

REC'D UXB TOWN CLERK  
2021 FEB 4 PM 4:04

**TOWN OF UXBRIDGE  
BOARD OF SELECTMEN  
LOCATION: BOARD MEETING ROOM AND REMOTE  
21 S. MAIN STREET, UXBRIDGE, MA  
MONDAY, DECEMBER 28, 2020 6:30 P.M.**

**MEETING MINUTES**

**Present:** Chair Brian Butler, Vice Chair Jeffrey Shaw, Clerk Brian Plasko, and Select Board Member Stephen Mandile. Also present: Town Manager Steven Sette, Michelle Laramée, Town Accountant, Benn Sherman, Director of Public Works, Jim Smith, Steven O'Connell, Peter DeMers, Chair Finance Committee Attorney Blake Mensing, Victor (Hao) Li, Cara Crabb-Burnham and Kathy Tipping, Administrative Assistant.

**1. CALL TO ORDER & SALUTE TO THE FLAG**

The meeting was called to order at 6:30 p.m. The Pledge of Allegiance was recited. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 18, and the Governor's March 15, 2020, Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Uxbridge Board of Selectmen was conducted via remote participation. No in-person attendance of members of the public was permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to view/listen to this meeting live may do so by watching the Government Channel @ [www.uxbridgetv.org](http://www.uxbridgetv.org) or on Uxbridge Community Television Channel 191. For those unable to watch it live, you may view the recording of the meeting on the Government Channel @ <http://archive.uxbridgetv.org>.

**2. ANNOUNCEMENTS**

Volunteers Needed – See Town Clerk's Office or Town Manager's Office for list of openings. Community Highlight – Storm Water Committee. Mr. Butler read the job description for the position and announced where to find a Talent Bank Form and submit to the Town Manager or the Town Clerk.

**UXCELLENT NEWS**

- Mr. Plasko announced that Mr. Tim Rice, former Selectmen, passed away recently. Mr. Plasko read a list of Mr. Rice's accomplishments to the group. A moment of silence was held by the Board of Selectmen in Mr. Rice's honor. Mr. Butler also reflected on a personal note of Mr. Rice.
- Mr. Plasko thanked the Evergreen Center in Milford for the beautiful Town Hall wreaths.
- Mr. Plasko announced that the Town of Uxbridge was the recipient of a grant from the Shared Winter Streets and Spaces Program in the amount of \$146,907.25. Mr. Butler thanked Mr. Sherman for his efforts in obtaining grant.
- The Veteran's Administration presented a flag to the town during behalf of the air crew. of the Operation INHERENT RESOLVE. The flag will be flown on the Town Common certain occasions. Mr. Plasko thanked the VA for a great gift.

### **3. CITIZEN'S FORUM**

Mr. Demers gave background of his experience with the Roads/Street Acceptance policy. He. Stated that the Town should not be plowing any streets that are not accepted by the Town as there is a policy in place and it should be followed. There is liability and issues with tracking down developer for services already rendered. He further stated developers know what the policy and process is and that they are responsible for their own developments. Mr. Demers asked that the Board of Selectmen reinforce with developers that there is a policy and it needs to be followed.

### **4. BUSINESS**

#### **a. Street Acceptance Procedure – discussion and vote**

The Board of Selectmen reviewed a suggested copy of a Street Acceptance Policy at the 12/7/20 meeting, along with a similar policy adopted by the Planning Board previously. Mr. Butler stated there is a Policy in place with specific timelines and deadlines – that developers should know. When timelines are not followed-it puts a tremendous burden on all involved. Mr. Butler requested that a “check-list” be placed in front of the packet to go in front of the Board to verify the packet is completed and meets standards. Mr. Sette gave a background of the various versions of policies and agreed with a checklist on any Road acceptance packet that is brought forward. Inspections are done with engineer and DPW simultaneously with sign off so all are aware of what was done. Mr. Sette further commented, the current policy has been vetted by Town council and it is a good policy with timelines to follow depending when entering process. Typically, if followed correctly the process is approximately 6 months to complete. The Board all agreed on the proposed policy and to add a check-list.

**MOTION:** Mr. Shaw motioned that the Board of Selectmen approve the Street/Road Acceptance procedure as presented, with the creation of a check-list to align with the policy and timeline requirements. Mr. Plasko seconded the motion. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler Yes. Motion passed 4-0.

#### **b. Request for Winter Maintenance Services**

Mr. Butler stated he understood concern of the residents of unaccepted Streets/Roads and the responsibility of the developers. Mr. Butler proposed for consideration a one-year only (this year only) winter services for the request for Winter Maintenance Services for Rifleman Way and Brady Court and Tucker Hill Estates. The streets have not been accepted by the Town as of yet and he does not want to punish the residents. The proposal will only allow for the one year (winter season). Mr. Butler clarified the year to be from the current time to the next Spring. The Town will bear the plowing and sanding expense for the one-year winter months. Mr. Shaw stated the residents bought the property knowing the streets had to be accepted by the Town and the Developer would have the responsibility for that and for the cleaning and maintenance of the streets not accepted as of yet. Mr. Butler mentioned this has done previously for “special considerations” and did not want this issue voted on arbitrary or capricious. The board agreed the developer is responsible for any maintenance prior to the streets being accepted. Mr. Shaw added the maintaining the unaccepted streets may be cleared by the Town for the developer for a rate, charged back to the developer. The Board agreed to the process of charging a rate. Mr. Shaw asked Mr. Sherman to project expenses and project a rate. Mr. Sette added if you bill a developer for a storm and the bill is not paid – what would be the mechanism to ensure the town will be paid. Mr. Shaw said further stated the developer must agree to the fee or there will be no

winter services. Mr. Shaw added the cost should be determined by Mr. Sherman and a contract written and signed by the Town and developer for developer to be responsible to pay fees. Mr. O'Connell stated the Developer is a trusted, conscientious developer who has followed all procedures and stated the Planning Department deemed the project complete for the spring town meeting, after not meeting for some time during the COVID Pandemic. Developer has been plowing these roads. Mr. Butler asked why the developer is looking for the Town to service the road and Mr. O'Connell stated the Town can take care of these roads better and more efficiently.

**MOTION: Mr. Shaw moved that the Board approve Winter Maintenance services for Rifleman Way, Brady Court, Tucker Hill Estates.**

Mr. Sherman called into the Meeting at this point and requested to speak. **Mr. Shaw withdrew motion to allow Mr. Sherman to speak.**

Mr. Sherman stated he disagreed with Mr. O'Connell. He stated the developer tried to get Road acceptance, however there were outstanding items which is why it was not approved at the Spring or Fall Town Meeting. Mr. Sherman stated the Planning deemed the Road complete – however, not all items were addressed but it was deemed complete anyway. Mr. Butler asked Mr. Sherman if developer has been working toward completeness and Mr. Sherman stated yes, but the developer had not achieved everything to be done. He stated the Developer has responsibility to maintain their roadway. He also confirmed he can come up with a variable rate for sanding and plowing and can invoice Developers and also reminded the Board to consider there is no recourse to demand payment, and nothing to add a lien to. Mr. Sherman he would defer to the Board of Selectmen's decision to consider spending public funds for private benefit. Mr. Mandile was concerned about "ending the idea of doing it in the past". Emergency policy developed in the past was just to open it up a path for emergencies for Police, Fire, etc. Mr. Sherman state a few were done (Waterman Way-went beyond a year (3 years). Mr. Sherman stated that determining a rate would be a town wide average per inch of snow and is variable as storms differ by month for same amount of snow.

Mr. Butler suggested to move this item to the Board of Selectmen meeting scheduled for 1/11/21 – for time to access rate charges and speak with town counsel for liability exposure. The Board agreed and had no objection to move the motion to the Board of Selectmen meeting on 1/11/21. Mr. Shaw asked Mr. Sherman with historical knowledge to project to determine a rate per inch per hour for a given mile. Mr. Sherman will research and coordinate with Mr. Sette. Mr. Sherman also mentioned a waiver was developed earlier so liability issues were squared away. A draft version of the waiver is available and he will check with Mr. Sette. The item was tabled 1/11/21. No Vote Taken.

**c. Donations**

The Historic District Commission received a \$1,000 donation from Unibank Charitable Foundation. Mr. Butler, on behalf of the Board, thanked Unibank for their continued contributions to the Town and the Historic Commission.

**MOTION:** Mr. Plasko motioned that the Board of Selectmen approve the \$1,000. donation from Unibank Charitable Foundation, with gratitude. Motion seconded by Mr. Mandile. Roll Call Vote: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion passed 4-0.

d. **Review and approve Alcohol, Auto Amusement, Entertainment, Common Victualler, Class I-III License Renewals**

Annually the Town approves various Alcohol, Common Victualler, Class I-III, Amusement, Entertainment licenses at this time of the year, provided their paperwork is complete and there are no other outstanding issues that need their attention. Mr. Butler asked Mr. Sette if the Licensees have been fully vetted with Treasury and any other departments. All packets are complete, including Bert's Luncheon License.

**MOTION:** Mr. Butler moved that the Board of Selectmen approve that the table under 3(d) be submitted for renewals of license pending resolution of all inspections, taxes due, and any other outstanding issues for all Alcohol, Auto Amusement, Entertainment, Common Victualler, Class I-III and licenses with the stipulation that the Board receives notice at the first meeting in January that all are up-to-date. Motion seconded by Mr. Mandile. Roll Call Vote: Plasko YES, Mandile YES; Shaw YES; Butler YES. Motion passed 4-0.

e. **Marijuana Host Community Agreements**

Attorney Blake Mensing of the Mensing Group and Mr. Victor (Hao) Li, the new owner of Baked Bean and Grass Appeal were in attendance to discuss the request of Baked Bean LLC to update HCA with Change of Ownership and Principle address move from 504 Quaker Highway to 79 River Rd and also to update the HCA for Change of Ownership for Grass Appeal, LLC. The Board asked questions of Attorney Mensing and Mr. Li and were satisfied with the request. Mr. Butler also confirmed with Mr. Mensing that the operation has not changed at all. Mr. Shaw announced they have an approved notice intent for work to be done at that location and that it will benefit and fulfill the orders of condition. Mr. Mandile confirmed Mr. Li will be the owner of both businesses. Mr. Li also addressed the Board and was very appreciative of moving forward and working together. Mr. Gold, employee of the entity looking forward to making progress. He stated the relocation would increase efficiency and create more tax revenue for the Town.

**MOTION:** Mr. Mandile motioned that the Board of Selectmen approve the request from Baked Bean, LLC for a change of ownership to their principle address and ask the Town Manager to update the HCA accordingly. Mr. Plasko seconded the motion. Roll Call: Plasko YES; Mandile YES; Shaw YES; Butler YES. Motion passed 4-0.

**MOTION:** Mr. Mandile motioned that the Board of Selectmen approve the request from Grass Appeal, LLC for a change of ownership to Mr. Victor Li and to ask the Town Manager to update the HCA Accordingly. Mr. Plasko seconded the motion. Roll Call Vote: Plasko YES, Mandile YES, Shaw YES, Butler YES. Motion passed 4-0.

5. **TOWN MANAGER UPDATE**

- Mr. Sette mentioned he wanted to also include a Thank-You to Mr. Paul Hutnak for his efforts, as well as Mr. Sherman, for both their outstanding efforts in obtaining the Grant for the Shared Streets and Spaces Program in the amount of \$146,907.25.



- Department Heads will soon get their budget packets and documents for FY 22.
- Town Meeting this year will be May 11, 2021. Everything will be submitted by 3/11/21.
- COVID vaccines have begun to be distributed. There is a process for priority currently and the vaccine will be wholesale soon. Both the Uxbridge Board of Health and Public Safety have begun working on vaccination plan similar to the Flu Drive-Up vaccination clinic held. The estimate they will be able to vaccinate 100 people per hour. They are also working closely with the School Department using the parking lot and the facility. The program will be rolled out to everyone when ready. The Board of Health is also getting a plan together for the vaccine sign up. Mr. Mandile asked about prioritizing Public Safety Officials and those working in essential businesses (i.e. Hannaford, etc.). Mr. Sette will speak with Ms. Legere in the Health Department and Town Clerk, Kelly Cote about the prioritization.
- Mr. Sette also announced that he and Mr. Mandile participated in the Reach Across America Day by laying wreaths at both the Town Common and Balmer site. Mr. Mandile also thanked State Representative, Mike Soter for donating the wreaths.

#### 6. **MEMBER ISSUES & COMMENTS**

Mr. Plasko mentioned the tragic car accident in FL that claimed the life of Grace Rett. Last month there was a fundraiser held in Grace's honor to break ground on the Grace Rett Athletic Complex and Education at the Our Lady of the Valley Regional School. Over \$500,000 was raised over the 62 hours (representing the record of 62 hours Grace set for rowing). If you would like to donate to the fundraiser – please visit [www.gracetothefinishline.com](http://www.gracetothefinishline.com)

- Mr. Shaw mentioned how well the Town Manager functions in the Town. He recently brought to Mr. Sette's attention a resident was having a problem with. Mr. Sette took care of his problem within a very short period of time. Mr. Shaw stated the Town is functioning on all cylinders and incredibly well. Mr. Butler agreed and thanked Mr. Sette.

#### 8. **MEETING MINUTES**

- Meeting minutes of December 7, 2020
- Meeting minutes of December 9, 2020.

**MOTION:** Mr. Plasko motioned to approve the meeting minutes of December 7, 2020 as presented. Mr. Mandile seconded the motion. Roll Call Vote: Plasko YES, Mandile YES; Shaw Yes; Butler YES. Motion passed 4-0.

**MOTION:** Mr. Plasko motioned to approved the meeting minutes of December 9, 2020 as presented. Mr. Mandile seconded the motion. Roll Call Vote: Plasko YES, Mandile YES, Shaw YES; Butler YES. Motion passed 4-0.


#### 9. **ADJOURNMENT**

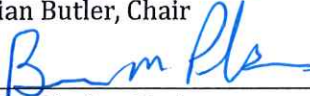
**MOTION:** Mr. Plasko motioned to adjourn the meeting. Motion seconded by Mr. Mandile Roll Call Vote: Plasko YES, Mandile YES; Shaw YES; Butler YES. Motion passed 4-0.

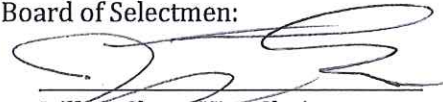
Next Regular Board of Selectmen meeting is scheduled for **Monday, January 11, 2021 at 6:30 p.m.**

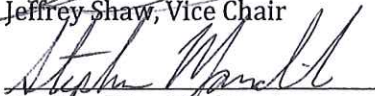
Minutes respectfully submitted by Kathleen Tipping.

December 28, 2020 minutes approved by the Board of Selectmen:

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

  
\_\_\_\_\_  
Brian Plasko, Clerk

  
\_\_\_\_\_  
Jeffrey Shaw, Vice Chair

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

December 28, 2020  
Date