

**SPRING ANNUAL TOWN MEETING MINUTES
TUESDAY, MAY 10, 2022 @ 7:00 P.M.
VALLEY CHAPEL – 14 HUNTER ROAD
UXBRIDGE, MASSACHUSETTS**

Pursuant to the foregoing Warrant, the inhabitants of the Town of Uxbridge, qualified to vote in the Town elections and in Town affairs, met at the Valley Chapel Auditorium, in Precinct 1, in said Uxbridge, and transacted the following business on May10, 2022.

Moderator Charles “Ed” Maharay called the Fall Town Meeting to order at 7:00pm, declaring the presence of a quorum (50 required). Rules for conducting business and taking votes of the meeting were announced. All Town Meeting votes will be taken by electronic vote.

* * *

The Moderator announced a Consent agenda would be used to expedite the meeting. He confirmed there were no questions or concerns regarding (3) three articles to be included:

In order to expedite the consideration of routine items, the following Articles will be considered for approval in a single vote, without debate. I will read each article’s number and title and if seven members of the Meeting rise to say “hold”, the item will be removed so that it may be debated in the normal course. The remaining articles will be moved as printed in the warrant.

ARTICLE 7: REVOLVING FUND ACCOUNTS

ARTICLE 10: CMRPC PER CAPITA RATE/APPROPRIATION

ARTICLE 11: RENEWAL OF CLAUSE 56 FOR MILITARY SERVICES ABATEMENT

MOTION: Move to approve the articles in the consent agenda, as printed in the warrant

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-132, No-6

Motion to take Article 22 out of order

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-102, No-66

ARTICLE 22: CITIZENS' PETITION - AMEND & ADOPTION OF THE TOWN OF UXBRIDGE ZONING BYLAWS

To see if the Town will vote to amend the Zoning Bylaws § 400-23 of the Town of Uxbridge by amending § 400-23 Section A.1. Number of Marijuana Establishments and Medical Marijuana Treatment Centers total number of retailers from 3 to 4.

SPONSOR: Citizens' Petition

COMMENTARY: Citizen's petition articles are voted upon as written.

MOTION: I move that the Town vote to amend the Town of Uxbridge Zoning Bylaws to raise the number of marijuana retailers in the Town of Uxbridge from (3) three to (4) four by amending Bylaw § 400-23, subsection A 1., Marijuana Establishments, and Medical Marijuana Treatment Centers as follows:

A. Number of Marijuana Establishments and Medical Marijuana Treatment Centers

1. "The maximum number of marijuana retailers shall be no more twenty percent (20%) the total number of licenses which have been issued within Uxbridge for the retail of alcoholic beverages not to be drunk on the premises for the preceding fiscal year, or ~~three~~ **four** in total, whichever greater."

Vote required for passage: Zoning Bylaws require a 2/3rds vote per M.G.L. c.40A

THE FINANCE COMMITTEE RECOMMENDATION: Favorable Action (3-0-1)

The Committee finds that this is a free market economy and another retailer should have the opportunity to compete. Additionally, significant revenue is generated by the excise tax on marijuana retailers.

THE BOARD OF SELECTMEN RECOMMENDATION: Unfavorable Action (4-1-0)

Wise voted no; in favor of certain proposed changes, but not the process.

THE PLANNING BOARD RECOMMENDATION: Favorable Action (5-0-0)

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-138, No-68

ARTICLE 1: BILLS OF PRIOR FISCAL YEAR

To see if the Town will vote pursuant to M.G.L. c.44, §64 to raise and appropriate and/or transfer from available funds such sums of money necessary for the purpose of paying outstanding bills from prior fiscal year(s), or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: This article seeks authorization to pay unpaid bills from the previous fiscal year; which is required pursuant to M.G.L. c.44, §64.

MOTION: *Move that the Town appropriate the sum of \$5,683.06 to pay the following unpaid bills from the previous fiscal year and to meet said appropriation, transfer the sums as follows:*

#	Funding Source	Use of Funding	Department	New Appropriation Amount
1	General Fund	United Site Services-portable recreation restrooms	Town Facilities	\$5,433.06
2	General Fund	R.I. Analytical – weekly pond water monitoring samples	Conservation	\$250.00
	Total Reallocated Appropriations			\$5,683.06

Vote required for passage: 4/5th majority vote (M.G.L. c.44, §64) - simple majority if passing over.

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that these are usual and customary expenditures and therefore should be paid.

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

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-189, No-8

ARTICLE 2: FY 2022 SNOW AND ICE DEFICIT

To see if the Town will vote to transfer from the Town Stabilization Fund a sum of money to balance the snow and ice account for fiscal year 2022 (FY22) deficits incurred pursuant to M.G.L. c.44, §31D, or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: The estimated FY2022 overrun for snow and ice is \$71,000. The overrun will accommodate for labor, salt purchase to replenish supplies and monies for repairs and maintenance of equipment and grounds.

MOTION: *Move that the Town vote to appropriate the sum of \$71,000 to apply to deficits incurred in the FY2022 snow/ice budget and to meet said appropriation transfer the sum of \$71,000 from the Stabilization Fund.*

Vote required for passage: requires a 2/3rds vote per M.G.L. c.4, §5B to transfer from the stabilization fund

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that this was a necessary cost incurred due to various precipitation events that occurred requiring these services.

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

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-188, No-13

ARTICLE 3: TOWN BUDGET

To see if the Town will vote to fix the compensation of all officials of the Town, provide for a reserve fund, determine sums to be raised and appropriated, including those from available funds, in order to defray expenses including debt and interest for fiscal year 2023 (FY23) – approve the budget, or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: Below is a by-department summary of the FY2023 Town Manager Budget. The expanded budget broken down by salaries and expenses was posted on the town website on April 14th. Budgeted FY2023 salaries and expenses total \$48,783,773 an increase of \$2,551,599 or 5% from FY2022.

MOTION: *Move that \$48,783,773 be appropriated, as set forth in individual budget appropriations listed under the column “FY23 Town Manager Budget”, as described in the Spring Annual Town Meeting warrant in the budget prepared by the Town Manager, and as funding, therefore; to transfer from local revenue, funds raised via taxation, and any other available funds; to raise and appropriate the total sum of \$48,783,773 at the Spring Annual Town Meeting.*

Vote required for passage: simple majority vote provided if none of the funds are coming from the stabilization fund. A 2/3rds vote per M.G.L. c.40, §5B to transfer from the stabilization fund.

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that the Town Budget was in order and the increase compared to FY2022 primarily resulted from the Classification and Compensation Study indicating the Town was below market on key positions. Additionally, we are still sufficiently under our levy to preserve the Town’s credit capacity.

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

FY2023 TOWN MANAGER BUDGET

	General Fund	FY'22 Appropriated	FY'23 Town Manager Budget	Increase/Decrease
122	Board of Selectmen	27,409	29,553	2,144
123	Town Manager	211,374	224,773	13,399
131	Finance Committee	2,080	2,080	0
132	Reserve Fund	55,000	55,000	0
135	Accounting	161,189	182,621	21,432
141	Assessor	165,509	195,812	30,303
145	Treasury	372,949	400,630	27,681
151	Legal	100,000	100,000	0
155	Technology	334,000	353,000	19,000
160	Clerk	162,328	220,687	58,359
170	Land Use	48,975	48,959	(16)
171	Conservation	56,784	75,513	18,729
179	Economic Development	84,000	86,650	2,650
199	Town Facilities	665,873	709,825	43,952
	Total General	2,447,469	2,685,103	237,633
210	Police	2,800,202	3,003,611	203,410
220	Fire	1,899,373	2,104,303	204,930
240	Inspections	167,016	156,225	(10,791)

292	Animal Control	51,172	52,110	938
	Total Public Safety	4,917,763	5,316,250	398,487
10-300	School Dept	21,438,925	21,805,341	366,416
	School Transportation	1,736,341	1,996,304	259,963
10-380	BVT assessment	1,818,048	1,881,938	63,890
10-381	Norfolk Agricultural Tuition Assessment	451,800	413,492	(38,308)
10-382	Tri County Tuition	60,000	0	(60,000)
	Total School	25,505,114	26,097,075	591,961

	General Fund	FY'22 Appropriated	FY'23 Town Manager Budget	Increase/Decrease
421	PW Administration	137,333	133675	(3,658)
422	Highway	860,675	1100158	239,483
423	Snow and Ice	598,500	598500	0
425	Vehicle Maintenance	275,757	341763	66,006
430	Street Lighting	32,000	32000	0
	Total DPW	1,904,265	2,206,096	301,831
510	Board of Health	121,518	139170.2	17,652
541	Council on Aging	208,744	239106.04	30,362
543	Veterans Services	270,372	288136	17,764
	Total Human Services	600,634	666,412	65,778
610	Library	435,882	482927	47,045
	Total Library	435,882	482,927	47,045
700	Debt	2,292,558	2212613	(79,945)
	Total Debt	2,292,558	2,212,613	(79,945)
911	Retirement	2,107,323	2418639	311,316
912	Workers Comp	110,000	110000	0
913	Sick Leave	36,000	36000	0
914	Health Insurance	5,115,165	5715165	600,000
916	Medicare	360,000	360000	0
919	Reserve for wage Adjustment	75,000	75000	0

945	PL Insurance	325,000	402493	77,493
	Total Unclassified	8,128,488	9,117,297	988,809
	Total General Fund	46,232,173	48,783,773	2,551,599

A separate vote will be taken for each major category in the budget.

The motion for General Government section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-187, No-20

The motion for Public Safety section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-154, No-11

The motion for Education section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-166, No-26

The motion for Public Works section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-173, No-26

The motion for Health & Human Services section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-171, No-19

The motion for Library section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-176, No-11

The motion for Debt Service section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-174, No-17

The motion for Other Unclassified section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-165, No-22

ARTICLE 4: WASTEWATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, or otherwise provide a sum or sums of money for the salaries, expenses, and debt service of the Wastewater Enterprise Fund for the ensuing fiscal year, such sums of money to be offset by revenues of the Wastewater Enterprise Fund received during fiscal year 2023 (FY23), or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: The Wastewater Enterprise Fund is based upon the collection of sewer charges to billing units and is entirely self-supporting. Benefit charges for departmental employees are paid from the general fund and reimbursed by a charge against wastewater departmental revenue. The FY2023 Wastewater Enterprise Budget shows an increase of \$412,058 or 11.5% from FY2022 (excluding special purpose articles).

MOTION: *Move that the sum of \$3,991,509 be appropriated to the FY2023 Wastewater Enterprise Fund Account to be expended as follows Salaries: \$898,548.00 and Expenses: \$3,092,961; for the respective purposes set forth in the warrant.*

Vote required for passage: simple majority

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (3-1-0)

The Committee finds that although there was an increase of 11% this year, this was a result of the Treatment Plant going fully online, resulting in a multitude of regulatory requirements that now need to be met and completed. Unfavorable Action – The dissenting vote believes that long-term capital planning needs to cover more costs and that reserve funds exist that should be tapped before rate increases when unexpected mandates appear.

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

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-151, No-29

ARTICLE 5: WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, or otherwise provide a sum or sums of money for the salaries, expenses, and debt service of the Water Enterprise Fund for the ensuing fiscal year, such sums of money to be offset by revenues of the Water Enterprise Fund received during fiscal year 2023 (FY23), or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: The Water Enterprise Fund is based upon the collection of water charges to billing units and is entirely self-supporting. Debt, fuel, and benefit charges for departmental employees are paid from the general fund, and reimbursed by a charge against water departmental revenue. The FY2023 Water Enterprise Budget shows an increase of \$118,817 or 5.7% over FY2022 operating budget (excluding special articles).

MOTION: *Move that the sum of \$2,196,706 be appropriated to the FY2023 Water Department Enterprise Fund Account to be expended as follows: Salaries: \$762,396 and Expenses: \$1,434,310; for the respective purposes set forth in the warrant.*

Vote required for passage: simple majority

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that the amounts reflect the salary requirements per the Compensation and Classification Study, as well as new regulatory mandates.

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

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-163, No-24

ARTICLE 6: CABLE PEG ACCESS TELEVISION ENTERPRISE FUND BUDGET

To see if the Town will vote to appropriate a sum or sums of money for the salaries and expenses of the Community Access Television budget for the ensuing fiscal year, such sums of money to be offset by revenues received during fiscal year 2023 (FY23) by the Cable PEG Access Enterprise Fund, or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: The Community Access Television budget is funded by charges unrelated to the tax levy. Benefit charges for departmental employees are paid from the general fund, and reimbursed by a charge against departmental revenue. The FY2023 Cable PEG access operating budget shows an increase of \$47,204.03 or 2.4% over FY2022.

MOTION: *Move that the sum of \$197,986.65 as set forth in the column (“FY2023 Town Manager Budget”), be appropriated to the Community Access Television Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation.*

Vote required for passage: simple majority

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that the amounts are very well justified. The increase was 2% which is reasonable. The Committee would also note all the great work done under this Fund, especially since the advent of COVID19, recording all committee and board meetings, as well as broadcasting all the sporting events for the Town.

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

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-171, No-14

ARTICLE 7: REVOLVING FUND ACCOUNTS

To see if the Town will vote to authorize the following expenditure limits for the Town’s GL c.44, §53E ½ revolving funds for the continuation of Library book repairs, not to exceed \$15,000; Recreation program costs, not to exceed \$10,000; Compost bin costs, not to exceed \$2,000; Operational and restoration costs associated with the Uxbridge Community Garden, not to exceed \$20,000; First aid/CPR training, not to exceed \$10,000; Securing and/or demolition of buildings deemed unsafe and associated site cleanup, not to exceed \$30,000; Operation and restoration costs associated with Pout Pond; under the Pout Pond Recreation Committee, not to exceed \$25,000; Uxbridge Dog Park Activities, for construction-related and operational costs associated with the Uxbridge Dog Park, not to exceed \$25,000; Board of Health, not to exceed \$50,000, or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: This is the annual expenditure authorization article for the Town’s revolving funds.

MOTION: *Move that the article be voted as written.*

Vote required for passage: simple majority

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds these are all reasonable and necessary amounts.

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

Article 7 was taken up within a Consent Agenda

ARTICLE 8: CARE AND CONDITION OF TOWN ROADS

To see if the Town will vote to appropriate funds for maintenance and repair of town roads as recommended by the Town Manager in conjunction with the Capital Planning Committee, or take any other action related thereto.

SPONSOR: DPW Director

COMMENTARY: This request is a continuation of the proposal which began at the Fall 2017 Town Meeting. This proposal will continue to utilize a large portion of that capacity to spend funds annually via a warrant article, for the care and condition of town roads.

MOTION: *Move that the Town vote to raise and appropriate \$532,400 for the purpose of care and conditioning of Town roads.*

Vote required for passage: simple majority

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that this amount is supported. The Committee strongly urges the Town develop a strategic plan on how the Town's road conditions will be addressed as a whole in the future.

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

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-176, No-11

ARTICLE 9: CAPITAL PURCHASES

To see if the Town will vote to appropriate 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 related 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 2022 Spring Annual Town Meeting.

MOTION: *Move that the Town vote to appropriate the sum of \$1,734,217 for the purchase of departmental projects in the table contained in the Town Meeting Report, and to meet said appropriation, transfer the sum of \$1,734,217 from the Capital Stabilization Fund with the funding source for this item to be an appropriation from the General Stabilization Fund; each item being considered a separate appropriation to be carried until said appropriation is moved via Spring Annual Town Meeting action or exhausted.*

	Department	Capital Project/Details	Amount
1	DPW	Two (2) Wing Plows – \$23,450 ea.	\$46,900
2	Police Department	Parking lot paving project Server Purchase two (2) Cruisers 0 Hybrid SUV's	\$86,497 \$28,820 \$125,000
3	Fire Department	Purchase 2022 Chevrolet Tahoe Command Vehicle	\$53,000
4	Library	Two mini-split unit systems	\$37,000
	Department	Capital Project/Details	Amount

5	School Department	<p>Lights. The Capital Planning Committee approved the sum up to \$200,000 for the Field Light Proposal. The only caveat being, that the remaining amount left after fundraising be split equally between the School Department Funds and the amount approved by the Capital Planning Committee.</p> <p>Girls Softball Field \$200,000 Taft – Doors and Key Locks \$140,000 Taft – VCT Flooring / Baseboards \$100,000 Taft – HVAC Chiller water unit \$200,000 Whitin – HVAC – Chiller water unit \$200,000 Three (3) Schools - Crack sealing \$30,000 Whitin – Doors and Key Locks \$124,000 Whitin – Exterior enclosure/Stucco Border \$60,000 Whitin Kitchen – Electric Convection Ovens, Steamers & Kettles - Approved the purchase of; One (1) convection oven, double-deck. Two (2) Electric Convection Ovens, Single-deck. One (1) Tilting Kettle, Electric, Countertop 12-gallon. One (1) Steamer, Convection, Steamer, Boiler less Countertop. \$53,000</p>	
6	Council on Aging	Senior Center Vehicle	\$50,000
	TOTAL		\$1,734,217

Vote required for passage: 2/3rds majority vote per M.G.L., c.40, §5B if a transfer from the stabilization fund is required and M.G.L., c.44, §7 if borrowing — otherwise simple majority

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (3-1-0)

The Committee finds that the Capital Planning Committee performed the due diligence required for each of these items. We strongly recommend the Town develop a comprehensive Capital Plan that can be presented as part of these Capital Planning requests in the future. Unfavorable Action – While commending the Capital Planning Committee on their excellent work, support for capital spending should only be given in the context of a comprehensive strategic Capital Plan.

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

CAPITAL PLANNING COMMITTEE RECOMMENDATION:

DPW:

Two (2) Wing Plows – each cost \$23,450 total for both \$46,900: Motion carried (3-0-1)

Police Department:

Parking lot paving project - \$86,497: Motion carried (4-0-0)

Server - \$28,820: Motion carried (4-0-0)

Purchase two (2) Cruisers 0 Hybrid SUV's - \$125,000: Motion carried (4-0-0)

Fire Department:

Purchase 2022 Chevrolet Tahoe Command Vehicle - \$53,000: Motion carried (3-1-0)

Library:

Two mini-split unit systems - \$37,000: Motion carried (4-0-0)

School Department:

Lights - \$200,000: Motion carried (4-0-0)

The Capital Planning Committee approved the sum up to \$200,000 for the Field Light Proposal. The only caveat is, that the remaining amount left after fundraising is split equally between the School Department Funds and the amount approved by the Capital Planning Committee.

Girls Softball field - \$200,000: Motion carried (4-0-0)

Taft – Doors and Key Locks - \$140,000: Motion carried (4-0-0)

Taft – VCT Flooring / Baseboards - \$100,000: Motion (4-0-0)

Taft – HVAC Chiller water unit - \$200,000: Motion carried (3-1-0)

Whitin – HVAC – Chiller water unit - \$200,000: Motion carried (4-0-0)

Three (3) Schools - Crack sealing - \$30,000: Motion carried (3-1-0)

Whitin – Doors and Key Locks - \$124,000: Motion carried (4-0-0)

Whitin – Exterior enclosure/Stucco Border - \$60,000: Motion carried (4-0-0)

Whitin Kitchen – Electric Convection Ovens, Steamers & Kettles - \$53,000: Motion carried (4-0-0)

The committee approved the purchase of; One (1) convection oven, double-deck. Two (2) Electric Convection Ovens, Single-deck. One (1) Tilting Kettle, Electric, Countertop 12-gallon. One (1) Steamer, Convection, Steamer, Boiler less Countertop.

Senior Center:

Senior Center Vehicle - \$50,000: Motion carried (4-0-0)

The motion was seconded

A Motion to amend the main motion by striking the funding source from the motion was made and seconded.

Moderator declares a Simple majority vote, amendment carries, Yes-168, No-16

Moderator declares a Simple majority vote, amended motion carries, Yes-167, No-16

ARTICLE 10: CMRPC PER CAPITA RATE/APPROPRIATION

To see if the Town will vote to approve a **\$0.30087 per capita**, as assessed upon the population of 14,162 persons in the Town of Uxbridge, as listed on the 2020 national census, and in doing so, vote to confirm the amount of \$4,260.92 appropriated for this purpose in this article to pay the Town's portion of the fiscal year 2023 (FY23) operating expenses of the Central Massachusetts Regional Planning Commission (CMRPC) pursuant to M.G.L. c.40B, §7, or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: This article seeks funding for the FY2023 assessment by CMRPC, as approved by the Regional Planning Commission pursuant to M.G.L. c.40B, §7.

MOTION: *Move that the Town vote to approve \$0.30087 per capita, as assessed upon the population of 14,162 persons in the Town of Uxbridge, as listed on the 2020 national census, and in doing so, vote to confirm the amount of \$4,260.92 appropriated for this purpose in Article 3 to pay the Town's portion of the FY2023 operating expenses of the Central Massachusetts Regional Planning Commission (CMRPC) pursuant to M.G.L c.40B, §7.*

Vote required for passage: simple majority

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that the Central Massachusetts Regional Planning Commission provides an excellent service at a very reasonable cost.

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

Article 10 was taken up within a Consent Agenda

ARTICLE 11: RENEWAL OF CLAUSE 56 FOR MILITARY SERVICES ABATEMENT

To see if the Town will vote to accept the provisions of M.G.L. c.59, §5, Clause 56, which will allow members of the Massachusetts National Guard, or military Reservists who are on active duty to obtain a reduction for all or part of their real personal property taxes for any fiscal year that they are serving in a foreign country, to be effective July 1, 2022 and expire after 2 years unless extended by a vote of Town Meeting, or take any other action related thereto.

SPONSOR: Town Manager

COMMENTARY: This local option statute allows for a partial to complete exemption of property taxes to members of the National Guard or other military Reservists who are on active duty and serving in a foreign country for a portion of the fiscal year. It is the Town's responsibility to set funding and abatement limit. It will be funded through the Assessor's overlay. This local option statute must be renewed every two years by Town Meeting.

MOTION: *Move that the Town vote to accept the provisions of M.G.L. c.59, §5, Clause 56, which will allow members of the Massachusetts National Guard, or military Reservists who are on active duty to obtain a reduction for all or part of their real and personal taxes for any fiscal year that they are serving in a foreign country, said exemption amount and funding to be determined by the Assessor, to be effective July 1, 2022.*

Vote required for passage: simple majority

THE FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds this Article is justified and is a continuance of Town policy. This is an excellent program that the Town should support.

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

Article 11 was taken up within a Consent Agenda

ARTICLE 12: GRANT OF EASEMENT - 275 DOUGLAS STREET

To see if the Town will vote to authorize the Board of Selectmen to grant an easement to the Massachusetts Electric Company substantially as follows:

The TOWN OF UXBRIDGE, a municipal corporation, having an address of 21 South Main Street, Uxbridge, Massachusetts, (hereinafter referred to as the Grantor) for consideration of One (\$1.00) Dollar, grants to MASSACHUSETTS ELECTRIC COMPANY, a Massachusetts corporation, having an address of 40 Sylvan Road, Waltham, Massachusetts 02451, and VERIZON NEW ENGLAND INC., having a local address of 6 Bowdoin Square –9th Floor, Boston, MA 02114, a New York corporation (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, five (5) anchors and guys, (which may be erected at different times) and all necessary equipment and appurtenances (hereinafter referred to as the “ANCHOR and GUY”) over, across, under and upon the Grantor's land in Uxbridge, Worcester County, Massachusetts to serve Grantor's property and to service others.

Said “ANCHOR and GUY” are to be installed on property located on the northwesterly side of Douglas Street, to originate from Poles P48, P49, P50, P52 and P53, which are located on the

northwesterly side of Douglas Street, then extend in a northwesterly direction over, across and upon land of the Grantor, to anchors to be attached to Poles P48, P49, P50, P52 and P53, to become established by and upon the final installation thereof by the Grantee.

Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate and patrol and otherwise change said “ANCHOR and GUY” and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, their successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the “ANCHOR and GUY” are specifically located of such trees, shrubs, bushes, structures, objects and surfaces, as may in the opinion and judgment of the Grantee, interfere with the efficient and safe operation and maintenance of the “ANCHOR and GUY”.

It is agreed that the “ANCHOR and GUY” shall remain the property of the Grantee, its successors and assigns, and that the Grantee, its successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor’s property and the further right to service others from said “ANCHOR and GUY” The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for itself, its successors and assigns, that this Grant of Easement and the location of the Anchor and Guy may not be changed or modified without the written consent of the Grantee, its successors and assigns, which consent may be withheld by the Grantee in its sole discretion.”. The rights and easement herein granted are over, across and upon a certain parcel of land being more particularly identified as Lot 837, on Assessors Map 23, filed with the Town of Uxbridge Assessors Office.

And further, said “ANCHOR and GUY” (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a MECO sketch entitled: “nationalgrid; SKETCH TO ACCOMPANY EASEMENT FOR ANCHORS & APPURTENANCES ON 275 DOUGLAS ST, UXBRIDGE, MA; DRAWN BY: UM; WR#30390391; ENGINEER: NICK ANGELO; DATE: 09/17/2021,” (2 SHEETS) a reduced copy of said sketch is attached hereto as “Exhibit A” and recorded herewith, copies of which are in the possession of the Grantor and Grantees herein, but the final definitive locations of said “ANCHOR and GUY” shall become established by and upon the installation and erection thereof by the Grantees.

For Grantor’s title, see deed dated July 27, 1990, recorded with the Worcester District Registry of Deeds in Book 12913, Page 190.

or take any other action related thereto.

SPONSOR: Board of Selectmen

COMMENTARY: Massachusetts Electric Company/NGRID; is requesting an easement to access certain infrastructure associated with 275 Douglas Street. On February 14, 2022, the Board approved a license in the interim while the documents were being prepared for an official easement.

MOTION: *Move that the Town vote to authorize the Board of Selectmen to grant an easement to the Massachusetts Electric Company/NGRID, as described in the caption thereunto.*

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

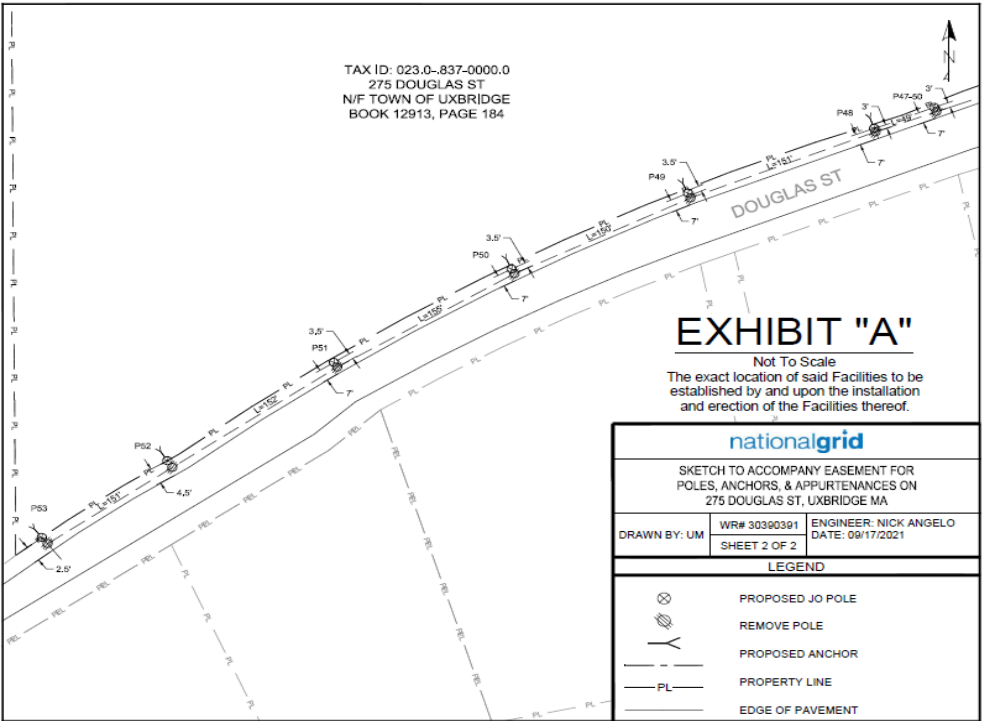
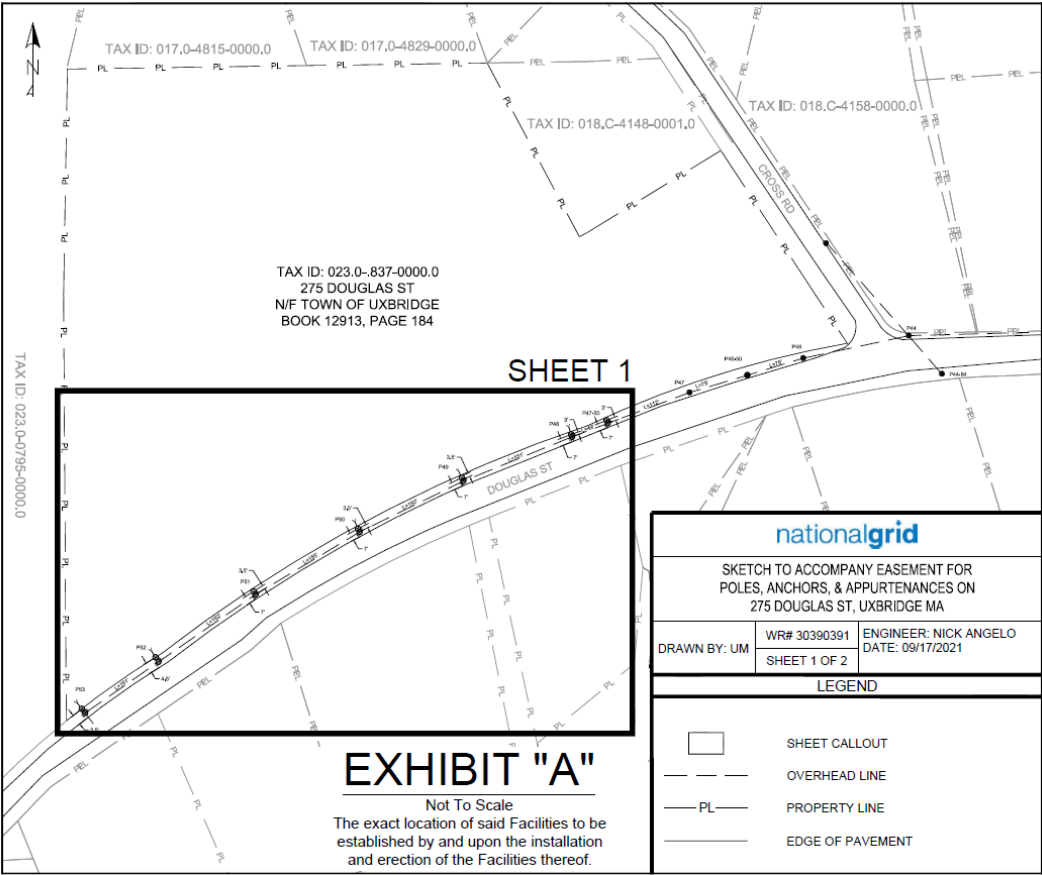
THE FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that this easement is necessary and justified.

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

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-139, No-12



ARTICLE 13: STREET ACCEPTANCE - MASLOW'S WAY

To see if the Town will vote to accept as a public way the street known as Maslow's Way as laid out by the Board of Selectmen, and further authorize the Board of Selectmen, in the name and behalf of the Town to acquire by gift, easements, and appurtenant rights in and for said way for the purpose for which public ways are used in the Town, or take any other action related thereto.

SPONSOR: Board of Selectmen

COMMENTARY: The Board of Selectmen, at their September 27, 2021, meeting unanimously voted to layout this road. This step is necessary prior to the road being presented for acceptance as a Town Road.

MOTION: *To see if the Town will vote to accept as a public way the street known as Maslow's Way, as laid out by the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, easements, and appurtenant rights in and for said way for the purpose for which public ways are used in the Town, or take any other action related thereto.*

Vote required for passage: simple majority

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

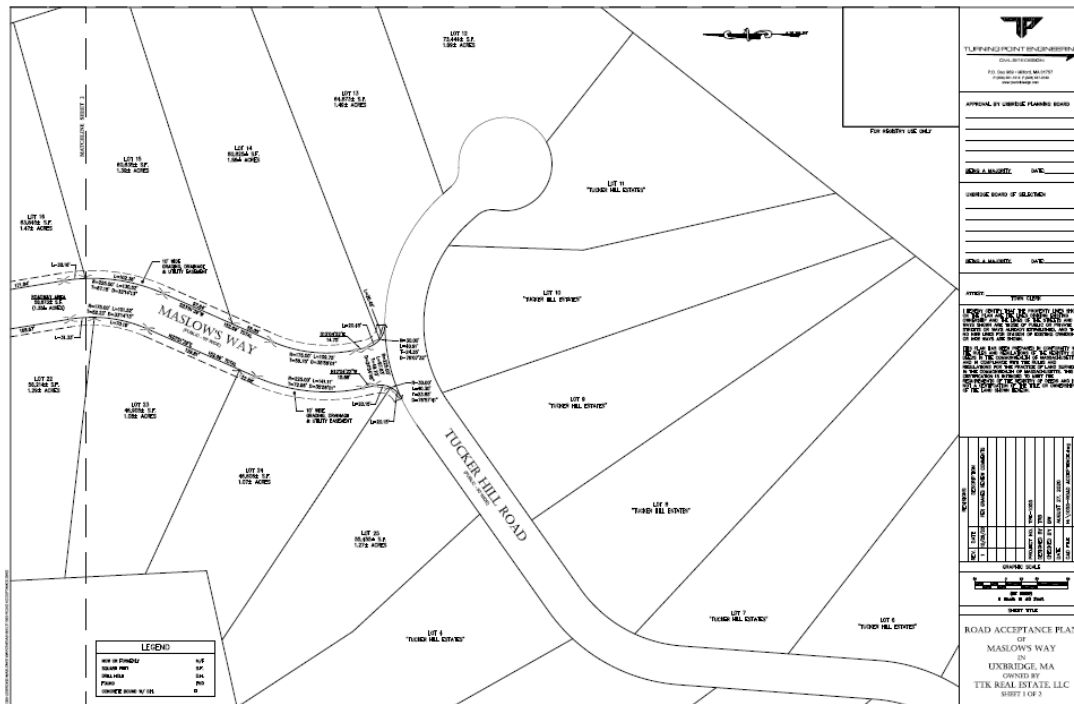
The Committee finds that the Subdivision Road has met all requirements under this Article.

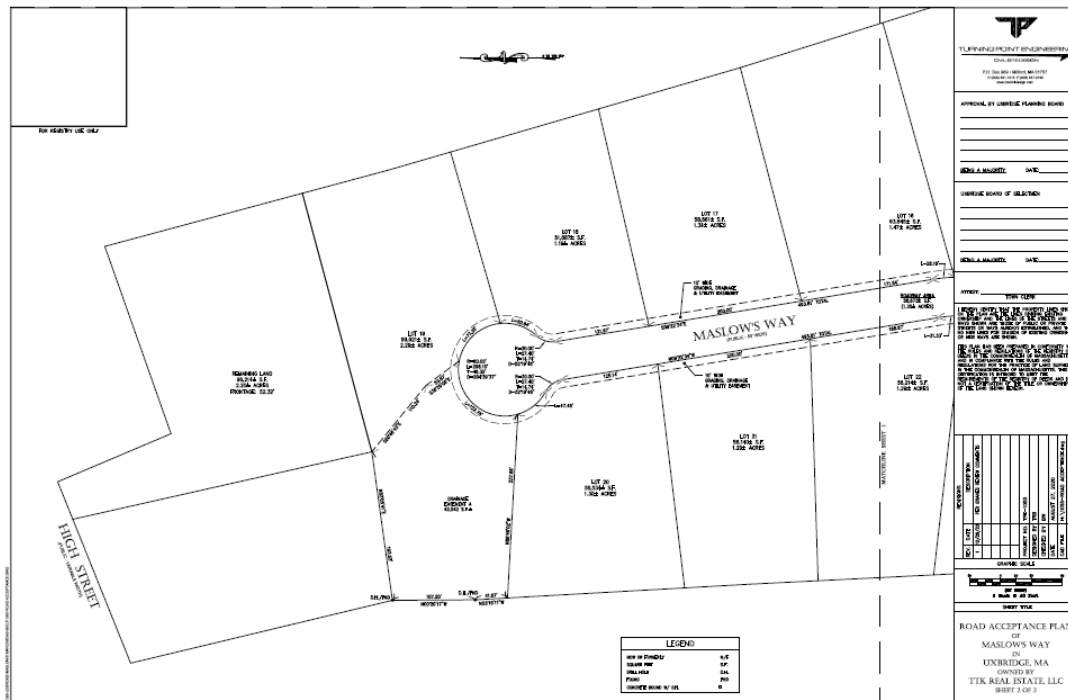
BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (5-0-0)

PLANNING BOARD RECOMMENDATION: Board voted to recommend as written as noted below. (Member Smith recused himself)

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-128, No-27





QUITCLAIM DEED

TTK Real Estate, LLC, a Massachusetts limited liability company with a principal office at 230 Albee Road, P.O. Box 586, Uxbridge, Worcester County, Massachusetts

for valuable consideration paid

grants to the Town of Uxbridge, a municipal corporation having a usual place of business at 21 South Main Street, Uxbridge, Massachusetts,

with quitclaim covenants

A certain parcel of land, together with the improvements thereon, situated on the northeasterly side of Richardson Street in Uxbridge, Worcester County, Massachusetts and shown as MASLOW'S WAY on a plan of land entitled "ROAD ACCEPTANCE PLAN OF MASLOW'S WAY IN UXBRIDGE, MA OWNED BY TTK REAL ESTATE, LLC" and filed with the Worcester County (Worcester District) Registry of Deeds in herewith in Plan Book _____, Plan _____, which said parcel is bounded and described as follows:

Beginning at a drill hole in a concrete bound on the westerly side of Maslow's Way and the northerly sideline of Tucker Hill Road;

Thence with a curve turning to the left with an arc length of 40.30', with a radius of 30.00' to a drill hole in a concrete bound;

Thence N 12° 04' 22" W a distance of 15.86' to a drill hole in a concrete bound;

Thence with a curve turning to the right with an arc length of 141.11', with a radius of 225.00', to drill hole in a concrete bound;

Thence N 23° 51' 39" E a distance of 152.69' to a drill hole in a concrete bound;

Thence with a curve turning to the left with an arc length of 101.52', with a radius of 175.00', to a drill hole in a concrete bound;

Thence N 09° 22' 34" W a distance of 493.81' to a drill hole in a concrete bound;

Thence with a curve turning to the left with an arc length of 27.40', with a radius of 30.00', to a drill hole in a concrete bound;

Thence with a reverse curve turning to the right with an arc length of 298.10', with a radius of 60.00', to a drill hole in a concrete bound;

Thence with a reverse curve turning to the left with an arc length of 27.40', with a radius of 30.00', to a drill hole in a concrete bound;

Thence S 09° 22' 34" E a distance of 493.81' to a drill hole in a concrete bound;

Thence with a curve turning to the right with an arc length of 130.52', with a radius of 225.00', to a drill hole in a concrete bound;

Thence S 23° 51' 39" W a distance of 152.69' to a drill hole in a concrete bound;

Thence with a curve turning to the left with an arc length of 109.75', with a radius of 175.00', to a drill hole in a concrete bound;

Thence S 12° 04' 22" E a distance of 14.75' to a drill hole in a concrete bound;

Thence with a curve turning to the left with an arc length of 40.91', with a radius of 30.00', to a drill hole in a concrete bound on the westerly sideline of Tucker Hill Road;

Thence with a curve turning to the left with an arc length of 97.83' along the northerly sideline of Tucker Hill Road, with a radius of 225.00', to a drill hole in a concrete bound;

Being the point and place of beginning, having an area of 58,673 square feet, more or less.

Drainage Easement A

Said parcel is conveyed together with a drainage easement situated on the northwesterly side of said Maslow's Way and shown as EXISTING DRAINAGE EASEMENT A 43,542 S.F. ± on said plan and bounded and described as follows:

Beginning at a point on the westerly sideline of Maslow's Way, said point being 47.46' distant from a drill hole in a concrete bound along a curve to the right having a radius of 60.00';

Thence N 86° 46' 02" W a distance of 237.96' to a point;

Thence N 03° 15' 11" W a distance of 41.67' to a drill hole;

Thence N 00° 20' 17" W a distance of 107.20' to a drill hole;

Thence N 82° 05' 41" E a distance of 193.83' to a point;

Thence S 50° 46' 43" E a distance of 110.24' to a point;

Thence S 36° 29' 06" E a distance of 53.87' to a point on the sideline of Maslow's Way;

Thence with a curve to the left with an arc length of 122.75', having a radius of 60.00', to a point;

Being the point and place of beginning, having an area of 43,542 square feet, more or less.

The Town shall have the perpetual right to drain water into and onto said drainage easement area from the roadway known as Maslow's Way as shown on said Plan, from time to time and for all purposes and uses incidental to the discharge of storm water, including but not limited to, the construction, installation, removal, maintenance and/or repair of the drainage facilities and all necessary appurtenances thereto and to renew, repair, alter, take up, change, relay and maintain any part thereof.

Grantor agrees not to grant any other easements, leases, or licenses to the premises which will interfere with the Town's perpetual easements on the premises without the prior written permission of the Town. Any easements, leases, or licenses granted in violation of this provision will be immediately null and void.

Being a portion of the premises conveyed to the Grantor by deed dated August 31, 2015 and recorded with the Worcester County (Worcester District) Registry of Deeds in Book 54245, Page 268 and by deed dated February 1, 2017 and recorded with said Deeds in Book 56698, Page 241.

Witness my hand and seal this _____ day of _____, 2020.

TTK Real Estate, LLC

w

By: James F. Smith, Manager

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this _____ day of _____, 2020, before me, the undersigned notary public, personally appeared James F. Smith, Manager as aforesaid, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of TTK Real Estate, LLC.

_____, Notary Public
My Commission Expires:

ARTICLE 14: CITIZENS' PETITION - AMEND THE HOME RULE CHARTER TO FIX NON-SUBSTANTIVE STYLE OR TYPOGRAPHIC ERRORS

To see if the Town will vote to amend the Uxbridge Home Rule Town Charter ("Charter") to update style or typographical errors that do not change Town policies, procedures, duties, or other substantive elements.

SPONSOR: Citizens' Petition

COMMENTARY: In 2021, the Uxbridge Charter Review Committee submitted its recommendations to the town. Town Meeting warrants from 2021 are available on the town website under <https://www.uxbridge-ma.gov/town-meeting-minutes-warrants/pages/2021-warrants>
The "red-line" copy of the Committee's recommendations shows specific changes to correct grammar, style, and typographical errors. Any changes that may amend policy, procedures, duties, or other substantive matters are intentionally omitted from this article and will be handled under separate motions.

MOTION: I move that the Town amend the Home Rule Charter to correct non-substantive style or typographical errors, as specified in the warrant, attachments, and incorporating the Charter Committee's final report "Home Rule Charter," inclusive of non-substantive changes as specified in Table 1 (below), and further that these changes be permitted to comply with the numbering and format of the Charter.

Vote required for passage: Charter amendments require a 2/3rds majority per M.G.L, c.43B

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: No Action (3-2-0)

DeMers and Shaw voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Motion to move article 14 was made and seconded

Moderator declares the motion to move the question carries, Yes-103, No-28

Moderator declares the main motion fails, Yes-90, No-46

Motion to reconsider Article 14

Motion to reconsider was seconded

Moderator declares the motion to reconsider fails, Yes-89, No-49

Examples of Non-substantive Changes

	Multiple			Number and capitalization of articles and sections
	Multiple			Numbers between 1 and 100 are to be spelled out and followed by the numeral (e.g. "four (4)" or "ten (10)")
	Multiple			Changes plurals that end in the letters e.g. veterans'
Article 1	Section 2	non-substantive		"Section 2: Title"
	Section 3	non-substantive		Change "Commonwealth" to "Commonwealth of Massachusetts."
	Section 4	non-substantive		Change "laws of the Commonwealth" to "laws of the commonwealth."
	Section 5(a)	non-substantive		Change "this charter" to "the Uxbridge Home Rule Charter"
	Section 5(d)	non-substantive		Change "lower case" to "lower-case"
	Section 5(m)	non-substantive		Numbering, delegated to the Town Clerk
	Section 5(n)	non-substantive		Numbering, delegated to the Town Clerk
	Section 5(s)	non-substantive		Numbering, delegated to the Town Clerk
Article 2	Section 4	non-substantive		Change meeting to "meeting is"; "shall to "and shall"; "shall be" to "shall be";
	Section 7(a)	non-substantive		Add roman numerals for sub-subsection numbering - change (1) to (i) and (2) to (ii) and add digits to text numbers i.e. "ten (10)"; "one hundred (100)"; "ten percent (10%); two hundred (200); twenty percent (20%)." Update "department" to "or department"; "body, department" to "body or department"
Article 3	Section 1(c)	non-substantive		Change "voter" to "Uxbridge voter"
	Section 1(g)	non-substantive		Change number styles to spell names i.e. "thirty (30) days" and "two hundred (200)"
	Section 2(d)	non-substantive		Change "task, and" to "task;"
	Section 2(d)	non-substantive		Change "in addition, from" to "in addition, and from"
	Section 10(b)	non-substantive		Change "affidavit of" to "affidavit of"; "blanks" to "blanks."
	Section 10(e)(1)	non-substantive		Add semi-colon after "of official"; "of official"
Article 4	Section 1	non-substantive		Change "non voting" to "non-voting" and "Commonwealth" to "commonwealth"
	Section 1(b)	non-substantive		Change "by by-laws" to "by by-laws"; "years, appointments" to "years, and appointments"
Article 5	Section 2	non-substantive		Change "by-laws" to "By-laws" and "town" to "Town"
Article 6	Section 3	non-substantive		Update capitalization of title
	Section 5	non-substantive		Insert commas
	Section 7(c)	non-substantive		Change "for action, it" to "for action, the town budget"
	Section 8	non-substantive		Update title

Examples of Substantive Changes

	Multiple			Excluded, will be addressed in a separate motion ("regulatory body")
	Multiple			Excluded, will be addressed in a separate motion ("select board" or "select board member")
	Multiple			Excluded, will be addressed in a separate motion ("officials")
	Multiple			Excluded, will be addressed in a separate motion ("website")
	Multiple			Excluded, will be addressed in a separate motion ("a board of public works"; "superintendent of public works"; "tree warden")
	Multiple			Excluded, will be addressed in a separate motion ("email")
	Multiple			Excluded, will be addressed in a separate motion ("audits")
Article 1	Section 5(i)	substantive		Excluded, will be addressed in a separate motion ("quorum")
	Section 5(r)	substantive		Excluded, will be addressed in a separate motion ("vacancy")
Article 2	Section 3	substantive		Excluded, will be addressed in a separate motion (duties of the finance committee)
	Section 7(c)	substantive		Excluded, will be address in a separate motion (addressing town hall closures)
	Section 2(e)	substantive		Excluded, will be addressed in a separate motion ("Investigations")
	Section 8	substantive		Excluded, will be addressed in a separate motion ("Board of Health Membership")
	Section 9	substantive		Excluded, will be addressed in a separate motion ("Board of Public Works")
	Section 10	substantive		Excluded, will be addressed in a separate motion ("Recall of public officials")
Article 4	Section 1	substantive		Excluded, will be addressed in a separate motion ("job performance of the town manager . . .")
	Section 1(c)	substantive		Excluded, will be addressed in a separate motion ("website/bulletin board")
	Section 1(d)	substantive		Excluded, will be addressed in a separate motion ("human resources")
	Section 1(d)	substantive		Excluded, will be addressed in a separate motion ("board of public works")
	Section 1(f)	substantive		Excluded, will be addressed in a separate motion ("facilities")
	Section 5	substantive		Excluded, will be addressed in a separate motion ("disciplinary action")
Article 5	Section 3	substantive		Excluded, will be addressed in a separate motion ("merit principle")
Article 6	Section 2	substantive		Excluded, will be addressed in a separate motion ("school committee")
	Section 3	substantive	Renumbered "5"	Excluded, will be addressed in a separate motion ("board of public works")
	Section 4	substantive		Excluded, will be addressed in a separate motion ("budget")
	Section 5	substantive		Excluded, will be addressed in a separate motion ("select board")
	Section 8(d)	substantive	Renumbered "7(e)"	Excluded, will be addressed in a separate motion ("board of public works")
Article 7	Section 4	substantive		Excluded, will be addressed in a separate motion ("number and gender")
	Section 8(a)	substantive		Excluded, will be addressed in a separate motion ("board of public works"; "charter review")
	Section 7	substantive		Excluded, will be addressed in a separate motion (multiple issues)
	Section 8	substantive	Renumbered	Excluded, will be addressed in a separate motion ("regulatory body")
	Section 10	substantive		Excluded, will be addressed in a separate motion ("censure")
	Section 11	substantive		Excluded, will be addressed in a separate motion ("sunset provision")

ARTICLE 15: CITIZENS' PETITION - AMEND THE HOME RULE CHARTER TO CLARIFY FINANCE COMMITTEE DUTIES

To see if the Town will vote to amend the Uxbridge Town Charter Article 2 §3, as described.

SPONSOR: Citizens' Petition

COMMENTARY: This proposal clarifies the responsibilities of the Finance Committee as described in Article 2 §3.

The updated language is as follows:

The finance committee shall report the action it recommends be taken on any financial articles contained in a town meeting warrant and may report the action it recommends on other articles contained in a town meeting warrant. Such recommendation shall be provided in writing along with a brief statement of the reasons for each such recommendation

MOTION: I move that the Town amend Article 2, § 3 of the Town's Home Rule Charter, as follows (~~struck though~~ text is to be removed and underlined text is to be added), and further that these changes be permitted to comply with the numbering and format of the Charter:

Article 2, § 3 Finance Committee – There shall be a finance committee of seven (7) members of which four (4) members shall be appointed by the moderator and three (3) members shall be elected by the voters. If an elected position remains open after an election, the moderator shall appoint a member to fill the vacancy until the next annual town election. The term of office and any other conditions of appointment or service as may be deemed necessary or desirable shall be established by by-law. The subject matter of all proposals to be submitted to a town meeting by warrant articles shall be referred to the finance committee by the board of selectmen at the earliest practicable time following their receipt by the board of selectmen. The finance committee shall report the action it recommends be taken on any financial articles contained in a town meeting warrant, and may report the action it recommends on other articles contained in a town meeting warrant at its discretion. Such recommendation shall be provided in writing along with a brief statement of the reasons for each such recommendation. ~~The finance committee shall report the action it recommends be taken on the articles contained in a town meeting warrant, in writing, together with a brief statement of the reasons for each such recommendation.~~ Provisions for the format and distribution of such report shall be made by by-law. The finance committee shall have such additional powers and duties as may be provided by general law or by by-law.

Vote required for passage: Charter amendments require a 2/3rds majority per M.G.L, c.43B

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (4-1-0)

Wise voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Moderator declares the motion fails, Yes-61, No-65

ARTICLE 16: CITIZENS' PETITION - AMEND THE HOME RULE CHARTER TO ADOPT "SELECT BOARD" AND "SELECT BOARD MEMBER"

To see if the Town will vote to amend the Charter to adopt "Select Board" and "Select Board Member" in place of "Board of Selectmen" and "Selectman."

SPONSOR: Citizens' Petition

COMMENTARY: To see if the town will adopt the terms "Select Board" and "Select Board Member" for our key Town leadership positions. The title "Select Board" expresses our strong connections to our colonial-era origins while reflecting the diversity of our residents who have served the Town in the past, and who will do so in the future. This requires updating two sections of the Charter's definitions in Article 1 Sections 5(k) and 5(l).

Article 1 §5(k) Select Board—The words “select board” shall be functionally equivalent, and possess all the attributes and powers assigned to the term “board of selectmen” as used in the Massachusetts Constitution, general laws, and any other governing document in Uxbridge or the commonwealth.

Article 1 §5(l) Select Board Member—The words “select board member” shall be functionally equivalent and possess all the attributes and powers assigned to the term “selectman” as used in the Massachusetts Constitution, general laws, and any other governing document in Uxbridge or the commonwealth.

MOTION: I move that the Town amend the Town's Home Rule Charter by replacing the phrase "board of selectmen" with "Select Board" and the word "selectman" with "Select Board Member" wherever they appear, and further to amend Article 1, § 5 of the Town's Home Rule Charter by inserting the following definitions in the appropriate alphabetical order, and further that these changes be permitted to comply with the numbering and format of the Charter:

Select Board—The words “select board” shall be functionally equivalent, and possess all the attributes and powers assigned to the term “board of selectmen” as used in the Massachusetts Constitution, general laws, and any other governing document in Uxbridge or the commonwealth.

Select Board Member—The words “select board member” shall be functionally equivalent and possess all the attributes and powers assigned to the term “selectman” as used in the Massachusetts Constitution, general laws, and any other governing document in Uxbridge or the commonwealth.

Vote required for passage: Charter amendments require a 2/3rds majority per M.G.L. c.43B

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (4-1-0)

Wise voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Moderator declares the motion fails, Yes-84, No-48

Due to questions regarding battery issues with voting equipment a motion was made to recess the meeting and reconvene on May 19, 2022 at 7:00pm at Valley Chapel
The motion was seconded
Moderator declares a 2/3rds majority vote, motion carries
The Meeting recessed at 9:37pm

Moderator Charles “Ed” Maharay reconvened the Spring Town Meeting at 7:00pm, declaring the presence of a quorum (50 required). Rules for conducting business and taking votes of the meeting were announced. All Town Meeting votes will be taken by electronic vote.

A brief tutorial on the use of the hand-held voting units was provided by the Town Clerk, along with a test of the system.

ARTICLE 17: CITIZENS’ PETITION - AMEND THE HOME RULE CHARTER TO REQUIRE PERIODIC INDEPENDENT FINANCIAL AUDITS

To see if the Town will vote to amend the Uxbridge Town Charter Article 6 §10(a) and §10(b) to required yearly annual financial audits, and forensic financial audits at least every four years.

SPONSOR: Citizens' Petition

COMMENTARY: The updated language for Article 6 §§10(a) and (b) is as follows:

(a) The Select Board shall provide for an independent audit of all financial books and records of the Town at least once every year. If the select board deems an audit of the whole town, or of any particular town agency, to be necessary before the expiration of one (1) year, financial audits may be conducted more often.

(b) A complete forensic audit of all financial books and records of the town shall be conducted at least once every four (4) years.

MOTION: I move that the Town amend Article 6, § 10 of the Town's Home Rule Charter as follows (~~struck though~~ text is to be removed and underlined text is to be added), and further that these changes be permitted to comply with the numbering and format of the Charter:

SECTION 10: AUDITS

(a) The board of selectmen shall provide for an independent audit of all financial books and records of the town at least once every year. If the board of selectmen ~~whenever it~~ deems an audit of the whole town, or, of any particular town agency, to be necessary before the expiration of one (1) year, financial audits may be conducted more often.

(b) A complete forensic audit of all financial books and records of the town shall be conducted at least once every four (4) years.

(c) Audits of the town’s financial books and records shall be conducted by a certified public accountant, or firm of such accountants, having no interest, direct or indirect, in the affairs of the town.

Vote required for passage: Charter amendments require a 2/3rds majority per M.G.L, c.43B

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: Unfavorable Action (4-1-0)

Wise voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Moderator declares the motion fails, Yes-64, No-53

ARTICLE 18: CITIZENS' PETITION - AMEND THE HOME RULE CHARTER REGARDING TOWN EMPLOYMENT

To see if the Town will vote to amend the Uxbridge Town Charter regarding Town Employment.

SPONSOR: Citizens' Petition

COMMENTARY:

The Charter Review Committee recommended three key changes to employment language including adoption of a merit principle, establishment of a Human Resources Department, and language regarding disciplinary votes for a Town Manager.

MOTION 1: I move that the Town amend Article 5 of the Town's Home Rule Charter by adding the following § 3 and further that these changes be permitted to comply with the numbering and format of the Charter:

SECTION 3 Merit Principle – All appointments and promotions of town officials and employees shall be made on the basis of merit and fitness demonstrated by examination, or by other evidence of competence and suitability.

Vote required for passage: Charter amendments require a 2/3rds majority per M.G.L, c.43B

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: Unfavorable Action (4-1-0)

Wise voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-89, No-32

MOTION 2: I move that the Town amend Article 4, § 2(b) of the Town's Home Rule Charter as follows (~~struck-through~~ text is to be removed and underlined text is to be added), and further that these changes be permitted to comply with the numbering and format of the Charter:

Article 4§ 2(b) – To appoint a town accountant; a town treasurer/collector; a town clerk; an assessor; a police chief; a fire chief, an emergency management director and related emergency management personnel, a human resources director; a conservation commission, an industrial development committee; a capital planning committee; an inspector of buildings; a wire inspector; an inspector of gas appliances and gas fittings; a plumbing inspector; a sealer of weights and measures in accordance with the civilservice law and rules; a parking clerk; a right-to know coordinator; a veteran’s services director, veteran’s agent, veteran’s graves officer and burial agent; a dog officer; a zoning board of appeals; a tree warden; and a planning board.

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: Unfavorable Action (4-1-0)

Wise voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Motion to amend the main motion by replacing the word Director with Professional

Motion to amend was seconded

Moderator declares the motion to amend carries, Yes-101, No-18

Moderator declares a 2/3rds majority vote, amended motion carries, Yes-87, No-32

MOTION 3: I move that the Town amend Article 4, § (5)(a) of Town's Home Rule Charter as follows (~~struck-through~~ text is to be removed and underlined text is to be added), and further that these changes be permitted to comply with the numbering and format of the Charter:

Article 4, §5(a) – Board members shall not be eligible to vote under this provision until in office for a minimum of ~~one year~~ six (6) months.

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: Unfavorable Action (4-1-0)

Wise voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Moderator declares the motion fails, Yes-78, No-43

ARTICLE 19: CITIZENS’ PETITION - AMEND THE HOME RULE CHARTER TO REQUIRE FIVE MEMBERS TO SERVE ON MULTI-MEMBER BODIES HOLDING REGULATORY RESPONSIBILITIES

To see if the Town will vote to amend the Uxbridge Town Charter Article 2 §3 and Article 7 §8(b) in regard to membership on multi-member bodies.

SPONSOR: Citizens' Petition

COMMENTARY: Some boards, committees, or other multi-member bodies have regulatory responsibilities. This language proposed that these types of bodies should have five members. The language to update Article 1§5(j) follows:

Article 1 §5(j) Regulatory Body—The words “regulatory body” shall mean any multiple member body that has legal authority to promulgate rules and regulations, decide

individual cases, and enact policy.

Article 7 §8(b) Unless otherwise provided by general laws, any multiple member body functioning as a regulatory body must contain a minimum of five (5) members.

MOTION: I move that the Town:

1. Amend Article 1, § 5 of the Town's Home Rule Charter by inserting the following definition in the appropriate alphabetical order, and further that these changes be permitted to comply with the numbering and format of the Charter:

Regulatory Body – the words “regulatory body” shall mean any multiple member body that has legal authority to promulgate rules and regulations, decide individual cases, or enact policy.

2. Amend Article 7, § 8 to insert the following paragraph at the end thereof:

Unless otherwise provided by the Massachusetts General Laws, any multiple member body functioning as a regulatory body must contain a minimum of five (5) members.

Vote required for passage: Charter amendments require a 2/3rds majority per M.G.L, c.43B

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (4-1-0)
Wise voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Motion was made to withdraw the article

Moderator declares the motion to withdraw carries, Yes-71, No-39

ARTICLE 20: CITIZENS' PETITION - AMEND THE HOME RULE CHARTER TO PUBLISH KEY DOCUMENTS TO THE TOWN WEBSITE

To see if the Town will vote to amend the Uxbridge Home Rule Town Charter ("Charter") to require specific information be shared with the public through the Town Website

SPONSOR: Citizens' Petition

COMMENTARY: This definition adds Article 1 §5(q) under definitions along with updates to multiple subsections to require key documents be published to the Town Website.

Article 1 §5 Definitions

Article 2 §9 Clerk of the Meeting

Article 4 §2(c) Town Manager, Powers & Duties

Article 5 §1 Organization of Town Agencies

Article 6 §2 School Committee Budget

Article 6 §4 Budget and Budget Message

Article 6 §8 Action on the Budget

Article 7 §5, 6(b), 7(b), 12 General Provisions

Article 1 §5(q) Town Website—The words “town website” shall refer to the official website of the Town of Uxbridge.

Article 2 §9 Minutes of town meetings shall be posted on the town website and be available for inspection in the town clerk’s office within thirty (30) days of the conclusion of each town meeting.

Article 4 §2(c) To appoint and remove, subject to applicable statutory provisions or collective bargaining agreements, all department heads, officials, members of boards and commissions, and employees for whom no other method of selection or removal is provided by this charter or by law. The names and positions of all such appointees shall be published on the town website and posted on the town bulletin board.

Article 5§1 Whenever the town manager prepares such a plan, the town manager and the select board (selectmen) shall hold one or more public hearings on the proposal, giving notice by publication in a local newspaper and on the town website and may broadcast through media or medium that provides public notice throughout the town.

Article 6 §2 (a) Public Hearing—The school committee will post the date, time, and place of the public hearing of the proposed budget at least seven (7) days prior to the public hearing. The date, time and place of the public hearing are to be displayed on the town bulletin board, published in a local newspaper, and published on the town website. A general summary of the proposed budget will be published in a local newspaper as part of the notice of public hearing. A budget summary and the complete proposed budget shall be posted on the town website and shall be available for public examination in the town clerk’s office at least seven (7) days before the public hearing.

Article 6§4 No less than sixty (60) days prior to town meeting convening in its annual session, the town manager, after presentation to the select board (board of selectmen), shall submit to the finance committee a proposed operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents. The town manager shall simultaneously provide for the publication of a general summary of the proposed budget in a local newspaper and on the town website and may broadcast it through media or medium that provides public notice throughout the town. The summary shall specifically indicate any variation from the current operating budget. Simultaneously, the town manager shall also post the complete proposed budget on the town website and make copies available for public examination at town hall during regular business hours.

Article 6§8 (a) Public Hearing—Forthwith, upon its receipt of the proposed operating budget, the finance committee shall provide for the publication in a local newspaper and the town website and may broadcast through media or medium that provides public notice throughout the town a notice stating the time and place, not less than seven (7) nor more than fourteen (14) days following such publication, at which time it will hold a public hearing on the proposed operations budget as submitted.

Article 7 §5 A copy of all rules and regulations adopted by any town agency shall be filed in the office of the town clerk before any such rule or regulation shall become effective, and

copies shall be posted on the town website and made available for review by any person who requests such information.

Article 7 §6(b) Copies of the revised by-laws shall be posted on the town website and made available for distribution to the public at a charge not to exceed the actual cost, per copy, of reproduction.

Article 7 §7(b) At least forty-eight (48) hours (or longer, if specified by general laws) before any meeting of a multiple member body is to be held, an agenda containing all items which are scheduled to come before the multiple member body at the meeting shall be posted on the town bulletin board and town website.

Article 7§12 Whenever a vacancy occurs in any town office, position, or employment, or whenever by reason of a pending retirement or expiration of a fixed term a vacancy can be anticipated, the appointing authority shall forthwith cause public notice of such vacancy to be posted on the town bulletin board and town website for not less than ten (10) days.

MOTION: I move that the Town amend the Town's Home Rule Charter to require budgets, reports, and other information be published to the town website as follows, and further that these changes be permitted to comply with the numbering and format of the Charter:

1. Inserting the underlined language in Article 2, § 9 as follows:

The town clerk shall serve as clerk of the town meeting, record its proceedings, and perform such additional duties in connection therewith as may be provided by general law, this charter, by-law, or other town meeting vote. Minutes of town meetings shall be posted on the town website.

2. Amending Article 4, § 2(c) as follows (~~struck-through~~ text is to be removed and underlined text is to be added):

To appoint, to and remove, subject to applicable statutory provisions or collective bargaining agreements, all department heads, ~~officer~~ officials, members of boards and commissions, and employees for whom no other method of selection or removal is provided by this charter or by law. ~~Copies of the notices of all such appointments shall be posted on the town bulletin board.~~ The names and positions of all such appointees shall be published on the town website and posted on the town bulletin board.

3. Amending the second and third paragraphs of Article 5, § 1 as follows (~~struck-through~~ text is to be removed and underlined text is to be added):

Whenever the town manager prepares such a plan, the town manager and the board of selectmen shall hold one or more public hearings on the proposal, giving notice by publication in a local newspaper ~~or~~ and on the town website, and may broadcast through media or medium that provides public notice throughout the town, which notice shall describe the scope of the proposal and the time and place at which the hearing will be held, not later than fourteen (14) days following said publication.

Following such public hearing, the proposal, which may have been amended subsequent to the public hearing, shall be submitted to the the board of selectmen for its final review.

An organization or reorganization plan submitted by the town manager shall become effective at the expiration of thirty (30) days following the date of its submission to the board of selectmen unless the board of selectmen by a vote of a majority of its members has sooner voted to approve or to reject it.

4. Amending Article 6, § 2(a) as follows (underlined text is to be added):

At least seven days before the meeting at which the school committee is to vote on its final budget request, the school committee shall cause to be published in a local newspaper and on the town website a general summary of its proposed budget. The summary shall specifically indicate any variations from the current budget. It shall further indicate the times and places at which complete copies of its proposed budget are available for examination by the public, and the date, time and place when a public hearing will be held by the school committee on the proposed budget. The school committee shall take its vote on its proposed budget after the public hearing. The complete proposed budget shall be posted on the town website.

5. Amending Article 6, § 4 as follows (~~struck-through~~ text is to be removed and underlined text is to be added):

Within the time fixed by the town manager, before the town meeting is to convene in its annual session, the town manager, after presentation to the board of selectmen shall submit to the finance committee a proposed operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents. The town manager shall simultaneously provide for the publication in a local newspaper and on the town website and may ~~or~~ broadcast it through media or medium that provides public notice throughout the town ~~a general summary of the proposed budget~~. The summary shall specifically indicate any variation from the current operating budget. ~~The notice shall further indicate the times and places at which complete copies of the proposed operating budget are available for examination by the public.~~ Simultaneously, the town manager shall also post the complete proposed budget on the town website.

6. Amending Article 6, § 7(a) as follows (~~struck-through~~ text is to be removed and underlined text is to be added):

Public Hearing—Forthwith, upon its receipt of the proposed operating budget, the finance committee shall provide for the publication in a local newspaper and the town website and may ~~or~~ broadcast through media or medium that provides public notice throughout the town a notice stating the time and place, not less than seven (7) nor more than fourteen (14) days following such publication, at which time it will hold a public hearing on the proposed operations budget as submitted.

7. Amending Article 7, § 5 as follows (~~struck-through~~ text is to be removed and underlined text is to be added):

A copy of all rules and regulations adopted by any town agency shall be filed in the office of the town clerk before any such rule or regulation shall become effective, and copies shall be posted on the town website and made available for review by any person who

requests such information. No rule or regulation adopted by any town agency shall become effective until ten (10) days following the date it has been so filed in the office of the town clerk.

8. Amending Article 7, § 6(b) as follows (~~struck-through~~ text is to be removed and underlined text is to be added):

By-law Review - The board of selectmen shall at five-year intervals, in each year ending in five (5) or in zero (0), cause to be prepared by a special committee appointed by it for that purpose, a proposed revision or recodification of all by-laws of the town which shall be presented to the town meeting for reenactment not later than at the annual town meeting in the year following the year in which the said committee is appointed. The said committee in its final or in an interim report shall include recommendations for such substantive change in town by-laws as it deems necessary or advisable. The review of town by-laws shall be in conjunction with the town counsel, or, by special counsel retained for that purpose.

Subsequent to enactment by the town meeting, copies of the revised by-laws shall be forwarded to the attorney general of the commonwealth for approval, and they shall be otherwise published, all as required by general laws. Copies of the revised by-laws shall be posted on the town website and made available for distribution to the public at a charge not to exceed the actual cost, per copy, of reproduction.

9. Amending Article 7, § 9 as follows (~~struck-through~~ text is to be removed and underlined text is to be added):

Whenever a vacancy occurs in any town office, position, or employment, or whenever by reason of a pending retirement or expiration of a fixed term a vacancy can be anticipated, the appointing authority shall forthwith cause public notice of such vacancy to be posted on the town bulletin board and town website for not less than ten (10) days. Such notice shall contain a description of the duties of the office, position, or employment and a listing of the necessary or desirable qualifications to fill the office, position, or employment. No permanent appointment to fill such office, position, or employment shall be effective until fourteen (14) days following the date such notice was posted to permit reasonable consideration of all applicants. This section shall not apply to positions covered by the civil service law and rules or if in conflict with the provisions of any collective bargaining agreement.

Vote required for passage: Charter amendments require a 2/3rds majority per M.G.L, c.43B

THE FINANCE COMMITTEE RECOMMENDATION: No Action Taken. The Finance Committee lacked a quorum.

THE BOARD OF SELECTMEN RECOMMENDATION: Unfavorable Action (4-1-0)

Wise voted no; in favor of certain proposed changes, but not the process.

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-89, No-32

ARTICLE 21: CITIZENS' PETITION - AMENDMENT TO ZONING BYLAWS; ARTICLE VIII, SECTION 400-43 – HIGH RIDGE AGE RESTRICTED DEVELOPMENT OVERLAY DISTRICT

To see if the Town will vote to amend the zoning bylaws by adding Section 400-43, the “High Ridge Age Restricted Development Overlay District,” in Article VIII of the Zoning Bylaws as follows:

SPONSOR: Citizens' Petition

COMMENTARY: Citizens’ petition articles are voted upon as written.

MOTION: *Move the article be approved as written*

Vote required for passage: Zoning Bylaws require a 2/3rds vote per M.G.L. c.40A

THE FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds this Overlay District was properly submitted, is appropriate and will increase the number of connections to the Town’s water and sewer infrastructure.

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

THE PLANNING BOARD RECOMMENDATION: Favorable Action (5-0-0)

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-89, No-28

High Ridge Age Restricted Overlay District

A. Purpose and Intent

The High Ridge Age Restricted Development Overlay District is hereby established as an overlay district covering 23.4 +/- acres of land in the Residence C District and the Business District, more specifically described and shown on the Uxbridge Assessors Map 25, as Parcels 2559, 2588, 3313, 3314, 3357, 3344, 3374, 3379, 4111 and on Map 24.B as Parcels 4025,4035,4046,4059,4078,4824,4828,4835 and 4842. All regulations pertaining to the underlying district(s) shall continue to be in full force and effect, except to the extent that the provisions of this Section modify, amend, or supersede such underlying requirements or provide an alternative to such requirements. The High Ridge Age Restricted Development Overlay District is intended to encourage the development of High Ridge Age Restricted dwelling units at a greater density than would otherwise be permitted in the underlying zoning districts, in order to provide for the unique housing needs of persons aged 55 and older, and in order to generate affordable housing units that can be counted toward the Department of Housing and Community Development (“DHCD”) Subsidized Housing Inventory for the Town of Uxbridge. High Ridge Age Restricted Developments shall consist of duplex dwellings constructed in appropriate clusters of two or more, in a manner which will maximize preservation of open land and which will not detract from the ecological and visual qualities of the site or its neighborhood environment.

B. Permitted Uses

In addition to the uses otherwise permitted in the underlying district(s), land within the High Ridge Age Restricted Development Overlay District may, upon issuance of a special permit under this Section, be developed and used for an Age Restricted Development of townhouse style, duplex and triplex houses for independent residential use, each with a separate exterior entrance, together with accessory uses on the same

premises with, and customarily incident to, the use and occupancy of such houses by persons aged 55 and older, and not detrimental to a residential neighborhood, including the use of a room or rooms in a dwelling for customary home occupation or home occupations carried on by person or persons residing therein, provided that there shall be no display or advertising except (a) a sign of not more than two (2) square feet in area or (b) real estate signs not over six (6) square feet in area advertising the sale or rental of only the premises on which they are located or (c) identity signs or bulletin boards not over twelve (12) square feet in area accessory to the use on the premises, For purposes of this Section, the term accessory use shall not include: (a) a garage for storage of more than two (2) automobiles; storage of more than two (2) automobiles; (c) the renting of bedroom space by the day or week or the furnishing of table board by the week to persons not members of the family resident on the premises. Additionally, temporary construction trailers, temporary sales trailers and display centers associated with the construction and sales of new homes in the High Ridge Age Restricted Development, passive and active recreational facilities and structures for use by the occupants of the High Ridge Age Restricted Development, and central mail delivery facilities for the Development may be allowed under the High Ridge Age Restricted Development Special Permit.

C. Minimum Lot Size, Access, Utilities

The High Ridge Age Restricted Development may be permitted on contiguous tracts of land in the High Ridge Age Restricted Development Overlay District which:

1. conforms to the definition of "Lot" contained in Article X of these By- Laws;
2. has an area of at least Fifteen (15) Acres;
3. has a minimum of one hundred (100) feet of frontage on a way in the Town of Uxbridge;
4. A Development of thirty (30) acres or more is to be served at least two private access ways that directly access the Development from a way in the Town of Uxbridge, such access ways to be at least one thousand (1000) feet apart; and
5. will be served by public water and public sanitary sewerage.

The provisions of Article IV shall not apply to High Ridge Age Restricted Developments permitted under this Section.

D. Maximum Density of Development

The maximum allowable density for a High Ridge Age Restricted Development shall be one dwelling unit for each 20,000 square feet of the total area of the Lot, which maximum density shall include a minimum number of Affordable Units, as more particularly described below.

E. Minimum Dimensional Standards

1. No building shall be closer than twenty (20) feet to any other building in the High Ridge Age Restricted Development.
2. All structures other than stone walls and fences shall be set back at least thirty (30) feet from the side lot lines and at least forty (40) feet from rear lot lines of the Lot. All structures other than drainage facilities, walls and fences, and access drives and appurtenances, shall be set back at least two-hundred (200) feet from the front lot line of the adjacent public way.

3. Lot coverage by all structures and paving shall not exceed twenty- five percent (25%) of the total area of the Lot.

F. Open Space and Buffers

1. All land area not devoted to buildings, yards, structures, storm water management, parking areas or access drives shall be designated as permanent open space and shall be landscaped and/or left in a natural vegetated state, as may be determined by the Special Permit Granting Authority.
2. Provisions shall be made so that all designated open space shall be commonly owned and maintained for conservation, recreation or park land purposes by the owners of all dwelling units in the High Ridge Age Restricted Overlay District Development, or by a membership corporation or trust whose members are all of the owners of the dwelling units, or as the Special Permit Granting Authority may otherwise direct.

G. Limitation on Subdivision

A Lot used for a High Ridge Age Restricted Development may only be divided or reduced in size as provided for in the Special Permit.

H. Site Plan

The application for a High Ridge Age Restricted Development Special Permit shall be accompanied by a Site Plan conforming with the applicable content and preparation requirements for a definitive subdivision plan as set forth in the Planning Board's Rules and Regulations for the Subdivision of Land as may be in effect at the time of the submission of the special permit application, and shall also include a detailed landscaping plan, floor plans, and exterior building elevations.

I. Parking Requirements

A minimum of two (2) paved, off-street parking spaces shall be provided for each dwelling unit. Parking spaces shall be conveniently located to the dwellings units they are intended to serve. There shall be no parking areas within buffer areas or other designated open space areas.

J. Height Requirements

The provisions of Article IV of these Zoning Bylaws governing building height shall not apply to High Ridge Age Restricted Developments, provided, however, that no structure within such Developments shall exceed two and one half stories and thirty-five (35) feet in height.

K. Age Restriction Requirements

All dwelling units constructed within a High Ridge Age Restricted Development shall be restricted by recorded deed to occupancy by households with at least one person who is fifty- five (55) years of age or older in accordance with the requirements of the Fair Housing Act, and the provisions of Housing and Urban Development (HUD) allowance for up to a twenty percent (20%) exemption (24 CFR part 100, subpart E, Sections 100.304-307, et al).

L. Affordable Unit Requirements

There shall be a minimum of one affordable dwelling unit (an “Affordable Unit”) provided in the High Ridge Age Restricted Development for each four (4) acres of the total area of the Lot (rounded down to the nearest whole unit). Affordable Units shall be subject to affordability requirements as set forth herein.

The term “Affordable Unit” shall mean a dwelling unit reserved in perpetuity for rental or ownership by a household earning less than 80% of applicable standard metropolitan area median family income, and priced to conform with the standards of the Massachusetts Department of Housing and Community Development (“DHCD”) for rental or ownership units set forth in 760 CMR 45.03(4), as amended from time to time, in order that such Affordable Units shall be included in the DHCD Subsidized Housing Inventory. Affordable Units shall be subject to the following conditions:

1. Each Affordable Unit shall be affordable in perpetuity. A Deed Rider or other suitable restriction shall assure this condition. The Deed Rider shall be structured to survive any and all foreclosures.
2. When an Affordable Unit is proposed for sale, the continuing enforcement of the Deed Rider through subsequent re-sales shall be the subject of a Monitoring Agreement between the applicant and the Town.
3. The Deed Rider and the Monitoring Agreement shall be drafted in compliance with 760 CMR 45.00 (Local Initiative Program), as amended from time to time, and guidelines promulgated thereunder. The Deed Rider and the Monitoring Agreement shall be subject to review and approval by the Board of Appeals and approval as to form by Town Counsel prior to the issuance of the first certificate of occupancy for any Affordable Unit.
4. The Affordable Units shall conform to the DHCD standards for inclusion in the DHCD Subsidized Housing Inventory.
5. The Affordable Units will be similar in exterior design to the market units or must satisfy the design and construction standards of the Local Initiative Program, 760 CMR 45.00, as amended from time to time. It is the intent of this Section that the Affordable Units shall be eligible for inclusion in the DHCD Subsidized Housing Inventory as Local Initiative Program units.
6. The Affordable Units must be constructed and occupancy permits obtained in a proportion determined by the Special Permit Granting Authority

M. Exemption from Growth Management By-law

High Ridge Age Restricted Overlay District Developments shall be exempt from Section 400-31 of these Bylaws or any other bylaws that control rate of development.

N. Criteria for Review

The Planning Board shall be the Special Permit Granting Authority under this Section. The Planning Board shall not grant a special permit for a High Ridge Age Restricted Overlay District Development if it appears that, because of soils, drainage, traffic or other conditions, the issuance of such a special permit would be detrimental to the neighborhood or to the Town, or if it appears that the proposed design of the High Ridge Age Restricted Overlay District Development would be inconsistent with the purposes and requirements of this Section. In issuing a special permit for an High Ridge Age Restricted Overlay District Development,

MAY 10, 2022 SPRING ANNUAL TOWN MEETING MINUTES



ARTICLE 23: CITIZENS' PETITION - LEASE AGREEMENT WITH BAY STATE TRAIL RIDERS ASSOCIATION (BSTRA) AND BLACKSTONE VALLEY NEW ENGLAND MOUNTAIN BIKE ASSOCIATION (BVNEMBA)

To see if the Town will vote to authorize the Town Manager and/or Board of Selectmen to negotiate and enter into a lease agreement with Bay State Trail Riders Association & Blackstone Valley New England Mountain Bike Association in order to create a non-motorized trail system on property owned by the town listed as 231 Pond Street, parcel #3955 that abuts the Southern New England Trunkline Trail, or take any other action related thereto.

SPONSOR: Citizens' Petition

COMMENTARY: Citizen's petition articles are voted upon as written.

MOTION: *Motion, if any, to be made by the petitioner.*

Vote required for passage: 2/3rds majority

THE FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-0-0)

The Committee finds that this is a reasonable request allowing the Board of Selectmen to negotiate and enter into a lease agreement as they see fit.

THE BOARD OF SELECTMEN RECOMMENDATION: Unfavorable Action (3-2-0)

Wise and Shaw voted no; in favor of certain proposed changes, but not the process.

No Motion

No Action

ARTICLE 24: CITIZENS' PETITION - UNDERRIDE BALLOT REQUEST

To see if the Town will request that the Uxbridge Board of Selectmen consider placing an override question on a ballot to permanently reduce the town's levy limit by \$1,400,000 due to the current excess levy capacity of \$2,888,188. Excess levy capacity is the amount that the town is not currently collecting in taxes but could be with a simple majority vote at a town meeting.

SPONSOR: Citizens' Petition

COMMENTARY: Citizens' petition articles are voted upon as written.

MOTION: I move that the town request that the Uxbridge Board of Selectmen consider placing an override question on a ballot to permanently reduce the town's levy limit by \$1,400,000 due to the current excess levy capacity of \$2,888,188. Excess levy capacity is the amount that the town is not currently collecting in taxes but could be with a simple majority vote at a town meeting.

Vote required for passage: simple majority

THE FINANCE COMMITTEE RECOMMENDATION: Unfavorable Action (4-0-0)

The Committee finds that the current excess levy capacity increases our ability to borrow at low rates and is good, sound fiscal policy. The way to protect the taxpayers is to control the budget, and ensure lower interest rates.

THE BOARD OF SELECTMEN RECOMMENDATION: Unfavorable Action (5-0-0)

The motion was seconded

Moderator declares the motion fails, Yes-31, No-85

**All Articles having been acted upon a motion was made to dissolve the meeting.
The motion was seconded
Moderator declares a Unanimous vote, motion carries.**

The Meeting adjourned at 8:44pm.

A true copy attest,



Kelly J. Cote, CMC
Uxbridge Town Clerk