

**Town of Uxbridge Board of Selectmen  
Meeting Minutes-Regular Session  
September 25, 2006**

**Roll call**

The following persons were present: Chairman Julie Woods, Vice Chair man Arthur DuBois, Clerk Dan Stack, Sel. Jim Dwyer, Sel. Kevin Kuros, Town Manager Jill Myers, and BOS Assistant Joseph Smith.

**Call to order**

Chairman Woods called the meeting to order at 7:00 p.m. Several members of the Boy Scouts were in attendance at the meeting and lead the audience in the Pledge of Allegiance.

• **Announcements**

- o Opening on the Website Committee
- o Sel. Dwyer announced that the new Parish Hall is having their ground breaking ceremony on 10/7/06 and the Board of Selectmen were invited to attend.
- o Chm. Woods announced the resignations received from Judith Stocks from the Bylaw Review Committee and Tom Dill from the Website Committee. Sel. Dwyer made a suggestion for the language to be included in the acknowledgment letter to Ms. Stocks.

• **Citizens Forum**

- o Chm. Woods opened Citizens Forum at 7:10 p.m.
  - Edward Podles, 54 St. Andre Drive, addressed the Board regarding the Blanchard Reuse project and expressed his concern regarding the selection of the architect.
  - Rachel MacGillivray, 395 West Street, addressed the Board regarding noise complaints in her neighborhood. She indicated that The Habitat for Sports starts activities at 7 a.m. which go well into the evening, even on the weekends. She stated that she felt uncomfortable bothering the Uxbridge Police Department. Chm. Woods advised her that these calls are necessary and the only way to confirm problems and create evidence of violations.
- o With no other person present to address the Board, Chm. Woods closed Citizens Forum at 7:20 p.m.

**Public Hearings/Appointments**

• **Council on Aging appointments:**

- o The four candidates for the four openings on the Council on Aging addressed the Board and indicated their reasons for requesting appointment. Daniel Baker, Karen Albright Marie Potter, and Rita LaBonte. Director Marsha Petrillo expressed support of all four.
  - **MSDV by Sel. DuBois , seconded by Sel. Stack To appoint each applicant to fulfill the existing terms for each of the four openings on the Council until June 30, 2007. The motion passed unanimously.**
  - Sel. Kuros noted that with the recent number of resignations that the Board has received, it would be useful for the TM and the Board to work to encourage volunteer participation.

- Mental Health Awareness Designation:
  - Mrs. Connie Dwyer and Senator Richard Moore addressed the Board regarding the State designation of October 1<sup>st</sup> through October 7<sup>th</sup> as Mental Health Awareness Week. Mrs. Dwyer and Senator Moore spoke about the growing trend of mental illness and the variety of subsequent illnesses that are inherent with this disorder. Senator Moore read from a resolution adopted by the Massachusetts Senate and House of Representatives setting aside the above week for mental health awareness.
    - **MSDV by Sel. Dwyer, seconded by Sel. Stack to approve the 1<sup>st</sup> week in October as Mental Health Awareness week. The motion passed unanimously.**
  
- One Day Alcohol License:
  - Our Lady of the Valley Catholic Church addressed the Board regarding their request for a One Day Alcohol license. The Church is holding a 30<sup>th</sup> Anniversary Celebration and is requesting approval to sell beer and alcohol.
    - **MSDV by Sel. Dwyer, seconded by Sel. Stack to approve the One Day Alcohol license for Beer and Wine Sales for Our Lady of the Valley Catholic Church on 10/14/06. The motion passed unanimously.**
  
- Bikeway Project Presentation
  - Mark Jewell addressed the Board with a project update on the Bikeway Project that will travel through Uxbridge to Rhode Island. Mr. Jewell reviewed the project's history and indicated that the first leg of the project opened in June of 2005 near the Worcester/Millbury Town line. The bikeway will extend for 28.5 miles when completed and the portion that runs through Uxbridge will be 6.5 miles, which is the largest segment of any other community. Mr. Jewell added that a hearing regarding the start of the Uxbridge segment of the bikeway will occur before the end of 2006. Mr. Jewell asked the Board to continue to show support for the project and to ensure a timely review of the designs as they are presented.
  - Sel. Kuros noted that he visited the completed portion of the bikeway near Worcester and that the design was well executed.

### **Town Manager Report**

- **MSDV by Sel. Dwyer, seconded by Sel. Stack to cover the Town Manager's report later in the meeting at the Chairman's discretion. The motion passed unanimously.**

### **Old Business**

- Blanchard Reuse Status:
  - Carol Masiello addressed the Board as a spokesperson for the Blanchard Committee. Ms. Masiello read from a statement updating the Board on the work of the Committee. A copy of the report is attached to these minutes. The Committee is asking the Board to guide them on to the next step in the process. Sel. DuBois added that the new use for the school has to address accessibility issues that are mandated by Federal laws. Committee Chair Sheryl Romasco noted that there are two options being presented by the architect and the option chosen will be based on the programming selected for the building. One option is an exterior elevator to maximize the use of the interior space and the other is a

standard interior elevator which would reduce the overall usable space inside the school. Sel. Dwyer asked Town Manager Jill Myers to comment on her thoughts about moving any Town department over to the school and noted that interdepartmental communication is a concern that would need to be addressed if any departments relocate. Ms. Myers stated staff is continuing to work on the various solutions to decide what makes the most sense for the Town while keeping an eye on customer service. Sel. DuBois stated that an accessibility solution for the Town Hall also needs to be kept in mind as part of this process. There was further discussion regarding the usage of the space over at the school and it was suggested by Sel. Stack that space should be allocated to temporarily house any department from Town Hall that needs to be relocated as the result of renovations to the building. The Board reinstated its preference for mixed municipal use.

- **MSDV by Sel. DuBois, seconded by Sel. Stack to support the Blanchard Committee's recommendation as presented to include swing space of approximately 800 square feet for future growth. The motion passed unanimously.**
  
- DPW Permitting Package Rules/Regulations:
  - DPW Superintendent Larry Bombara reviewed his proposal for the DPW permitting process. A copy of the proposal is made a part of these minutes. Sel. Dwyer asked if the fee changes outlined would be commensurate with the actual cost of performing the inspections. Mr. Bombara added that the department would implement a fee structure that would cover that contingency if it was the desire of the Board for them to do so. Assistant DPW Superintendent Irving Priest noted that the document creates an order for the existing process that will be helpful to contractors and those who work with the DPW on the permitting process.
    - **MSDV by Sel. Stack, seconded by Sel. Dwyer to support the DPW proposal as submitted. The motion passed unanimously.**
  
- Review FATM warrant articles
  - Ms. Myers reviewed the revised draft of the Warrant for the upcoming Fall Annual Town Meeting. This draft reflects all of the Articles that came in for consideration prior to the close of the Warrant on September 22<sup>nd</sup>. Ms. Myers noted that the Warrant is being finalized for the October 10<sup>th</sup> meeting of the Board of Selectmen.
  
- Sewer Privilege Fees
  - The Board reviewed the motion from 9/11/06 and was confirmed to be accurate by Sel. Dwyer who reviewed the tape prior to tonight's meeting. Sel. Kuros reviewed his rationale for wanting to expand the motion to include citizens who paid a sewer privilege fee after May 16, 2006. Finance Director David Genereux addressed the Board to review a memo regarding the assessment of privilege fees. A copy of the memo is attached to these minutes. The Board agreed to table action on this matter until a meeting of the Water & Sewer Commission could be posted.

**ACTION ITEM: Post a meeting of the Water & Sewer Commission for 10/10/06**

- Local Government Reform-Transparency in Government

- Sel. Kuros addressed the Board regarding the first of four items in his memo on local government reform. Sel. Kuros recommended that the Board adopt the Massachusetts Campaign for Open Government.
  - **MSDV by Sel. Kuros, seconded by Sel. DuBois to endorse the Massachusetts Campaign for Open Government's six items for posting on the Town Website plus the zoning by-laws as presented by Sel. Kuros. The motion passed unanimously.**

**ACTION ITEM: A disclaimer should be placed on the website to indicate that website content is not an official certified document.**

- **MSDV by Sel. Kuros, seconded by Sel. Dwyer to direct the Town Manager to contact the MA Campaign for Open Government to let them know that the Town of Uxbridge is in compliance. The motion passed unanimously.**
- Zoning Enforcement:
  - Ms. Myers reviewed the memo from the Building Inspector/ZEO, outlining the enforcement process.
- Schedule Vote of Street Layouts:
  - **MSDV by Sel. DuBois, seconded by Sel. Stack to vote the Board's intention to schedule a meeting for the Layout of the following Public Ways for the Fall Town Meeting on Tuesday, October 10, 2006: Cotton Mill Way, Crownshield Avenue, Spinning Wheel Drive, Serenity Drive, Church Street, Lake Street, Big Rock Road, Southwoods Drive, and Arnold Way. The motion passed unanimously.**
- Surplus Equipment Designation:
  - The Town Manager informed the Board that the desks that were located at the former Blanchard School that were to be designated as surplus equipment were no longer on the school premises. The Board directed the Town Manager to work with the Police Department to find out what the disposition was of these desks. In the event that the desks were located, the Board voted to declare the desks surplus equipment:
    - **MSDV by Sel. Stack, seconded by Sel. Dwyer to designate the desks from the former Blanchard School as surplus equipment. The motion passed unanimously.**
    - **MSDV by Sel. Stack, seconded by Sel. DuBois to donate the desks to the Education Foundation. The motion passed {4-0-1} with Sel. Dwyer abstaining due to his involvement with the Foundation.**
- Discussion of e-mail usage for Town Business:
  - The Board discussed the usage of electronic communication for Town business and the importance of not discussing information between Selectmen in a manner that might circumvent the Open Meeting laws. The Board noted the Town Manager's signature line in her e-mail that reminds the reader that the Secretary of State has deemed that e-mails are public record. Chm. Woods directed the Town Manager's office to work with each Town Department and Committee person who utilizes e-mail for Town business to add

the language to their e-mail signatures going forward. The Board also asked that the information be told to new appointees to town office or committee office in their appointment letter and suggested training on email as a public document to be added to training on the Open Meeting and Conflict of Interest Laws.

### **Correspondence/Other Business**

- **Additional Announcements:**
  - Capron Pond work is beginning on Thursday 9/28/06
  - Bridge repairs are proceeding
  - A Duck Race is being held and citizens have the opportunity to sponsor a duck for a small fee.
- Sel. DuBois reviewed the most recent legal bill from Kopelman & Paige and asked that the Town Manager's office thoroughly review each bill for accuracy. Ms. Myers responded that she has reviewed the bills with K&P and will question any items that were unclear.

### **Town Managers Report**

- Sel. Dwyer questioned the opinion by Kopelman & Paige regarding the Griff complaint against the Habitat for Sports that was outlined in the TM report. Sel. DuBois indicated that the discussion of this matter should be tabled for Executive Session later on in the evening. A copy of the full report of the Town Manager is added to these minutes.

### **Executive Session/Adjournment:**

- At 10:30 p.m. with no other business before them the Board voted to enter into Executive Session.
  - **MSDV by Sel. Dwyer, seconded by Sel. Stack to go into Executive Session #3-To discuss strategy with respect to collective bargaining, non-contractual employee negotiations, or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the governmental body; and #6-Consider the purchase, exchange, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body. RCV: Dwyer-aye, Stack-aye, Woods-aye, DuBois-aye, Kuros-aye.**

Minutes respectfully submitted by Joseph Smith, Assistant to the Board of Selectmen  
Minutes approved by Board of Selectmen:

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Chairman Julie A. Woods

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Sel. James F. Dwyer

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V. Chairman Arthur O. DuBois

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Sel. Kevin J. Kuros

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Clerk Daniel P. Stack

*MSDV: Moved, Seconded, Discussed & Voted*

*RCV: Roll Call Vote*