

FEB 12 '19 PM 1:58

**TOWN OF UXBRIDGE  
BOARD OF SELECTMEN MEETING MINUTES  
BOARD OF SELECTMEN MEETING ROOM  
21 S. MAIN STREET, UXBRIDGE, MASS  
MONDAY, DECEMBER 17, 2018 – 5:30PM**

Received by  
Uxbridge  
Town Clerk

Present: Brian Butler/Chairman, Jeffrey Shaw/Vice Chair, Brian Plasko/Clerk, Jennifer Modica/Selectman, Susan Franz/Selectman. Also Present: Angeline Ellison/Town Manager

1. EXECUTIVE SESSION

- a) Pursuant to MGL c. 30A, §21(a)3. To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigation position of the public body and the chair so declares; update from counsel on all outstanding current litigation matters, including, but not limited to, all litigation relating to Richardson vs Town of Uxbridge
- b) Pursuant to MGL c. 30A, §21(a)1. Discussion of the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual, Board of Selectmen and Individual Selectmen.

2. CALL TO ORDER 6:30 PM

3. ANNOUNCEMENTS

- a) **Volunteers needed**  
Please see the Clerk's Office or Town Manager's office for a list of openings. Cultural Council volunteers are needed. The Town gets funding from the state for various programs.
- b) Uxcellent News:
  - Town Employee Community Giving. Thank you to our employees that donated to families and children during the holiday season.
  - Cheryl Romasco's mother, Phyllis Smith, long-time resident of Uxbridge passed away on Saturday. The Board expressed their sympathy.

4. CITIZENS' FORUM

No one wished to speak.

5. BUSINESS

- a) Board Reorganization *(taken out of order after 8. Meeting Minutes)*  
Mr. Shaw spoke about the importance of a functioning Board.  
**MOTION: Mr. Shaw nominated Brian Butler to be Chairman of the Board. Seconded by Ms. Franz.** Mr. Butler accepted the nomination. Mr. Butler would like to bring the Board to a positive focus and move the Town forward. Would be pleased to serve and an honor to get the Town to the next level. **The motion carried 3-0-2. (Ms. Modica & Mr. Butler abstained).**

**MOTION: Mr. Butler made a motion to nominate Jeff Shaw for Vice Chair.** Mr. Shaw accepted the nomination. **Seconded by Ms. Franz. The motion carried 3-0-2. (Mr. Shaw & Ms. Modica abstained)**

**MOTION: Mr. Butler made a motion to have Brian Plasko continue as Clerk. Seconded by Ms. Franz. The motion carried 5-0-0.**

- b) Letter of Map Amendment (LOMA) - 629 East Hartford Avenue *(taken out of order after e) License Update 1) VFW Change of Manager)*. Bryan Andrews, Andrews Surveying and Engineering present. Letter of Map amendment for FEMA. FEMA is showing a house in a flood zone where it is not. Application will remove that designation. Mr. Sherman provided feedback. **MOTION: Ms. Franz made a motion to designate the Town Manager to sign the acknowledgment. Seconded by Mr. Plasko.** Discussion: Mr. Shaw asked about dam release causing a problem with this property. Mr. Butler inquired if there have been any construction issues. **The motion carried 5-0-0.**
- c) Deep Roots - Host Community Agreement

Mark Wickstrom present on behalf of Deep Roots. Request for HCA for Cultivation & Manufacturing of marijuana and marijuana products - 420 West Street. Michael Brais, Deep Roots provided an overview of the business. Ms. Ellison stated that the Economic Development Team met and submitted a report to the Board. Mr. Butler asked about surveillance. Mr. Brais will have personnel onsite 24x7 and will provide Police Department access to exterior cameras. **MOTION: Ms. Franz move to approve the Community Host Agreement for Deep Roots and to have the Town Manager sign with a 1.75% community impact fee. Seconded by Mr. Plasko. The motion carried 5-0-0.**

- d) Grass Appeal LLC: Community Host Agreement: Rescind 11/13/18 marijuana cultivation vote and revote & host community agreement for retail host community agreement. Ms. Ellison reminded the Board that they voted a 1.25% community impact should have been 1.75% community impact fee. **MOTION: Ms. Modica made a motion to rescind the 11/13/18 Marijuana Cultivation Host Agreement for Grass Appeal. Seconded by Mr. Butler. The motion carried 5-0-0.**

**MOTION: Ms. Modica made a motion to approve a community host agreement for Grass Appeal with a 1.75% impact fee. Seconded by Ms. Franz. The motion carried 5-0-0.**

Ms. Ellison noted that Grass Appeal is also looking for a Retail License. Dan Glisman, on behalf of Grass Appeal present. Business will be located at 79 River Rd. The Community Outreach Meeting has been held and met with Police Chief. Grass Appeal is sister company to Baked Bean, LLC. Mr. Glisman reviewed the proposed site plan. **MOTION: Ms. Modica made a motion to approve the retail host community agreement with a 3% impact fee for Grass Appeal, LLC with the stipulation that it meets with the Project Review Committee. Seconded by Mr. Butler. The motion carried 5-0-0.**

e) License Update:

- 1) VFW Change of Manager (*taken out of order after 2. Announcements b) Uxcellent News.* Dennis Seely spoke about the manager change to Rich Sherlock. **MOTION: Ms. Modica made a motion to approve the change of manager to Rich Sherlock for the VFW. Seconded by Mr. Plasko. The motion carried 5-0-0.**
- 2) Burger Grill Common Victualler Change of Manager (*taken out of order after 5. Business d) Grass Appeal.*) Owner Alba Kolezi present. Change of ownership, purchased in July. **MOTION: Ms. Franz move to approve the change of ownership/manager for Burger Grill Inc. to Alba Kolezi. Seconded by Mr. Shaw. The motion carried 5-0-0.**
- 3) Polish American Social Club Change of Manager: Alcohol, Auto Amusement, Common Vic, Entertainment. Todd Cullen incoming new manager spoke. Mr. Shaw asked about the number of automatic amusement devices. - Ms. Ellison will follow-up on the number of devices. Mr. Shaw inquired about the Entertainment License. Mr. Shaw noted that the number of devices and attendees should be completed on the form. Mr. Shaw asked to confirm paperwork and ensure paperwork is processed and followed up upon. **MOTION: Ms. Franz made a motion for the Polish American Social Club to change the manager to Todd Cullen for Alcohol, Auto Amusement, Common Vic, and Entertainment with the changes as proposed. Seconded by Mr. Plasko. The motion carried 5-0-0.**
- 4) 2019 Annual License Renewals  
Ms. Modica noted that a few licenses have some outstanding issues including fire inspection and taxes. **MOTION: Ms. Franz made a motion that the table under 5. e) 4) be submitted for renewals of licenses pending resolution of fire inspections, taxes due, and lemon law sticker, and any other outstanding issues for all Alcohol, Auto Amusement, Entertainment, Common Victualler, Class I-III, and Inn Holder licenses with the stipulation that the Board receives notice at the first meeting in January that all are up-to-date. Seconded by Mr. Butler. The motion carried 5-0-0.**

- f) RFP for lease of town property for cell tower use (*taken out of order after 6. Town Manager Update b) Restrictive Deed Covenant*) Ms. Ellison provided two RFP's in the packet. Recommendation is to put out both RFP's. Would be a ten-year lease and would need to go before Town Meeting. **MOTION: Ms. Franz move to approve the Town Manager putting out an RFP for lease of town property for cell tower usage for Hazel Street and McCloskey. Seconded by Mr. Shaw. The motion carried 5-0-0.**

- g) 2019 Board of Selectmen Schedule  
2019 dates along with Spring & Fall Meeting dates. Mr. Shaw talked about having two meetings in December.  
**MOTION: Mr. Shaw made a motion to approve next year's Board of Selectmen's schedule with the change in December to Monday, December 9<sup>th</sup> and Monday, December 23<sup>rd</sup>. Seconded by Ms. Franz. The motion carried 5-0-0.**
- h) Interim Treasurer Appointment  
Sara Hunter's start date was 12/10; she has been cross training with the current Interim Treasurer. Mr. Butler inquired about Ms. Hunter's per diem. Currently, \$600 per day. Mr. Butler inquired if there was any other outreach to other companies. Ms. Ellison stated that there are limited companies that can do the work, Eric Kinsherf's company can't do both Accountant and Treasurer services; Mike Conrad's company is presently leaving; and Baystate Municipal, owner used to be an employee here. Ms. Ellison noted that Ms. Hunter came recommended by Eric Kinsherf and by Mr. Blake from the DLS. Ms. Franz identified eight municipal finance firms. Mr. Butler would like to see a few companies presented to the Board. Ms. Ellison reviewed the list and found only one unknown name that could possibly qualify. Ms. Franz inquired if Ms. Hunter could be a candidate for the open position. Ms. Ellison reviewed Ms. Hunter's qualifications with the Board. Tom Morelli, Assistant Treasurer Mendon asked if the Board knew when the Town would be ready to make a permanent hire. Ms. Franz would like to see if other companies would be an option and look at rates. Ms. Ellison stated that on 12/31, the Town will not have an interim Treasurer/Collector and the Board will need to appoint someone by that time. The Board had a discussion on the regulations of appointing an Interim Treasurer. Ms. Ellison asked the Board to appoint Ms. Hunter. Mr. Butler would have liked to see additional options but understands the sense of urgency. Mr. Plasko asked Ms. Ellison to reach out to the strong candidates that have already applied for the positions to let them know that we need a little more time. Ms. Ellison noted that Mr. Blake is reviewing the job descriptions. **MOTION: Mr. Shaw made a motion that the Board appoint Sara C. Hunter as the Interim Town Treasurer effective December 18<sup>th</sup>. Seconded by Mr. Butler. The motion carried 4-1-0. (Ms. Franz opposed)**
- i) Town Manager performance review template discussion and approval  
Ms. Modica noted that the template was included in the packet. Ms. Modica noted her concerned that the Board only set goals and not objectives. Goals were set last February. The Board reviewed the template. The Board discussed the process. Mr. Butler will share a template that he has used in the past for evaluations. Mr. Butler will look at putting together something that will work for the Board. Board will discuss during the next meeting.
- j) Set Special Town Meeting Date  
Passover
- k) Special Town Meeting – set open/closing date for inclusion of articles  
Passover
- 6. TOWN MANAGER UPDATE
  - a) Legal Bill – Beta Group  
Ms. Ellison noted that the Beta Group has agreed to \$4,000. Ms. Ellison found the agreement and it was presented to the Beta Group. No vote is required. Bill is \$4,000.
  - b) Restrictive Deed Covenant – parcel off Douglas Street (*taken out of order after 5. E) License Update 4) 2019 Annual License Renewals*). Tracey Sharkey present on behalf of the owner of the property. In 2009, when Mr. Tusino purchased the property from the Town, the Town had an additional restriction for 500,000 sq. ft. more/less of commercial retail development. Ms. Sharkey is looking to request a release from that zoning restriction. Ms. Modica noted that this would need to come before Town Meeting. Ms. Sharkey noted that this was voted upon at a Board of Selectmen Meeting not Town Meeting. The Town Manager will reach out to Town Counsel to follow-up on whether or not it has to go to Town Meeting. **MOTION: Ms. Franz made a motion to release the restrictive covenant recorded in the Town of Uxbridge to Louis Tusino, dated Feb. 10, 2009, recorded in Registry of Deed Book 43783, Page 33, pending review of Town Counsel. Seconded by Mr. Plasko. The motion carried 5-0-0.**
  - c) Financial Plan & Proposed Budget  
Ms. Ellison stated the first page is the timeline that was established by the Accountant, Treasurer, as well as the concerns that were addressed at the DLS meeting and incorporated some items when Ms. Ellison met

with Ms. Franz and Ms. Modica. The plan is specific and detailed and this is why there is a sense of urgency in moving forward and having the staff in place to be able to fulfill those requirements. Ms. Franz noted that on 12/3, she asked for an expense report. Ms. Ellison stated that copies went to FinCom but she will forward a copy to the Board of Selectmen. Ms. Franz would like to passover on a date for Town Meeting until she has the expense report. Ms. Modica discussed timeline. Ms. Ellison explained the proposed budget and mentioned that DLS was sent the financial plan with dates and established timeframes. All the interim positions are contingent upon them getting their payment. Ms. Ellison noted that the Town only has enough funds for one audit and funding is needed for the second audit.

Ms. Ellison provided two additional funding packets to the Board. The first packet was a change in the proposed budget to allow Mr. Kinsherf's firm to expedite some of the timelines so he could start in December and January, added additional work, and a position. This change was due to the conversation with S&P so they don't pull the bond. The other change to the funding request was to add the position that is temporarily going to fill the Assistant Accountant position until someone is permanently placed. That changed the initial bottom line from \$139,769 to \$145,369.

Ms. Ellison stated the second packet/Item #2 was a result from her meeting with Ms. Franz and Ms. Modica. There was a request to see what it would cost if we did everything with only the consultants and not with full-time people. Item #2 is with consultants until June 30<sup>th</sup> and it would be \$131,142. Difference is the Treasurer salary increase and the overlap of training.

Ms. Ellison reviewed the pros and cons of both updated plans. Ms. Ellison noted her concern if we do not meet the committed timeline with DLS, Moody's, and S&P. Ms. Franz inquired about the missing FY17 information from Mr. Cole. Ms. Ellison stated that town counsel has approached Mr. Cole. Ms. Franz asked if we were ready to start the FY17 audit. Ms. Ellison stated that we have some information and are still missing information but confident that Mr. Kinsherf and his team will be able to make it work. Ms. Modica noted that since the Board is meeting on Thursday at 6pm and if the Board has the expense report, the Board could review on Thursday night. If any of the Board has any financial questions, please reach out to Ms. Ellison prior to Thursday.

Ms. Ellison provided the Board with a Town Manager Update report that covered:

- Legal Bills/Beta Group
- Restrictive Deed
- Financial Plan and Budget
- S&P Report – Report was sent out to the Board prior. Town has a credit watch with a negative outcome. S&P did not pull the Town's rating. We are still AA+ rating but they will continue to monitor for assurances. Their concerns are turnover, lack of proper salary to retain employees, and continuity. Will meet again in January with the Town's advisors and S&P to look at the Town's progress and how the Town has moved forward. After talking to financial advisors, they are of the opinion our ratings will go down. The Town will have the opportunity to speak with the companies. Mr. Butler suggested having DLS at the meeting with S&P. Ms. Franz noted that we could use some of the resources here, Brian can help with negotiations.
- Regionalization
- OSHA Regulations – February 2019, the public sector will fall under OSHA regulations. The Division of Labor Standards has implemented it and staff has gone thru training. All the buildings would have to comply with OSHA standards.
- MIAA – renewed municipal insurance for an additional year. Last year, the Town went out to bid and MIAA had the better rates. We received a \$7K credit for all the workshops that were attended.
- Perspective Business Review: Under the direction of the Community Planner. There will be a roundtable to review perspective businesses needing multiple departmental inputs and sign-offs.

- Cultural Council – We must have five members. We are looking for members so that we can get grant funding. Mr. Shaw inquired if there was a residency requirement. Ms. Ellison will confirm. Cultural Council brings in art programs and bands throughout the year. Mr. Plasko asked if the Town had some way to make these announcements to residents. Ms. Ellison stated that we are working on trying to find a way to communicate with residents. The Board discussed Code Red and Reverse 911.
- Community Compacts – One of the things that Mr. Gallerani is working on is best practices, under the Community Compact initiative. Implementing an emergency management control center. Part of that is that the Town is going to get a \$25,000 grant and get someone to come in to do an assessment to look at the command center. Ms. Ellison noted that the Community Compact has something in regards to establishing and centralizing human resources. Town has to establish sound practices and policies.
- 119 Aldrich Street – Scott Grehoski wants to donate three-acre land. Abutting property is state owned. The land value is \$18K. The Town Planner weighed in that the Town accept the property with intentions to swap it for state owned parcels elsewhere in town. The Board talked about the reason for the donation, assessed value, discussed whether it was a buildable lot. **MOTION: Ms. Franz made a motion that the Town accept the donation from Mr. Scott Grehoski who wants to donate a three-acre parcel of land, Parcel 1721 to the Town. Seconded by Mr. Plasko. The motion carried 5-0-0.** Ms. Ellison mentioned that she has received interest regarding surplus properties in Town and will add as a future agenda item.
- Hazard Mitigation Map – Ms. Franz had comments regarding the map. Ms. Ellison needs to get back to CMRPC. There was some concern in regards to the vote and the decision. The Board was supposed to get back to Ms. Ellison about what the Board wanted to reflect on the map. No vote was taken. Ms. Franz mentioned that the point of contention was the labeling of soil parcels. Questions of other 21E sites (contamination) not being listed on the map. Ms. Modica thinks that CMRPC should use the terminology that is on the state GIS as far as any of the locations go. As far as soil dumps, Ms. Franz noted that there are wells there and to have an accurate hazard map, we need to recognize those sites exist for the future. We are not labeling 21E sites but just recognizing that these are soil dumps. Ms. Franz asked if we could ask CMRPC to verify the 21E's and that none are missing and make sure that Kempton is identified and also contaminated wells on that hill are marked. **VOTE: Mr. Shaw made a motion to hold off in approving the Hazard Mitigation Plan until the Board's first meeting in January. Seconded by Ms. Franz.** Board should email any concerns about the map to Ms. Ellison.
- **Donations - COA** – Kaylee and Jacob Tavares for \$250 in Hannaford gift cards which Hannaford's matched (total of \$500) for the food program. They also donated various other items (i.e.: candles, winter jacket etc. for our seniors).
- McCloskey School Buildings. Ms. Ellison noted that there was a meeting held prior. Ms. Franz stated the group wanted BOS feedback, as there is an idea to split the property into three parcels. One parcel would be Taft, one parcel would be the fields, and one parcel would be the McCloskey property. Good process in place as far as a list of things that have been agreed upon and future issues. Need to move quickly as warrant closes in March. Ms. Franz is aware that our Economic Development Coordinator is taking on some of the work that CMRPC had proposed. We are a little behind because we need a decision on the movables on the building- historic items, expensive items, general equipment. Ms. Franz stated before March, there needs to be a process in place to look at the direction of McCloskey. Ms. Ellison noted that Mr. Gallerani would join the next meeting to help and guide. Mr. Butler would like to get a community interest survey. Ms. Ellison noted that Mr. Gallerani has been tasked to do a survey. If any of the Board is interested in giving him feedback, please reach out to him.

- d) Shared Services/Regionalization Update *(taken out of order during Town Manager Update)*  
Ms. Ellison reached out to surrounding communities. Although most communities were interested in dispatched services, there were trepidations because of union issues and concerns. Others considered regionalization around Code Enforcement Officer, Building Inspector, Conservation Agent, and Health Agent. No appetite for shares services for Fire or DPW. Mendon did not respond to shared services/regionalization inquiry.

7. MEMBER ISSUES

Ms. Franz: It was brought to her attention that there is some concern about the annual report and who it is being tasked to. The report is due in May. Ms. Franz asked why there is concern about that right now. Ms. Ellison noted that it would be discussed during the next agenda.

8. MEETING MINUTES

Will be reviewed at the 12/20/18 meeting.


Mr. Butler asked Ms. Modica to place St. Mary's Trivia Night One Day Liquor License on the agenda for Thursday.

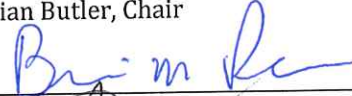
9. ADJOURNMENT:

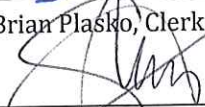
**MOTION: Mr. Shaw move to adjourn the meeting. Seconded by Ms. Franz. The motion carried 5-0-0.**

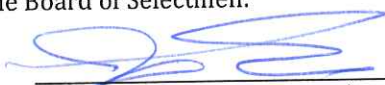
Minutes respectfully submitted by Ellen Welch.

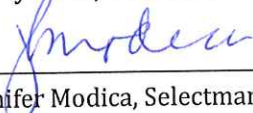
December 17, 2018 Minutes approved by the Board of Selectmen:

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

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

  
\_\_\_\_\_  
Susan Franz, Selectman

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

  
\_\_\_\_\_  
Jennifer Modica, Selectman

Date Approved: 1/28/19