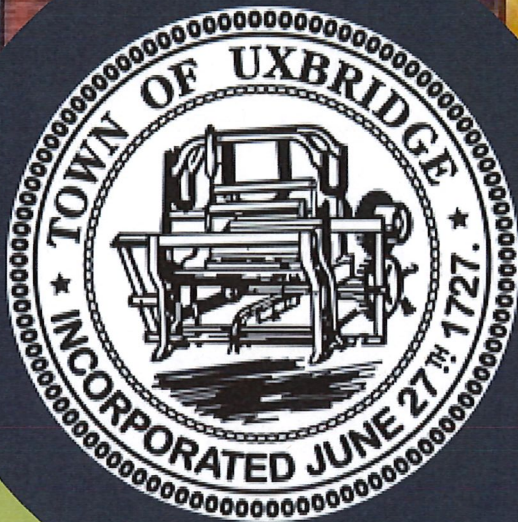




OCTOBER 24
2023

7:00 PM

VALLEY
CHAPEL

14

HUNTER ROAD
UXBRIDGE

Final

WARRANT
REPORT

THE CONDUCT OF THE MEETING

1. Voting

1. Only registered voters with a clicker can vote.
2. Votes will be taken electronically.

2. Warrant Articles

1. Articles will be acted upon in the order they appear on the warrant unless the meeting votes otherwise.
2. All main motions must be in writing, with copies given to the Town Clerk and Moderator.
3. All motions and amendments dealing with the expenditure of money must be in writing, again with copies given to the Town Clerk and Moderator.
4. No person shall address a Town Meeting without leave of the moderator. (M.G.L. c.39, §17)
5. The sponsor of the article will be recognized to place a motion before the meeting.
6. The sponsor will be asked to speak to the merits of the motion.
7. An opponent to the article, if there is one, will then be recognized to speak.
8. The Finance Committee, Planning Board (for zoning articles), and Board of Selectmen will be recognized for their recommendations.
9. Following the recommendations, the article will be open for debate.

3. Open Debate

1. Voters wishing to speak should proceed to the speaker seats to be recognized.
2. Non-voters, other than department heads, must request and be granted permission by the meeting before they can speak.
3. Each speaker has a total of **5** minutes to speak.
4. A speaker cannot move the question after concluding his remarks.
5. A motion to move the question requires a 2/3rds majority vote to shut off debate.

4. Rules

Town Meeting will be run in accordance to the following four rules:

1. All debate will be conducted in a respectful and courteous manner.
2. Comments will be limited to the subject being debated.
3. No comments of a personal nature are to be made.
4. Anyone unwilling or unable to comply with these rules will be removed.

5. Dissolve

Following the vote on the last article, the Moderator will entertain a motion to "Dissolve" the meeting.

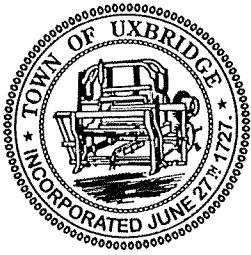


SAFETY ANNOUNCEMENT FROM THE FIRE CHIEF

There are seven exits to the auditorium. Please take a moment to locate the exits nearest you in case there is a need to evacuate the building. Once outside the auditorium, follow the exit signs to leave the building. Please do not block any aisles with chairs or other items.

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FALL ANNUAL TOWN MEETING WARRANT

TUESDAY, OCTOBER 24, 2023 – 7:00 P.M.
VALLEY CHAPEL – 14 HUNTER ROAD
UXBRIDGE, MASSACHUSETTS

WORCESTER, S.S.
TO EITHER OF THE CONSTABLES OF THE
TOWN, IN SAID COUNTY

GREETINGS:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, YOU ARE DIRECTED TO
NOTIFY THE INHABITANTS OF THE TOWN OF UXBRIDGE, QUALIFIED TO VOTE IN THE
TOWN ELECTIONS AND IN TOWN AFFAIRS, TO MEET FOR THE FALL ANNUAL TOWN
MEETING AT THE VALLEY CHAPEL, 14 HUNTER ROAD, IN SAID UXBRIDGE, ON
TUESDAY, OCTOBER 24, 2023 AT 7:00 P.M. TO ACT ON THE FOLLOWING ARTICLES

TO WIT:

* * *

Legend

c. = Chapter

§ = Section

M.G.L. = Massachusetts General Laws

ARTICLE 1: BILLS OF PRIOR YEAR(S)

To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money to pay outstanding bills from prior fiscal year(s) for which no appropriation then existed, or take any other action relating thereto.

SPONSOR: Town Accountant

COMMENTARY: In general, appropriated amounts at Town Meeting for one Fiscal Year cannot be spent on a previous year's expenditures without Town Meeting approval. This article (if approved) will pay for these outstanding bills, as shown below, that are presently known to be unpaid from prior Fiscal Years.

				New Appropriation
#	Funding Source	Use of Funding	Department	Amount
1	General Fund	Legal Bills	Town Manager	\$ 7,116.00
2	General Fund	Farnum House Restoration Project	Town Manager	8,350.00
3	General Fund	Patriots Assessment Services	Assessor	23,200.00
4	General Fund	May 2023 through June 2023 Unemployment	Human Resources	7,171.85
5	General Fund	Office Supplies from Amazon	Human Resources	112.25
6	General Fund	MA Association of Conservation Commissions AEC 2023	Conservation	55.00
7	General Fund	4/14/2023 to 5/13/2023 services for Police Station - Telecommunications	IT	3,094.22
8	General Fund	Oil Fill ups for various locations	Facilities	1,189.65
9	General Fund	Tactical Gear purchase	Police	273.60
10	General Fund	Uniforms	Police	641.00
11	General Fund	Office Supplies from Amazon	Police	29.96
12	General Fund	Office Supplies from Amazon	Fire	87.51
13	General Fund	Office Supplies from Amazon	Inspections	103.13
14	General Fund	April to June 2024 Stipends for employees	Inspections	850.00
15	General Fund	Overage of Hecla Basketball Project paid by Highway	Highway	1,500.00
	Total Reallocated Appropriations			\$53,774.17

MOTION: Move that the Town appropriate the sum of \$53,774.17 to pay the following unpaid bills from fiscal year 2022 and fiscal year 2023 from Stabilization.

~Vote required for passage: 9/10 vote from Stabilization Fund (G.L. c.40, §5B)~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-0)

Commentary: Favorable action recommended as these are legitimate authorized expenses that the town is responsible to pay. Although the number and amount of bills processed in FY24 that are for expenses in FY23 is relatively minor in comparison to the town annual budget, FINCOM is concerned that Department Heads are not accountable for appropriately monitoring and managing their budgets on a monthly basis. It is the responsibility of the Town to provide and support accurate and timely reports for review by Department Heads and ensure the process for review and approval of payments is efficient. If managed appropriately, prior-year expenses would be minimal or non-existent.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 2: FUNDING OF FISCAL YEAR 2023 GOVERNMENTAL FUNCTION DEFICITS

To see if the Town will vote to transfer from funds appropriated previously, in the amounts and from the articles and town meetings specified below, where the projects at issue are completed and such funds are no longer needed, to cover the Town's FY2023 Operating Budget deficit, or take any other action relating thereto.

SPONSOR: Town Accountant

COMMENTARY: This article is needed to fund unexpected deficits in certain governmental functions as listed below. These deficits were caused by various items during the course of the fiscal year. Some of the larger items are as follows: unexpected increases to health insurance premiums paid by the Town, unexpected increase in

property liability insurance related to the McCloskey Building, and increased expenditures in the information technology department related to third party service providers to provide security and support to the town.

Governmental Function Deficits:

Function	May 10, 2022 ATM Voted Appropriation	Fiscal Year 2023 Expenditures	Deficit
General Government	\$ 2,685,103.00	\$ 2,862,722.08	\$ 177,619.08
Debt Service	2,212,613.00	2,221,335.99	\$ 8,722.99
Unclassified	9,117,297.00	9,322,598.97	\$ 205,301.97
			<u>\$ 391,644.04</u>
Deficit for Fiscal Year 2022 Invoices not reserved through Encumbrances and paid in Fiscal Year 2023:			\$ 41,012.94
Additional Stabilization Transfer Needed			<u><u>\$ 432,656.98</u></u>

MOTION: Move that the Town vote to transfer from the Stabilization Fund to cover the Town's FY2023 Operating Budget deficit of \$432,656.98 as described above.

~Vote required for passage: 2/3 vote from Stabilization Fund (G.L. c.40, §5B)~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-0)

Commentary: Favorable action recommended as payment of these expenses through this article is a transparent action, demonstrating the commitment and integrity of the Town Manager and Town Accountant. These prior year expenses could have been covered through a recoupment process that would not be visible at town meeting, resulting in a reduction in the amount of free cash certified for the year. Discovery of the underlying systemic issue in the accounting infrastructure and inconsistencies in the financial operating policies and procedures that govern acceptance and use of funds is a good first step. It identified both the specific amounts and location of this article deficit. Until the entire accounting system has been reviewed, and all relevant procedures are updated, the amount of any additional historic deficits is unknown. FINCOM strongly recommends that the resources are available and applied to ensure that discovery and resolution of these issues is completed prior to approval of a FY25 budget.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 3: STABILIZATION TRANSFER

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of supplementing the Stabilization Fund as authorized by G.L. c.40, §5B, or take any other action relating thereto.

SPONSOR: Town Accountant

COMMENTARY: This article addresses the Stabilization Fund. The Town Accountant is recommending that \$2,000,000.00 be transferred from Free Cash to Stabilization Account. The purpose of the Stabilization Fund is to set aside money to mitigate unforeseen needs such as a reduction in state aid, or in instances where revenue is not meeting projections. As of the end of Fiscal Year 2023, the market value balance in the Stabilization account was \$10,239,974.09 and with the May 2023 Annual Town Meeting voted transfer of \$5,500,000.00, there is an anticipated estimate of around \$4,700,000.00 depending on the market, as a balance in the Stabilization account.

MOTION: Move that the Town vote to transfer and appropriate the sum of \$2,000,000.00 from Free Cash to the Stabilization Fund.

~Vote required for passage: 2/3 vote from Stabilization Fund (G.L. c.40, §5B)~ Pass Over

ARTICLE 4: APPROVE FISCAL YEAR 2024 BUDGET ADJUSTMENT

To see if the Town will vote to raise and appropriate and/or transfer to and/or from FY 2024 accounts appropriated at the 2023 Spring Annual Town Meeting, and/or transfer from available funds a sum or sums of money to defray departmental and incidental expenses of the Town for the fiscal year commencing July 1, 2023, or take any other action relating thereto.

SPONSOR: Town Accountant

COMMENTARY: At the time the Appropriations were voted at the 2023 Spring Annual Town Meeting, many assumptions needed to be made in order to balance the various budgets. This article (if approved) would allow the Town to not further amend, increase, decrease, or otherwise adjust these appropriations based upon new information not previously known. This article is on the warrant to address the current Fiscal Year Budget. This year, Town Meeting is being asked to consider a request for \$100,000.00 to modify the budgets as listed below in the chart.

Department	Department Line Item	Amount	Account #
Technology	Technology Software Licenses/SAAS	\$ 50,000.00	10-155-5385
	Technology Telecommunications	\$ 50,000.00	10-155-5340
<u>Explanation:</u>	Funds needed for additional costs incurred in software and telecommunications line items. These are needed for services for security and support town-wide.		
TOTAL:		\$100,000.00	

MOTION: Move that the Town raise and appropriate \$100,000.00 to modify the budgets as listed in the warrant.

~Vote required for passage: simple majority~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-0)

Commentary: Favorable action recommended as these adjustments are required to prevent anticipated deficits in FY24 budget. Review of the facts indicate that the increase in Technology Software Licenses, and Technology Telecommunications are needed. FINCOM recommends that historical and future costs be reviewed to understand if alternatives are available and ensure complete annual costs are projected for FY25.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 5: UNANTICIPATED PRESCHOOL EXPENSES

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of for the Uxbridge Public Schools as required to pay for higher Pre-Kindergarten [Pre-K] costs due to increased enrollments and mandatory special education requirements, or take any other action relating thereto.

SPONSOR: Uxbridge School Committee

COMMENTARY: The district is required to add two Pre-K classes due to higher enrollments and a dramatic increase in Special Education eligibility. The number of preschool enrollments also exceeds the prior year's enrollment due to the number of new families moving into town. The move-in enrollments could not be predicted

by the Town's birth report. In addition, children who qualify for mandated, specialized pre-K services require additional related services in the areas of Occupational Therapy, Physical Therapy, Speech and Language Pathology, and specialized behavior therapy. This care, per Federal and State mandates, is to be provided without cost to the families.

MOTION: I move to see that the Town vote to raise and appropriate \$376,349.00 to fund higher Pre-Kindergarten [Pre-K] costs due to increased enrollments and mandatory special education requirements. If accepted, the funds are to be kept in a separate account and any unspent funds will be returned to the town.

~Vote required for passage: simple majority ~

FINANCE COMMITTEE RECOMMENDATION:

BOARD OF SELECTMEN RECOMMENDATION:

SCHOOL COMMITTEE RECOMMENDATION:

ARTICLE 6: UNANTICIPATED REDUCTIONS IN FEDERAL ENTITLEMENT GRANTS

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the FY2024 Uxbridge Public Schools operating budget as required to cover reductions in Title I, II, & IV Entitlement grants from the Department of Education and Federal Government, or take any other action relating thereto.

SPONSOR: Uxbridge School Committee

COMMENTARY: State and Federal funding of Entitlement Grants has been cut in FY24.

These grants are used for services as follows:

Title I, Part A: Provides learning opportunities for low-income children. Since UPS Title I programs are school-wide, reductions in this grant would reduce staffing at the Taft Early Learning Center and Whitin Intermediate Schools.

Title II: This grant is specifically used to provide professional development for Uxbridge Educators to improve the academic achievement of ALL students.

~Vote required for passage: Pass Over ~

ARTICLE 7: UNANTICIPATED EXPENSES - GENERAL

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money required to cover shortfalls in the Uxbridge Public Schools FY24 operating budget, or take any other action relating thereto.

SPONSOR: Uxbridge School Committee

COMMENTARY: The district's administration is reviewing FY23 financial results to the FY24 Budget. The preliminary comparison points out a number of concerns with the FY24 Budget. The School Committee and School Administration will have a better handle on the budget once a more thorough review is completed prior to the Fall Annual Town Meeting.

~Vote required for passage: Pass Over ~

ARTICLE 8: TOWN-WIDE FORENSIC AUDIT

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money to conduct a town-wide forensic audit, or take any other action relating thereto.

SPONSOR: Board of Selectmen

COMMENTARY: At the August 22, 2023 meeting, the Board of Selectmen discussed and approved to place this article on the warrant for a town-wide financial audit. The appropriation for the total sum of monies not to exceed \$200,000.00 to conduct a town-wide forensic audit on selected Town and School Departments and programs.

MOTION: Move that the Town vote to appropriate the total sum of monies not to exceed \$200,000.00 to conduct a town-wide forensic audit on selected Town and School Departments and programs from Stabilization.

~Vote required for passage: 2/3 vote from Stabilization Fund (G.L. c.40, §5B)~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (7-0-0)

Commentary: The committee recommends favorable action in support of the forensic audit. Given the turnover in the Accounting Department, as well as the issues that have been discovered. We support the Town Manager, Town Accountant, and the Board of Selectmen to review past practices and procedures and review the current processes. Use the recommendations of the audit to create updated best practices policies and procedures.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 9: FIRE DEPARTMENT – MEDICAL SUPPLIES INCREASE

To see if the Town will vote to raise and appropriate or transfer from available funds a total sum of \$45,000.00, more or less, to the Fire Department Medical Supplies account (10-220-5500), or take any other action relating thereto.

SPONSOR: Fire Chief

COMMENTARY: This appropriation is to support a new program so that the Fire Department can purchase equipment and supplies necessary to begin blood testing in the EMS clinical environment. The ability to receive rapid results with respect to several life-threatening patient conditions will allow paramedics and emergency departments to begin life-saving treatment without delay. Hospital labs can take up to two hours to return results, which can delay a patient's treatment. We believe the right place to begin understanding and treating severe conditions is in the field at the patient's side where immediate results and rapid treatment will provide better outcomes for our patients. In FY23, the Fire Department applied for/and received additional funds from Medicare (as is done annually) in the amount of \$65,000.00. These funds were per usual added to the General Fund, as is the majority of ambulance billing fees. The Fire Department is looking to put a portion of the FY23 Medicare reimbursement into this new program in an effort to increase the level of care to our residents.

MOTION: Move that the Town vote to approve \$45,000.00 in medical supplies for the Uxbridge Fire Department from Stabilization.

~Vote required for passage: 2/3 vote from Stabilization Fund (G.L. c.40, §5B)~

FINANCE COMMITTEE RECOMMENDATION: (Favorable Action 6-0-0)

Commentary: The Committee appreciates the Fire Department's continued drive to improve their level of care for the town's residents.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 10: COMMUNITY NEEDS ASSESSMENT, AGING IN UXBRIDGE

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$35,000.00 to conduct a Community Needs Assessment, Aging in Uxbridge, or take any other action relating thereto.

SPONSOR: Council on Aging

COMMENTARY: In cooperation with the Town of Uxbridge's Council on Aging, researchers at the Center for Social & Demographic Research on Aging at UMass Boston, will conduct a study focusing on the needs and interests of Uxbridge's adult population, as they shape the planning and development of Uxbridge's Council on Aging and Senior Center.

MOTION: Move that the Town vote to approve the sum of \$35,000.00 for the Community Needs Assessment regarding Aging in Uxbridge from Stabilization.

~Vote required for passage: 2/3 vote from Stabilization Fund (G.L. c.40, §5B)~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-0)

Commentary: The committee is in favor of this assessment as it will provide information that the Council on Aging can use to better predict the needs of residents. It will also provide needed data to apply for a wider range of grants.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 11: OTHER POST-EMPLOYMENT BENEFITS

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of supplementing the fund known as the Other Post-Employment Benefit Liability Trust Fund (OPEB) as authorized by G.L. c.32B, §20, or take any other action relating thereto.

SPONSOR: Town Accountant

COMMENTARY: This article addresses the Town's Other Post-Employment Benefits (OPEB) Account. The Town Accountant is recommending that \$350,000.00 to be used from Free Cash. These are benefits (other than pension) that state and local governments provide to their retired employees. These benefits principally involve health care benefits, but also may include life insurance, disability, legal and other services. For Fiscal Year 2023 ending market value in the OPEB Account was \$541,318.31. The last actuarial audit determined the total unfunded liability was \$98,200,160.00

MOTION: Move that the Town transfer and appropriate the sum of \$350,000.00 from Free Cash.

~Vote required for passage: simple majority~ Pass Over

ARTICLE 12: CAPITAL STABILIZATION TRANSFER

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of supplementing the Capital Stabilization Fund as authorized by G.L. c.40, §5B, or take any other action relating thereto.

SPONSOR: Town Accountant

~Vote required for passage: simple majority~ Pass Over

ARTICLE 13: CAPITAL PURCHASES

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for capital purchases and/or projects as recommended by the Town Manager in conjunction with the Capital Planning Committee, or take any other action relating thereto.

SPONSOR: Town Manager

COMMENTARY: The source of funding for all of the capital purchases will be from Capital Stabilization. The projects listed below in the table were discussed by the Capital Committee and accepted by the Town Manager for inclusion on the warrant for the 2023 Fall Annual Town Meeting.

Department	Equipment	Amount
Information Technology	Server Refresh Project \$50,000 & Wireless Upgrade \$30,000	\$80,000.00
Police & Fire	Ballistic Protective Gear/Equipment	\$302,500.00
Police & Fire	Training Facility Design & Permitting	\$30,000.00
DPW	Purchase (1) F550 diesel with plow \$108,000 & (1) F350 gas with plow \$70,000	\$178,000.00
	TOTAL:	\$590,500.00

MOTION: Move that the Town vote to appropriate the total sum of \$590,500.00 from the Capital Stabilization for the FY2024 Capital Program, in the amounts, from the sources and for the purposes specified in the warrant, including all incidental and related expenses, with each item being considered a separate appropriation, with such appropriation to be carried forward until such funds are exhausted or transferred for other purposes.

~Vote required for passage: 2/3 vote from Capital Stabilization pursuant to G.L. c.40, §5B~

FINANCE COMMITTEE RECOMMENDATIONS:

Information Technology: **Favorable Action (7-0-0)**

Police & Fire:

Ballistic Protective Gear/Equipment: **Favorable Action (7-0-0)**

Training Facility Design and Permitting: **Favorable Action (7-0-0)**

DPW Trucks: **Favorable Action (7-0-0)**

Commentary: The Committee recommends favorable action for all items brought forward by the Capital Committee. The Capital Committee has effectively vetted all requests.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

CAPITAL PLANNING COMMITTEE RECOMMENDATIONS:

Information Technology: **Favorable Action (4-0-0)**

Police & Fire

Ballistic Protective Gear/Equipment: **Favorable Action (4-0-0)**

Training Facility Design & Permitting: **Favorable Action (5-0-0)**

DPW: **Favorable Action (4-0-0)**

ARTICLE 14: AMENDMENT TO CHAPTER 2 OF THE TOWN'S GENERAL BYLAWS

To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E ½, to amend Chapter 2 of the General Bylaws of the Town of Uxbridge, Department Revolving Accounts, to establish a new revolving fund entitled, "Shared Animal Control", and for such purposes, to amend the chart appearing in Section 2-4 of the Uxbridge General Bylaws by inserting a new row so providing as follows, and further, to establish a new revolving fund

entitled, “Shared Planning Services”, and for such purposes, to amend the chart appearing in Section 2-4 of the Uxbridge General Bylaws by inserting a new row so providing, as follows, or take any other action relating thereto.

SPONSOR: Town Accountant

COMMENTARY: M.G.L. c.44, §53E½ requires annual authorization of departmental revolving funds which are self-supporting and pay for departmental expenses from user fees and charges.

This new Shared Animal Control Revolving Fund established under M.G.L. c.44, §53E½ will be created with the receipts received in connection with the Shared Animal Control Program operated by the Animal Control Department.

This new Shared Planning Services Revolving Fund established under M.G.L. c.44, §53E½ will be created with the receipts received in connection with the Shared Planning Services operated by the Planning Department.

A	B	C	D	E	F	G
Revolving Fund	Department/Board Committee Agency or Officer authorized to Spend from Fund	Fees, Charges or Other Receipts Credited to Fund	Program Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Other Requirements/ Reports	Fiscal Years
Shared Animal Control	Police Department	All fees, fines, charges or other receipts to be charged and received by the Town in connection with the Animal Control program including payments for salaries or wages from the Shared Animal Control Municipal Agreement.	Expenses, materials, supplies, services to perform job, and for any contractual services required, and to pay part-time salaries or wages from municipal agreement.			2023 forward
Shared Planning Services	Planning Department	All fees, fines, charges, or other receipts to be charged and received by the Town in connection with the Planning Department program including salaries or wages from the Shared Municipal Planner Agreement.	Expenses, materials, supplies, services to perform job and for any contractual services required, salaries or wages from municipal agreement.			2023 forward

MOTION: Move that the Town vote to amend the Town Bylaws and create two new Revolving Funds as set forth in Article 14 of the warrant.

~Vote required for passage: 2/3 vote ~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (7-0-0)

Commentary: The Committee recommends favorable action as this establishes revolving accounts and the fund will no longer pass through the general fund.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 15: AMENDMENT FOR REVOLVING FUND SPENDING LIMITS

To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E½, to establish Revolving Fund expenditure limits for those funds appearing in Section 2-4 of the Town Bylaws, with new revolving funds and expenditure limits set forth in bold, with such expenditure limits to remain applicable from fiscal year to fiscal year until further amended prior to July 1 in any fiscal year, or take any other action relating thereto.

SPONSOR: Town Accountant

COMMENTARY: The amount that may be spent from a revolving fund established under M.G.L. c.44, §53E½ must be approved annually by Town Meeting. The funds are credited with the receipts received in connection with the programs supported by such funds, and expenditures may be made without further appropriation from the amounts actually in the revolving fund at that time.

FUNDS REQUESTED:

Program of Purpose for Revolving Fund	Spending Limit
Library book repairs	\$ 20,000.00
Recreation Programs	\$ 10,000.00
Compost Bins	\$ 2,000.00
Uxbridge Community Gardens	\$ 20,000.00
First Aid/CPR Training	\$ 10,000.00
Securing and/or Demolition of Buildings	\$ 30,000.00
Pout Pond	\$ 25,000.00
Dog Park Activities	\$ 25,000.00
Title 5 and Food Permits	\$ 50,000.00
Shared Animal Control	\$400,000.00
Shared Planning Services	\$250,000.00

MOTION: Move that the article be voted as written.

~Vote required for passage: 2/3 vote ~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (7-0-0)

Commentary: The Committee recommends favorable action as this establishes the dollar amounts for the new revolving funds, as well as updating the library fund to meet its current needs.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 16: CONSERVATION RESTRICTION - 300 QUAKER HIGHWAY

To see if the Town will transfer the care, custody, and control of a portion of the Town-owned property located at 300 Quaker Highway, containing a total of 102 acres, more or less, and described in a deed recorded with the Worcester South District Registry of Deeds in Book 35525, Page 147, and which portion to be transferred contains 30 acres more or less, and is shown as "Conservation Restriction Easement Area" on a plan entitled "Conservation Restriction Plan of Land", dated February 24, 2011, on file with the Town Clerk, from the Board of Selectmen for the purposes for which it is currently held to the Board of Selectmen for such purposes and for the purpose of granting a conservation restriction thereon, and further, to authorize the Board of Selectmen to grant a permanent conservation restriction on said portion to a qualified entity and to dedicate said portion to conservation purposes

in perpetuity, as required by the Comprehensive Management Permit No. 011-180.DFW, or take any other action relating thereto.

SPONSOR: Conservation Commission

COMMENTARY: The Town of Uxbridge is required, pursuant to a Conservation and Management Permit (CMP) issued by the Division of Fisheries and Wildlife (the "Division"), to execute an EEA-DCS approved Conservation Restriction ("CR") on approximately thirty acres of land at 300 Quaker Highway. Upon review of design plans for the construction of Uxbridge High School, the Division determined that the project would result in a "take" of a species listed as "Special Concern", pursuant to the Massachusetts Endangered Species Act. The Division issued a CMP on March 21, 2011, that permitted the construction of Uxbridge High School, subject to conditions that would ensure a long-term Net Benefit to the conservation of the impacted species. The CR proposed in this Article is required to ensure compliance with the CMP.

MOTION: Move that the Town approve Article 16 as printed in the warrant.

~Vote required for passage: 2/3 vote pursuant to G.L. c.40, §15A ~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-0)

Commentary: The committee recommends favorable action and understands the need as this is a requirement of the DEP permit for the construction of the high school.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

CONSERVATION COMMISSION RECOMMENDATION: Favorable Action (5-0-0)

ARTICLE 17: AMENDMENT TO ZONING BYLAW: SECTION 400-49 BOARD OF APPEALS

To see if the Town will vote to amend the Uxbridge Zoning Bylaw, §400-49, Board of Appeals, A. Establishment, or take any other action relating thereto.

SPONSOR: Zoning Board of Appeals

COMMENTARY: At the October 2022 FATM, the motion carried to amend the home rule charter to require at least five members to serve on specific multi-member bodies holding certain regulatory responsibilities. At the Annual May 2023 Town Election, the ballot question passed. This article will change so that the Uxbridge Zoning bylaws are in compliance by deleting the text shown in ~~striketrough~~ and inserting the text show in **bold underline**.

ARTICLE IX

ADMINISTRATION AND PROCEDURES

§ 400-49 Board of Appeals

A. Establishment

There is hereby established a Board of Appeals of ~~three (3)~~ **five (5)** members and two (2) associate members, appointed by the Town Manager.

MOTION: Move that the article be voted as written.

~Vote required for passage: 2/3 majority per M.G.L. c. 40A, § 5~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-0)

Commentary: The Committee agrees with this article as it will reduce confusion by bringing the by-laws in line with the town charter.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

ZONING BOARD OF APPEALS RECOMMENDATION: No recommendation without bias

PLANNING BOARD RECOMMENDATION: Favorable Action (4-0-0)

ARTICLE 18: STREET ACCEPTANCE: DONNA COURT – CITIZENS’ PETITION

To see if the Town will vote to accept and establish as a town way under the provisions of MGL Chapter 82 as amended, a privately owned street known as Donna Court for a distance of 718.11 feet more or less, together with the drainage easements, appurtenances structures, rounding easements, slope easements and all other supporting rights shown on a plan entitled “Road Acceptance Plan of Donna Court, Uxbridge, MA 2023”, prepared by DiPrete Engineering, Uxbridge, MA., a copy of which accompanies this petition, or take any action thereon.

SPONSOR: Citizens’ Petition

COMMENTARY: The citizens’ petition requests the acceptance of Donna Court as a public way in the town of Uxbridge and the petitioners submitted the following commentary:

The roadway is a subdivision road which was completed and built out in 2013 with 5 houses on the roadway. The road was initially submitted for acceptance in September 2014 but was withdrawn at the request of the developer, Fred Hutnak Development Corp. Inc., in order to adjust some paving issues. In 2016 the issues were resolved and unfortunately, the developer – principal of the corporation died. The town plowed the roadway until recently when DPW learned that the roadway was an unaccepted way.

Fred Hutnak Development Corp. Inc. was scheduled for dissolution in the winter of 2022 when it was notified that the road was unaccepted. The Corporation has continued limited existence for purposes of completing the roadway acceptance procedure and has completed suggested work on the drainage basin, storm water catch basin and roadway surface. The Corporation believes that the roadway is now prepared for acceptance by the town.

The Corporation will dissolve on December 31, 2023. It is in the best interest of the town and the residents of Donna Court that the town take this opportunity to accept the road and provide public maintenance to the taxpayers on the road. The Corporation will not be in existence after January 1, 2024 and hence will not be able to take further action for the benefit of Donna Court.

MOTION: I move that the Town vote to accept as public ways the roadway known as Donna Court for a distance of 718.11 feet more or less, as shown on a plan entitled “Road Acceptance Plan of Donna Court, Uxbridge, MA 2023”, prepared by DiPrete Engineering, Uxbridge, MA., as heretofore laid out by the Select Board, on file with the Town Clerk and as shown in Article 18 of the Warrant, and authorize the Select Board to acquire, by gift, purchase, and/or eminent domain, the fee to and/or easements in Donna Court for all purposes for which public ways are used in the Town of Uxbridge together with any related drainage, utility and/or other easements.

~Vote required for passage: simple majority required where the road is shown on a subdivision plan~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (7-0-0) (pending planning board conditions are met)

Commentary: The committee agrees with the town accepting the road as long as the Planning Board is satisfied their conditions have been met.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

PLANNING BOARD RECOMMENDATION: Favorable Action (4-0-0) with conditions

* * * *

And you are directed to serve this warrant by posting up attested copies thereof, one at the Town Hall, one at DPW, one at the Uxbridge Post Office, one at the North Uxbridge Post Office, and one at the Linwood Post Office, at least seven (7) days before the time of holding said meeting, in accordance with M.G.L. c. 39, § 10.

Hereof, fail not and make due return of this warrant, with your doings thereon, to the Town Clerk at the time of the meeting aforesaid.

Given under our hands this 28th day of August in the year 2023.

Uxbridge Board of Selectmen:

Jeffrey Shaw, Chairman

John Wise, Vice Chairman

Brian Plasko, Clerk

Stephen Mandile, Member

Peter DeMers, Member

A True Copy – Attest:

Constable, Town of Uxbridge

Date