets



Selectman Peter Baghdasarian

Date Approved

9/10/12

Tracey Ante

From: Benn Sherman
Sent: Thursday, August 23, 2012 4:09 PM
To: Tracey Ante; Nelson Burlingame; franandpat@gmail.com
Cc: Sean Hendricks; tbpomeroy@yahoo.com; ionied@charter.net; Jay Cahill; Peter Petrillo
Subject: RE: Eagle Project

I have reviewed the information contained within the eagle scout proposal that will be discussed the next BOS meeting. I offer the following comments and/or suggestions.

1. The DPW has no objection to the installation of the split rail fence at this location. However, a sketch of the layout of the fence would be beneficial to ensure there wouldn't be any obstructions that would hinder access for maintenance. Who will be the responsible party for maintenance/replacement of the proposed fence should anything arise? Should there be an amendment to license between the Town and the Pomeroy's? As it stands, the DPW has historically been responsible for the mowing activities around the area of the memorial and pond. Does the Historical Commission need to weigh in on the erection of the fence (location, style, etc.)?
2. The DPW has no objections to the painting of the chain at the entrance from East Hartford Avenue.
3. Any signage should be vetted through the historical commission as there were significant issues in the past with the erection of new signage at this location.
4. The DPW has no objection to the installation of either the "mailbox" or the "doggie bag dispenser" as long as they do not pose a hazard or obstruction. A sketch of the proposed locations would be beneficial.
5. The DPW is willing to assist the proponent with the removal of problem trees at this location. This will eliminate any potential issues with aerial cutting/pruning of trees.
6. The DPW is willing to coordinate with the proponent on the planned activities.
7. The Town should request a letter from the Pomeroy's granting permission to the proponent for carrying out this project to ensure that it conforms to the current license agreement.

Jonathan and Others-You are encouraged to attend the BOS meeting on the August 27, 2012 at 6pm.

Should you need any additional information from the DPW, please don't hesitate to contact this office.

Benn S. Sherman, P.E.
Director of Public Works
Town of Uxbridge
147 Hecla Street
Uxbridge, MA 01569
508-278-8616 508-278-3179 fax

 Please consider the environment before printing this email.

From: Tracey Ante
Sent: Monday, August 20, 2012 12:34 PM
To: Benn Sherman; Nelson Burlingame; franandpat@gmail.com
Cc: Sean Hendricks; Nelson Burlingame
Subject: Eagle Project

The attached Eagle Scout Project proposal has been received seeking approval from the Board of Selectmen. This is tentatively scheduled for the BOS meeting on 8/27. Please review the attached information and advise me of any comments no later than 8/23. Thank you.

Tracey Ante
Administrative Assistant