

**BOARD OF SELECTMEN  
REGULAR SESSION MEETING MINUTES  
July 9, 2007**

**CALL TO ORDER:** Chm. Woods called the meeting to order at 7:05 pm. The following persons were present: Chm. Julie Woods, Vice Chm. Kevin Kuros, Clerk Michael Potaski, Sel. Dan Stack, Sel. Jim Dwyer, Town Manager Jill Myers and BOS Assistant Tracy Leavitt.

**ANNOUNCEMENTS:** Bangma 4<sup>th</sup> of July festival.

***ACTION ITEM: Send Mr. Bangma a thank you letter.***

**CITIZEN'S FORUM:** Ms. Phyllis Smyth provided the Board with a handout. (A copy is attached to these minutes). Ms. Smyth addressed the Board in regards to the Town Common.

Ms. Edward Pottles informed the Board that in his opinion that the Town needs to sell the Blanchard School immediately.

Mr. Howard Fortner presented the Board with a handout (A copy is attached to these minutes). Mr. Fortner spoke in regards to the Financial Management of the Town.

**PUBLIC HEARINGS/SCHEDULED APPOINTMENTS:**

**Stanley Woolen Mill Restoration: Nicholas Deane:** Mr. Nicholas Deane presented the Board with an update of the progress in regards to the Stanley Woolen Mill from September 2005 – present. Mr. Deane presented a slide show to note the progress made. Mr. Deane reminded the BOS that their intention is to bring business to Uxbridge, mostly retail. He affirmed that the building is sound and secure. Sel. Kuros asked Mr. Deane if he plans to sell or rent. Mr. Deane responded by saying he hopes for rental. Chm. Woods thanked Nicholas Deane for providing the update and looks forward to him reporting even more progress.

**Administrative License hearing, Drake Petroleum Company: Chief Peter Ostroskey:** Chief Ostroskey informed the Board that Drake Petroleum is the current owner of the property operating as Diamond Gas. Chief Ostroskey informed the Board that this has been an ongoing operation and the previous owner was Kenyan Oil.

**MSDV by Sel. Stack, seconded by Sel. Dwyer to approve the transfer of license. The motion passed unanimously.**

**Public Hearings**

**Public Hearing on Reorganization of Director of Planning and Economic Development, Duties/Position: Continued from 6/25:** Chm. Woods re-opened the public hearing. Mr. Howard Fortner asked to address the Board Mr. Fortner asked the Board if they could provide the answers to the questions he posed at their last meeting 1. How many times has the growth by-law been invoked since its passing? 2. When did we last give a TIF, how many are in place? Finally Mr. Fortner asked for a copy of the Administrative Code. Chm. Woods responded by informing Mr. Fortner that it is difficult to respond to a specific question when it is addressed to the entire Board, because no-one speaks for one another. Mr. Mark Anderson of Heritage Design Group asked to address the Board and emphasized the importance of the position for the growth of Uxbridge. Chm. Woods asked Mr. Anderson his opinion on whether or not one person could do both jobs. Mr. Anderson said it must be the right person and if it is it will definitely work smoothly. Mr. Peter Baghdasarian stated that reorganization is not the crying need in Uxbridge; organization in the first place is needed. Ms. Judy Stocks informed the public that she was the original typist of the Charter and she may have made a scribes error. Ms. Stocks went on to say any employee not mentioned in the Charter falls under the Town Manager appointing authority. Sel. Dwyer reminded the Board of his request for input from department heads. Ms. Myers said affected staff, Boards, and Commissions were provided the reorganization plan last month, and had the opportunity to comment, but no comments had been received thus far.

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Sel. Kuros said the problem did not just appear they are long standing problems. No matter what you want to call it reorganization or organization positive steps need to be taken. Ms. Myers informed the BOS of the Charter requirements and timeline for the review of the reorganization plan, beginning on June 8, 2007 for the 30 day review. She noted that the Charter (Article 5 Administrative Organization, Section 1: Organization of Town Agencies) provides that the reorganization plan shall become effective at the expiration of 30 days (July 10, 2007) following the date of submission to the BOS (June 8, 2007), unless the BOS, by a vote of the majority has sooner voted to approve or reject it. Action to reject it would be needed tonight; otherwise the plan would be implemented if no action or favorable action is received. Sel. Dwyer argued that June 25<sup>th</sup> began the 30 days. Sel. Dwyer again questioned who has the appointing authority over this position, BOS or Town Manager. The Town Manager reminded the BOS of their action in October 2006 affirming the appointing authority of the Town Manager for this and the other positions discussed, and Town Counsel's opinion that it is the Town Manager. Discussion ensued if any action was to be taken tonight or provide for the implementation with no action.

**MSDV by Sel. Stack, seconded by Sel. Kuros to table the reorganization public hearing. The motion passed unanimously.**

New Alcohol License/Wine and Malt for North End Variety: New Owners: Chm. Woods re-opened the public hearing. Mr. Charles Dionne asked to address the Board. Mr. Dionne read the bylaws in regards to permitted sales. Mr. Dionne informed the BOS that on 7/5/07 he called the building inspector and discovered that alcohol was not a permitted use. Mr. Dionne then asked why we are even considering this application. Finally Mr. Dionne provided pictures to show the parking and that the store is not handicapped accessible. Chm. Woods asked if anyone in the audience could offer some assistance on the ADA issue. Mr. Nick Gazerro, the Building Inspector stated he agrees with Mr. Dionne although the ADA is very complicated law. Sel. Stack offered an explanation of the ADA. Ms. Deborah Dionne said she feels that the store used to be a friendly neighborhood store but is no longer. Mr. Gerald Becker stated that he feels there is no need to add traffic to this area and sees no upside to this situation. Chm. Woods asked for the minutes to reflect that the Building Inspector has provide the Board with a memo indicating that the selling of alcohol is not an allowed use in this zone. The current owner, Mr. Patel expressed his willingness to comply. Chm. Woods asked the Board to consider accepting a written statement from Mr. Patel due to his language barrier. Mr. Patel expressed his willingness to comply.

**MSDV by Sel. Dwyer, seconded by Sel. Stack to close the public hearing. The motion passed unanimously.**

**MSDV by Sel. Dwyer seconded by Sel. Stack that the Board defer their decision until such time as the applicant has provided us with a written commentary on remarks made this evening.**

Sel. Kuros stated that the motion was open ended and suggested allowing the applicant until July 18<sup>th</sup> to submit his written statement. The Board agreed to the amendment.

**The motion passed unanimously.**

***ACTION ITEM: Town Manager to notify Mr. Patel that he may provide something in writing by July 18<sup>th</sup> to discuss at the July 23<sup>rd</sup> meeting.***

**OLD BUSINESS:**

Council on Aging Reappointments: Daniel Baker, Rita Labonte, Ann Lewis, Karen Albright, Marie Potter and Herve Gazaille: Chm. of the COA, Danny Baker asked to address the Board and review the list of reappointments.

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**MSDV by Sel. Stack, seconded by Sel. Potaski to reappoint Daniel Baker, Rita Labonte, Karen Albright, Marie Potter and Herve Gazaille and Ann Lewis to serve on the Council on Aging until June 30, 2010. The motion passed unanimously.**

**NEW BUSINESS:**

Council on Aging Grant: COA Director Marsha Petrillo: Council on Aging Director, Marsh Petrillo addressed the Board in regards to the FY09 Van Grant. She stated that she is seeking the Boards support pertaining to this grant. She informed the Board that within the Blackstone Valley there is very little transportation offered to our seniors other than the van. Ms. Petrillo mentioned that this is the biggest grant application she has ever undertaken however, she feels very hopeful. She also mentioned that there are matching funds needed and she will seek donations. Sel. Kuros commended Ms. Petrillo fro attempting this grant and putting forth the effort.

**MSDV by Sel. Stack, seconded by Sel. Dwyer to support the application and authorize the BOS Chm. to sign the letter of support. The motion passed unanimously.**

**TOWN MANAGER REPORT:** Ms. Myers reviewed her written report. (A copy is attached to these minutes)

**OLD BUSINESS – Continued:**

BOS/Town Manager Goals & Objectives: Continued Discussion: Chm. Woods noted that all members have not completed their list of Goals and Objectives. Sel. Dwyer asked how many have completed their list. Ms. Myers informed the Board that Sel. Potaski and Sel. Dwyer have completed their list. Ms. Myers suggested scheduling an off night meeting to discuss this item. The Board agreed to schedule a meeting and confirm the date later in the evening.

Project Options – Blanchard Building; Blanchard Reuse Committee: Ms. Myers informed the Board that the final draft of the feasibility report is available for review. The Board agreed to seek assistance from Town Counsel on the probate court process to remove the “School” Restriction from the deed. Mr. Genereux noted that currently the building is covered under the Town’s blanket insurance but as of September 1<sup>st</sup> if the Town chooses to continue the full coverage we will need to spend additional funds. Chm. Woods stated she would like to continue the conversations, she also noted that she would like to look into the cost of a professional appraisal. The Board agreed to ask Town Counsel for guidance pertaining to the deed as a starting point in this process.

Appointment of Town Counsel: Continued Discussion: Ms. Myers inform the Board that she is to commence negotiations with Brackett and Lucas based on input from the BOS, and is working to secure a meeting date. She plans to schedule an Executive Session at the next BOS meeting to finalize negotiations/details of the pending appointment.

**NEW BUSINESS – Continued:**

Communication and Collaboration: Liaison to Other Committees: The Board agreed to schedule as an item for the joint School Committee, Board of Selectmen and Finance Committee meeting to be held this month.

Consider FY07 Year End budget Transfers:

**MSDV by Sel. Stack, seconded by Sel. Dwyer to approve the transfers. The motion passed unanimously.**

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**CONSENT ITEMS:**

Acceptance of Meeting Minutes from 5/7/07, 5/14/07 and 5/21/07 Regular Sessions: The Board agreed to postpone the acceptance of the meeting minutes until 7/23 to allow for corrections noted by Chm. Woods to be made.

**EXECUTIVE SESSION:** Meeting not convened.

Acceptance of Executive Session Meeting Minutes from 5/21/07 and 6/4/07: The Board agreed to postpone the acceptance of the meeting minutes until 7/23.

**ADJOURNMENT:** At 11:55 p.m.

**MSDV by Sel. Stack, seconded by Sel. Kuros to adjourn. The motion passed unanimously.**

*Minutes respectfully submitted by,  
Tracy Leavitt, 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 Kevin J. Kuros

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Sel. Dan Stack

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Clerk Michael Potaski

MSDV: Moved, Seconded, Discussed & Voted  
RCV: Roll Call Vote