



**TOWN OF UXBRIDGE  
BOARD OF SELECTMEN MEETING MINUTES  
VIA ZOOM  
MONDAY, MARCH 22, 2021 6:30 P.M.**

REC'D UXB TOWN CLERK  
2021 APR 28 AM 10:37

This meeting was held via Zoom.

Present: Chair Brian Butler, Vice Chair Jeffrey Shaw, Clerk Brian Plasko, Selectboard Member Stephen Mandile.  
Also present: Town Manager Steven Sette, Administrative Assistant Ellen Welch

1) CALL TO ORDER & PLEDGE OF ALLEGIANCE @ 6:31 p.m.

2) ANNOUNCEMENTS

- a) Volunteers needed: Pout Pond Recreation Committee - looking for two additional committee members, please submit a Talent Bank Form if interested.
- b) Uxcellent News
- March 28th RISE UP Initiative Lunch Program  
Representative Soter is working with local restaurants and volunteers to distribute meals for the RISE UP Lunch Initiative Program. Drive-up distribution will take place at Uxbridge High School on Sunday, March 28<sup>th</sup> at 1 p.m. for Uxbridge Seniors. Seniors should contact the Uxbridge Senior Center by March 19th to sign up to receive a ham dinner. Pickup is preferred, delivery if needed.
- Today was the first day of the Southern Worcester County Covid Vaccine Clinic at McCloskey School – things went very well. Anyone interested in volunteering, please contact the Board of Health. To sign up for a vaccine, please go to the state website. Great job and thank you to all those that helped get the clinic up and running - Diane Legere, Shane Keville-Wagner, Melissa Blodgett, Sara Manganelli, Erin Hightower and BOH members David Tapscott, Joanne Lindenmayer and Mike Morrisette. Mr. Butler thanked Mr. Mandile for volunteering at the clinic.

**MOTION: Mr. Mandile made a motion to move the Town Manager Update to this time in the agenda. Second by Mr. Plasko. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.**

3) TOWN MANAGER UPDATE (taken out of order)

Mr. Sette wanted to correct a few things that have surfaced regarding the Spring Warrant

Article 4: Transfer from Sewer Enterprise Retained Earnings: To see if the Town will vote to transfer from sewer retained earnings the sum of \$500,000 to supplement the FY2021 budget, or take any other action related thereto and

Article 5: Transfer from Water Enterprise Retained Earnings: To see if the Town will vote to transfer from water retained earnings the sum of \$100,000 to supplement the FY2021 budget, or take any other action related thereto.

What is missing from both of these articles is to supplement the sewer/water "enterprise" FY2021 budget.

There has been some unfair criticism on social media recently saying the Town was trying to transfer funds from an enterprise fund to the general fund – this is not the case. The reason for these articles was due to the fact that at the SATM last year, the Town was aware that we were going to have some shortfalls due to projections and what we didn't do at the meeting last year in the motions, was to transfer money from retained earnings. Mr. Sette noted the updated/corrected language will be in the motions for these articles for Town Meeting. Mr. Butler noted there was never any intent to move retained earnings funds to balance the general budget. Should anyone have any questions regarding the warrant, please don't hesitate to contact the Town Manager directly or reach out to a Board Member. Mr. Butler noted that DLS just completed a financial review and they were happy with new policies/procedures implemented by the Town; the Town's bond rating has increased significantly. Mr. Butler thanked the Town Accountant and Treasurer/Collector for turning around the fiscal matters of the Town and Mr. Sette for the job he's doing. Mr. Sette noted that additional information prepared by the Town Accountant about Articles 4&5 can be found under the Q&A section of the posted Warrant on our website. To contact the Town Manager, please call 508-278-8600 x7.

#### 4) CITIZENS' FORUM

Patrick Hannon – posted comments on social media about Articles 4&5. He mentioned the way the articles read, they were being transferred to the general budget. Mr. Hannon referred to amounts on the draft budget he received previously and spoke about enterprise accounts.

Alexa Romasco – Virginia Blanchard Scholarship is available for (2) \$2,000 scholarships for two deserving seniors pursuing an education degree. Uxbridge residency is required. Information can be found on the town website or local school guidance departments.

#### 5) BUSINESS

- a) **PUBLIC HEARING CONTINUATION:** License Violations: Mom's Restaurant/307 N. Main Street, Uxbridge  
Limited Sports/The Habitat for Soccer & Sports/374 West Street

**MOTION:** Mr. Shaw made a motion that the Board of Selectmen continue the public hearing regarding the license for Mom's Restaurant, 307 N. Main Street, Uxbridge. Second by Mr. Plasko. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.

- b) Final Environmental Data Evaluation Report-285 Sutton Street, Uxbridge  
Mr. Bircher, Blackstone Environmental Solutions (BES) presented. The purpose of the report was to present the results of an independent review of the environmental records for the property and to determine current compliance with existing Massachusetts environmental regulations. The Board of Selectmen is considering allowing access to local dairy farmers in order to harrow the field to grow hay. Report presents the findings of an environmental data review which provided information on the presence of Per- and Polyfluoroalkyl Substances (together, PFAS) detected in soil at the Site during subsurface assessment activities conducted by the Town in August 2020. July 13, 2020, the Board of Selectmen and Town Manager met to discuss allowing access for local farmers to certain areas of the Site to grow hay for dairy cattle. Concerns were raised of how the land was previously used, what type of fertilizers applied, and the potential for PFAS in cow's milk. The Selectmen unanimously approved that a limited subsurface investigation program be conducted at the Site to assess for the presence of PFAS in soil. Based on this environmental status review, BES presented findings and conclusions for the Site: Uxbridge performed the limited subsurface investigation at the Site on August 16, 2020. The limited subsurface investigation consisted of the collection of eleven surficial soil samples (#1 through #11) collected across the Site and submitted to a certified laboratory for analysis of PFAS. Michael Bricher of BES completed a walkthrough Site inspection with Michèle Grenier, Conservation Department on February 6, 2021. February 6, 2021, BES and the Town performed surficial soil sampling activities across the Site to aid in determining if pesticide and herbicide chemicals are comingled with the PFAS that were previously detected at the Site. A total of five soil samples were collected across the Site at a depth of 0 to 6 inches below grade using hand tools. All five surficial soil samples were collected for pesticide and herbicide laboratory analyses. None of the target pesticide and herbicide analytes were detected in the soil samples at concentrations above the laboratory reporting limits. Based on a preponderance of evidence collected to date, the conceptual site model for site conditions suggest that the presence of PFAS detected in soil samples is not from a single point source discharge release. The Site has been open space since at least 1936 and no known activities have been conducted at the Site that would be point source(s) of PFAS. No specific records from the Town or other sources were found related to the application of fertilizers (such as sewage sludge and biosolids) and/or pesticides/herbicides at the Site. However, the presence of PFAS is likely from the historical application of pesticide/herbicides across the subject property and/or background conditions from atmospheric deposition and precipitation. BES also considered the fact that the laboratory suite of pesticides and herbicides analyzed in soil may not have been included as the ingredients in the applications previously used at the Site. For this particular case, the historic use of the Site as protected open space/agricultural use was the major line of evidence to draw this conclusion. It is the opinion of BES that the source of the PFAS is not a release as defined in the MCPC, but determined to be background from atmospheric deposition and/or from the application of pesticides in a manner consistent with their labelling, and thus, no regulatory notification condition is required for the Site. However, the absence of a MCP notification requirement does not necessarily equate to an absence of risk associated with all uses of the Site. With respect to the inquiry from local farmers to access the Property in order to harrow the field to grow hay for dairy cattle, BES has concluded that a Site-Specific Human Health Risk Assessment for the uptake of PFAS detected in soils is warranted for determining if there is an exposure concern. Lastly, if soil is to be managed, e.g., excavated, disturbed, removed, and relocated off Site, prior to soil excavation BES recommends that a Soil Management Plan (SMP) be prepared by a Massachusetts Licensed Site Professional (LSP). This is recommended

because much of the soil at the property is reported to contain PFAS contaminants which are currently regulated in Massachusetts.

**MOTION:** Mr. Plasko made a motion that the Board of Selectmen accept the report from Mr. Bricher and add to our next agenda a discussion regarding the future use of land at 285 Sutton Street. Second by Mr. Shaw. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.

c) Legislative Streaming Bill Endorsement discussion continuation

Mr. Giles noted that Mass Access has put forward a legislative bill and they are looking for towns to support the Streaming Fund Bill to assist in the funding for cable access television, the funding would come from fees that would be collected thru streaming services like Netflix and Hulu, etc. The reason for this is because Mass Access believes that the streaming services are using the same source as cable providers and cable providers are paying fees for cable access funding. The state would assess these fees to the streaming companies. Six other states have started to do this. The Board asked questions about collection of fees and thought that a letter should come from residents.

**MOTION:** Mr. Mandile made a motion that the Board of Selectmen not support the request as presented. Second by Mr. Shaw. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.

d) BOARD OF SELECTMEN ACTING AS WATER AND SEWER COMMISSIONERS

i. Capital Improvement requests presentation by Benn Sherman

DPW Director Mr. Sherman presented the revised DPW enterprise funds capital plan for FY2022-2031. The plan considers the needs of the DPW Water and Wastewater Divisions (Enterprise Funds) only. Mr. Sherman went through the projects/purchases 10-year plan by division. The capital plan continues to be heavy with large infrastructure projects because a number of previous capital requests have fallen into the "Previously Requested" category and not considered for funding. This category continues to grow every year at the same time the condition of our infrastructure, rolling stock, and other equipment continue to decline. The updated plan consists of the previously requested, reprioritized requests and new items. The department utilized the new capital planning committee format for submitting requests. DPW will continue to work closely with Financial Department staff with respect to funding analysis, pursue other opportunities to secure funding from non-traditional sources, and continue to evaluate the projects and programs and how they impact the Department's mission. The Board asked questions of Mr. Sherman. Discussions should continue and be placed on future meetings.

e) Right of First Refusal - Notice of Intent to Sell Chapter 61A: 434 Elmwood Avenue, Uxbridge

There is a request to purchase land that is currently in Chapter 61A (classified as agricultural or horticultural land), the Town By Law has the right of first refusal to purchase this land due to its previous tax status. Several departments provided written comments. The seller has entered into an agreement to sell the land for residential use by the purchaser. The Board had a discussion on the land.

**MOTION:** Mr. Shaw made a motion that the Board of Selectmen waive their Right of First Refusal on the Chapter 61A property at 434 Elmwood Ave., Uxbridge. Second by Mr. Mandile. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.

f) Donations:

i. Senior Center from John Foley and Patty Shea of Uxbridge for \$500 in memory of Tom Foley. The Board thanked John Foley and Patty Shea for their donation.

**MOTION:** Mr. Mandile made a motion that the Board of Selectmen accept this donation from John Foley and Patty Shea for \$500 in Memory of Tom Foley on behalf of the Uxbridge Senior Center with gratitude. Second by Mr. Plasko. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.

g) Boards/Committees:

i. Cable Advisory Committee – John Wise

Mr. Plasko received a message from Mr. Wise that he has asked to pass over as he will be running for one of the Board of Selectmen seats and would like to see what happens with the election in May. The Board agreed to pass over.

6) MEMBER ISSUES & COMMENTS

- Mr. Plasko - voiced his concern about the recent social media postings.
- Mr. Mandile - thanks to Health Agent Diane Legere for organizing the clinic and Health Director Erin Hightower

who have done a great job, as well as our Police and Fire and all the volunteers and staff from Uxbridge and other towns. Please go to the state site to sign up for the vaccine. Anyone interested in volunteering at the clinic, please reach out to the Board of Health.

- Mr. Butler - thank you to Steve Sette, Lisa Troast, Michelle Laramée, Kelly Cote, and all boards and committees for everything you are doing for the town, you are appreciated.

7) MEETING MINUTES

**MOTION:** Mr. Plasko made a motion that the Board of Selectmen approve the meeting minutes for February 22, 2021 as crafted. Second by Mr. Mandile. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.

**MOTION:** Mr. Shaw made a motion that the Board of Selectmen accept the meeting minutes for March 16, 2021 as written. Second by Mr. Plasko. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.

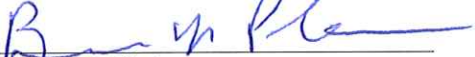
Mr. Butler also acknowledged the work that the Board of Selectmen do and thanked the entire Board.

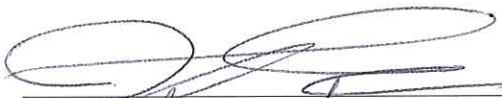
8) ADJOURNMENT: The next meeting will be April 12, 2021 at 6:30 p.m.


**MOTION:** Mr. Plasko made a motion to adjourn the meeting. Second by Mr. Mandile. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion carried 4-0.

Minutes respectfully submitted by Ellen Welch  
March 22, 2021 minutes approved by the Board of Selectmen:

  
\_\_\_\_\_  
Brian Butler, Chair

  
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Brian Plasko, Clerk

  
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Jeffrey Shaw, Vice Chair

  
\_\_\_\_\_  
Stephen Mandile, Member

4/26/21  
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Date