



**FALL ANNUAL TOWN MEETING MINUTES  
TUESDAY, OCTOBER 25, 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 October 25, 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 (6) six articles to be included, and announced all Committee recommendations were Favorable.

In order to expedite the consideration of routine items, the following Articles will be considered for approval in a single vote, without debate. The Moderator 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 4: INCREASE SENIOR & VETERAN WORK-OFF PROGRAM BENEFIT**

**ARTICLE 5: ADJUSTED EXEMPTION AMOUNT FOR CLAUSE 17C**

**ARTICLE 6: ADJUSTED ASSET LIMIT FOR CLAUSE 17C**

**ARTICLE 7: ADJUSTED INCCOME AND ASSET LIMIT FOR CLAUSE 41C**

**ARTICLE 8: EXCISE EXEMPTION FOR POW VETERANS**

**ARTICLE 9: VETERAN PROPERTY OWNED IN A TRUST**

**The motion was seconded**

**Moderator declares a Simple majority vote, motion carries, Yes-76, No-4**

**ARTICLE 1: TRANSFER TO STABILIZATION**

To see if the Town will vote to transfer and appropriate a sum or sums of money, including Free Cash to the Stabilization Fund Account, or take any other action relating thereto.

**SPONSOR:** Town Manager

**COMMENTARY:** This article serves to transfer FY2022 Free Cash to the Stabilization Fund. The opening balance in the Stabilization Fund before any other activity is \$5,779,205.98; with the proposed transfer of \$4,481,807.00, the Stabilization Fund new account balance will be \$10,261,012.98.

**MOTION:** Move that the Town vote to transfer and appropriate the sum of \$4,481,807.00 Free Cash to the Stabilization Fund.

*Vote required for passage: simple majority vote per M.G.L., c. 40, §5 B to transfer to the stabilization fund*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

**BOARD OF SELECTMEN RECOMMENDATION:** No Vote

**The motion was seconded**

**Moderator declares a Simple majority vote, motion carries, Yes-77, No-2**

## **ARTICLE 2: TRANSFER TO CAPITAL STABILIZATION FUND**

To see if the Town will vote to transfer and appropriate a sum or sums of money from the General Stabilization Fund to the Capital Stabilization Fund, or take any other action relating thereto.

**SPONSOR:** Town Manager

**COMMENTARY:** By voting to transfer funds into Capital Stabilization, it will increase the funds available for the Town to make capital purchases and alleviate the need for an override. The Capital Stabilization Fund was created by special legislation in 2002 as well as the Policy of the Board of Selectmen, Financial Management Policy and Objectives, Reserve, D, 4.

**MOTION:** Move that the Town will vote to transfer and appropriate the sum\_\_\_\_\_ from the General Stabilization Fund to the Capital Stabilization Fund.

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

**FINANCE COMMITTEE RECOMMENDATION:**

**BOARD OF SELECTMEN RECOMMENDATION:** Pass Over

**No Motion**

**No Action**

## **ARTICLE 3: CAPITAL PURCHASES**

To see if the Town will vote to appropriate or transfer 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 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 October 25<sup>th</sup> Fall Annual Town Meeting.

#	Department	Amount	Capital Project/Details
1.	School Department	\$32,000.00	School Lighting project, if needed
2.	Treasurer Collector	\$595,000.00	Munis conversion
3.	DPW Department	\$166,000.00	High St. Area Drainage Engineering and Design costs
4.	DPW Department	\$70,000.00	Engineer and Design for the NPDES Phase II Stormwater Retrofits at Pout Pond
5.	DPW Department	\$150,000.00	Engineer and Design of the Sutton Street Culvert Replacement Project
6.	DPW Department	\$1,127,500.00	Lump Sum Appropriation for the removal of Legacy Material at the DPW Facility
7.	McCloskey Building	\$200,000.00	Emergency repairs to the McCloskey Roof over the cafeteria until Town Manager gets the proper information
	<b>TOTAL</b>	<b>\$2,340,500.00</b>	

**MOTION:** Move that the Town vote to appropriate the sum of \$2,340,500.00 for the purchase of departmental projects in the table listed in the October 25, 2022 Fall Annual Town Meeting Warrant, and to meet said appropriation, transfer the sum of \$2,340,500.00 from the Capital Stabilization Fund and to amend the amount of the suggested appropriation for the removal of the Legacy Material from the DPW facility from \$180,000 to \$1,127,500.00 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 Fall Annual Town Meeting action or exhausted.

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

**FINANCE COMMITTEE RECOMMENDATION:**

1. Favorable Action 6-1-0
2. Favorable Action 7-0-0
3. Favorable Action 6-0-1
4. Favorable Action 6-0-1
5. Favorable Action 7-0-0
6. Favorable Action 6-0-1
7. Favorable Action 6-1-0

The Finance Committee recommends favorable action on the School lighting project, Treasurer Collector Munis migration, DPW items for High street, Pout Pond. Legacy material, and the repairs for the McCloskey roof. We are looking for more detailed information for the Sutton street culvert project prior to Town Meeting. The Finance Committee unanimously requests the Board of Selectmen and Town Manager's office begin working on creating a 5 year capital plan in line with projected population and business growth. The Finance Committee advises that time is of the essence in resolving the finale disposition of the McCloskey Building. The party that abstained on DPW items 3,4,6 even though they agreed with the item #6 the removal of DPW legacy material, items 3 and 4 do not have enough information to make a determination, specifically schematics for the entire projects and amounts spent on feasibility studies. The unfavorable vote is due exclusively to the lack of a strategic capital plan.

**BOARD OF SELECTMEN RECOMMENDATION:**

1. Favorable Action 5-0-0
2. Favorable Action 5-0-0
3. Favorable Action 5-0-0
4. Favorable Action 5-0-0
5. Favorable Action 5-0-0
6. Favorable Action 5-0-0
7. Favorable Action 4-1-0

**CAPITAL PLANNING RECOMMENDATION:**

1. Favorable Action 4-0-1
2. Favorable Action 5-0-0
3. Favorable Action 4-0-1
4. Favorable Action 4-0-1
5. Favorable Action 4-0-1
6. Favorable Action 4-1-0
7. Favorable Action 4-0-1

**The motion was seconded**

**Moderator declares a 2/3rds majority vote, motion carries, Yes-74, No-9**

**ARTICLE 4: INCREASE SENIOR & VETERAN WORK-OFF PROGRAM BENEFIT**

To see if the Town will vote to authorize the Senior & Veteran Work-off Program benefit increase from \$1,000.00 to \$1,500.00 in a given tax year effective January 2024, or take any other action relating thereto.

**SPONSOR:** Council on Aging

**COMMENTARY:** Taxpayers who are 60 years of age or older and meet certain requirements are eligible to apply to the program and work with an in-town department, and receive a credit on their real estate taxes. The potential number of participants will be determined by the level of Town appropriation each year. M.G.L. has raised the work-off program from \$1,000.00 to \$1,500.00. This program is administered by the Senior Center Director. The Director now has the flexibility to offer more seniors to get involved in the program.

**MOTION:** Move that the Town approve the Senior and Veteran Work-Off benefit increase as proposed.

*Vote required for passage: simple majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

The Finance Committee finds this is an excellent program and the additional amount is negligible.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

#### **Article 4 was taken up within a Consent Agenda**

##### **ARTICLE 5: ADJUSTED EXEMPTION AMOUNT FOR CLAUSE 17C**

To see if the Town will vote to accept M.G.L. c. 59, § 5, Clause 17F, which authorizes an annual increase in the amount of the exemption granted to senior citizens, surviving spouses and surviving minors under M.G.L. c. 59, § 5, Clause 17C; and to fix the annual increase at 100% of the state authorized Cost of Living Adjustment (COLA) increase for exemptions as determined by the Commissioner of Revenue to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2022, or take any other action relating thereto.

**SPONSOR:** Assessor

**COMMENTARY:** This allows an annual Cost of Living increase for the exemption amount as determined. COLA 1.014%

**MOTION:** Move that the Town accept M.G.L. c. 59 § 5, Clause 17F, which authorizes an annual increase in the amount of the exemption granted to senior citizens, surviving spouses and surviving minors under M.G.L. c. 59, § 5, Clause 17C; and to fix the annual increase at 100% of the state authorized Cost of Living Adjustment (COLA) increase for exemptions as determined by the Commissioner of Revenue to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2022.

*Vote required for passage: simple majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

The Finance Committee finds this is an excellent program and the additional amount is negligible.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

#### **Article 5 was taken up within a Consent Agenda**

##### **ARTICLE 6: ADJUSTED ASSET LIMIT FOR CLAUSE 17C**

To see if the Town will vote to accept M.G.L. c. 59, § 5, Clause 17E, which authorizes an annual increase in the asset (whole estate) limit for exemptions granted to senior citizens, surviving spouses and surviving minors under M.G.L. c. 59, § 5, Clause 17C; and to fix the annual increase at 100% of the state authorized Cost of Living Adjustment (COLA) increase for exemptions as determined by the Commissioner of Revenue to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2022, or take any other action relating thereto.

**SPONSOR:** Assessor

**COMMENTARY:** This is an increase in the Asset Limits for this exemption. COLA 1.014%

**MOTION:** Move that the Town accept M.G.L. c. 59, § 5, Clause 17E, which authorizes an annual increase in the asset (whole estate) limit for exemptions granted to senior citizens, surviving spouses and surviving minors under M.G.L. c. 59, § 5, Clause 17C; and to fix the annual increase at 100% of the state authorized Cost of Living Adjustment (COLA) increase for exemptions as determined by the Commissioner of Revenue to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2022.

*Vote required for passage: simple majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

The Finance Committee finds this is an excellent program and the additional amount is negligible.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

**Article 6 was taken up within a Consent Agenda**

**ARTICLE 7: ADJUSTED INCOME AND ASSET LIMIT FOR CLAUSE 41C**

To see if the Town will vote to accept M.G.L. c. 59, § 5, Clause 41D, which authorizes an annual increase in the income (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens under: M.G.L. c. 59, § 5, Clause 41C; and to fix the annual increase at 100% of the state authorized Cost of Living Adjustment (COLA) increase for exemptions as determined by the Commissioner of Revenue to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2022, or take any other action relating thereto.

**SPONSOR:** Assessor

**COMMENTARY:** This authorizes an increase of income and asset limits for this exemption. 1.014% is a Cost of Living Adjustment, determined by the Commissioner of Revenue.

**MOTION:** Move that the Town accept M.G.L. c. 59, § 5, Clause 41D, which authorizes an annual increase in the income (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens under: M.G.L. c. 59, § 5, Clause 41C; and to fix the annual increase at 100% of the state authorized Cost of Living Adjustment (COLA) increase for exemptions as determined by the Commissioner of Revenue to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2022.

*Vote required for passage: simple majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

The Finance Committee finds this is an excellent program and the additional amount is negligible.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

**Article 7 was taken up within a Consent Agenda**

**ARTICLE 8: EXCISE EXEMPTION FOR POW VETERANS**

To see if the Town will vote to accept the provisions of the following paragraph of M.G.L. c. 60A, § 1: "In any city or town that accepts this paragraph, the excise tax imposed by this section shall not apply to a motor vehicle owned and registered by or leased to a former prisoner of war defined as any regularly appointed, enrolled, enlisted, or inducted member of the military forces of the United States who was captured, separated and incarcerated by an enemy of the United States during an armed conflict, or to a motor vehicle owned and registered by or leased to the surviving spouse of a deceased former prisoner of war, until such time as the surviving spouse remarries or fails to renew the registration," or take any other action relating thereto.

**SPONSOR:** Assessor

**COMMENTARY:** This local adoption allows former POWs and their un-remarried surviving spouses to be exempt from paying excise tax on one vehicle. There are few, if any, former POWs that reside in Town. This article seeks an exemption for auto excise tax for any military member who was a former POW for one (1) vehicle that they owned or lease.

**MOTION:** Move that the Town accept the Excise Exemption for POW Veterans as proposed.

*Vote required for passage: simple majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

The Finance Committee finds this is an excellent program and the additional amount is negligible.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

**Article 8 was taken up within a Consent Agenda**

## **ARTICLE 9: VETERAN PROPERTY OWNED IN A TRUST**

To see if the Town will vote to accept the provisions of M.G.L. c. 59, § 5, Clause Twenty-second G, which states that “In any city or town that accepts this clause, real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person’s benefit if the real estate would be eligible for exemption under Clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F if the person were the owner of the real estate,” or take any other action relating thereto.

**SPONSOR:** Assessor

**COMMENTARY:** This local adoption allows for a tax exemption in various amounts depending on the service-connected disability level of the Veteran or surviving spouse in the case when their house has been placed in a trust. The Veteran or surviving spouse must have previously owned the residence and also must be domiciled there. This allows a Veteran receiving a Veteran exemption to put their property in a trust, the same as many other people do.

**MOTION:** Move that the Town accept the provisions of M.G.L. c. 59, § 5, Clause Twenty-second G, which states that “In any city or town that accepts this clause, real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person’s benefit if the real estate would be eligible for exemption under Clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F if the person were the owner of the real estate,”.

*Vote required for passage: simple majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

This supports the veteran community and allows full access to benefits.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

**Article 9 was taken up within a Consent Agenda**

## **ARTICLE 10: PETITION GENERAL COURT FOR ACT OF SPECIAL LEGISLATION**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for an act of special legislation, granting 4 additional liquor licenses for the sale of all alcoholic beverages to be drunk off the premises; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments; or act thereon:

**An Act authorizing the Town of Uxbridge to grant 4 additional licenses for the sale of all alcoholic beverages to be drunk off the premises.**

SECTION 1. (a.) Notwithstanding M.G.L. c. 138, § 17, the licensing authority of the Town of Uxbridge may grant 4 additional licenses for the sale of alcoholic beverages to be drunk off the premises under Section 15 of said Chapter 138 to *Nady Gergous (package store) at 30 Douglas St. Uxbridge and to Big Y Foods, Inc. (grocery store) at 262 Millville Road/240 S. Main Street, Uxbridge.*

(b.) If a licensee terminates or fails to renew a license granted under this act or any such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority which may then grant the license to a new applicant at the same locations and under the same conditions as specified in this act.

(c.) The licenses granted under this act shall be issued within 3 years after the effective date of this act; provided, however, that if the license is originally granted within that time period, it may be granted to a new applicant under subsection (b) anytime thereafter.

SECTION 2. This act shall take effect upon its passage.

**SPONSOR:** Board of Selectmen

**COMMENTARY:** Since Uxbridge has had 2-3 businesses that inquired about the licenses for future business development, it was recommended the Town request 4 additional off-premise consumption licenses (i.e., liquor store, grocery store, gas station, etc). To proceed with Legislation to issue additional over-quota licenses, Uxbridge first needs a vote of Town Meeting to petition the Legislature.

**MOTION:** Move that the Town authorize the Select Board to proceed with the proposed petition to the General Court for Special Legislation granting 4 additional liquor licenses for the sale of all alcoholic beverages to be drunk off the premises.

*Vote required for passage: simple majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

The Finance Committee feels this is an appropriate expansion given the growth of the Town. The additional licenses will further increase revenue.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

**The motion was seconded**

**Moderator declares a simple majority vote, motion carries, Yes-60, No-21**

### **ARTICLE 11: NON-CRIMINAL DISPOSITION**

To see if the Town will vote to amend its General Bylaws by adding the following bylaw to establish non-criminal disposition in the town:

#### **CHAPTER 232 NON-CRIMINAL DISPOSITION**

§ 1-109. Violations and penalty - municipal infractions.

A. The following bylaws/occurrences may be enforced in the method provided in M.G.L. c. 40, § 21D.

1. Violations of orders and regulations imposed during winter conditions, including failure to clear fire hydrants and violations of Winter parking bans
2. Violations of Uxbridge General Bylaws c. 205 Fire Protection § 205-9 False Alarm Fees
3. Violations of Uxbridge General Bylaws c. 146 Animal Control, § 146-7 Violations and Penalties

The enforcing person(s) for such violations shall be designated officers of the Uxbridge Police Department and/or Uxbridge Fire Department

- B. The noncriminal fine for each such violation, if not otherwise specified elsewhere in the Town's General or Zoning Bylaws, shall be \$100. The fine imposed hereunder shall be in lieu of any fine imposed under any of the bylaws referenced in the preceding Section. The imposition of a fine hereunder shall not be deemed to be in lieu of any equitable remedies that may be employed.
- C. Each person designated herein an "enforcing person" may appoint a deputy enforcing person to serve in their absence or disability. The names of each enforcing person and of each deputy enforcing person shall be kept on file in the office of the Town Manager. If more than one official has jurisdiction in a given case, any such official may be an enforcing person with respect thereto. Police Officers shall in all cases be considered enforcing persons for the purpose of this provision.
- D. The enforcing person shall, if possible, deliver to the offender a copy of said notice at the time and place of the violation. If it is not possible to so deliver said copy of said notice, said copy shall be mailed or delivered by the enforcing person, or by the Select Board or its designee, to the offender's last known address within 15 days after said violation. A certificate shall be made by the person so mailing such notice that it has been mailed in accordance with this article and M.G.L. c. 40, § 21D.

E. Unless otherwise provided, each day a violation continues shall constitute a separate and repeat violation.  
, or take any other action relating thereto.

**SPONSOR:** Board of Selectmen

**COMMENTARY:** M.G.L. c. 40, § 21D allows cities and towns to enforce their bylaws through non-criminal disposition, which allows a Town, through a designated enforcing person, to issue a violation notice or “ticket” which provides for a specific sum of money to be paid as a penalty for the violation of a local bylaw. The Town is looking to allow for this type of enforcement in only limited areas with only Police and Fire as the enforcing authority.

**MOTION:** Move that the Town vote to amend its General Bylaws by adding the proposed language bylaw to establish non-criminal disposition in the Town.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

The Finance Committee finds enforcement of the bylaws is a critical tool. The current enforcement is via the court system which is costly both in time and town funds. These three bylaws are a good starting point and a good process to bring before Town Meeting.

**BOARD OF SELECTMEN RECOMMENDATION:**

1. Favorable Action 5-0-0
2. Favorable Action 5-0-0
3. Favorable Action 5-0-0

**The motion was seconded**

**This article will be divided into three votes**

**Vote 1: Moderator declares a 2/3rds majority vote, motion carries, Yes-61, No-19**

**Vote 2: Moderator declares a 2/3rds majority vote, motion carries, Yes-65, No-17**

**Vote 3: Moderator declares a 2/3rds majority vote, motion carries, Yes-68, No-14**

## **ARTICLE 12: AMENDMENT TO ZONING BYLAW: SECTION 400-15 SIGNS**

To see if the Town will vote to amend the Uxbridge Zoning Bylaw to add a new Section 400-15 Signs, or take any other action relating thereto.

**SPONSOR:** Uxbridge Zoning Board of Appeals

**COMMENTARY:** The purpose of this proposed article is to add a section to the Zoning Bylaws specific to Signs. The proposed section would look to provide greater clarity currently not found in the existing bylaws related to signage. The current bylaws do not allow for "billboards" or signs greater than 40 sq-ft. As this is a specifically Prohibited Use, the ZBA has no authority to provide any variance to this. Throughout Town, there are many examples of existing signs that appear to exceed 40 sq-ft but otherwise do not derogate from the character of the Town. There is a potential that with a change in building inspectors, or a legal challenge of a newly proposed business, it is possible that such lack of clarity could limit the ability for businesses to erect signs that otherwise would seem reasonable and appropriate. In summary, the proposed addition of a section for Signage within the Zoning Bylaws provides for greater clarity and flexibility for businesses and the Zoning Enforcement Officer, while also ensuring a level of oversight is provided for signage that perhaps warrants review on a case-by-case basis by the Issuing Authority to ensure there is a limited impact to the Town's residents and the character of the Town.

**MOTION:** Move that the Town accept the article as written. (below)



## ARTICLE V GENERAL REGULATIONS

### § 400-15 Signs

#### A. Purpose

The purpose of this section is to provide standards for the installation of signs affixed to buildings or structures or placed on building grounds so as to preserve the aesthetic and historic appearance of the Town, promote economic development, protect property values and reduce traffic safety hazards and undue nuisance to neighboring properties.

#### B. Definitions

**Billboard** - A sign of more than forty (40) square feet in Sign Area, that identifies, advertises or attracts attention to a business, product, service, event or activity sold or offered at a different location than where the sign exists.

**Sign** - Any words, lettering, parts of letters, emblems, devices, designs, figures, phrases, sentences, trade names or trade marks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, or a commodity or product, which are visible from a public street or right-of-way and used to attract attention.

**Sign Area** - The area that includes all lettering, wording and accompanying symbols or designs as well as the background on which they are displayed, whether open or enclosed, any frame around such background and any cutouts or extensions. The area of a sign consisting of individual letters or symbols attached to or painted on a surface, wall or building shall be considered to be that of the smallest rectangle comprised of horizontals and verticals that encompasses all of the letters and symbols. Only one side of a two-sided sign shall be counted in computing the area of a sign.

**Temporary Sign** - A sign that, by its design or use is temporary in nature and not permanently affixed. Temporary signs are not used more than once per calendar year for a period not to exceed forty-five (45) days. This does not include political signs for a specific election period.

**Wayfinding Sign** - A sign that specifically provides guidance, direction, location, regulation such as speed limit and other information to a person unfamiliar with an area.

#### C. Applicability

1. Residence A, Residence B, Residence C and Agricultural zoning districts, are subject to the following:
  - a. unless otherwise permitted by these Bylaws, no display or advertising is permitted except (a) a sign of not more than two (2) square feet in Sign Area or (b) on the same lot as a church, parish house, school, public library, public park, public museum, public playground, public recreational building or similar, a sign of not more than twelve (12) square feet;

- b. There may be one freestanding sign at the entrance to a development, not to exceed sixteen (16) square feet in Sign Area and ten (10) feet in height which shall not be located closer than six (6) feet to the edge of a street.
  - c. Businesses allowed for the Zoning District as identified within Appendix A, Table of Use Regulations, may have one sign attached to the street facing side of a building that may not exceed twelve (12) square feet. The sign must be secured to the wall of the building and may not extend beyond the eaves of the building or more than one (1) foot from the wall or encroach within the public way.
  - d. At the discretion of the Building Inspector, businesses within the Agricultural District may have one freestanding sign, not to exceed thirty-two (32) square feet in Sign Area and ten (10) feet in height which shall not be located closer than ten (10) feet to the edge of a street.
  - e. Signs displayed on property that is for sale, lease or rental of the premises, are not to exceed six (6) square feet in Sign Area.
  - f. Illuminated signs are not permitted unless their use has been allowed by Special Permit from the Special Permit Granting Authority.
2. Business A and Business B zoning districts, are subject to the following:
- a. One freestanding sign, not to exceed the maximum height restriction for the Zoning District as identified within Appendix B, Table of Dimensional Requirements, may be erected. Such sign shall not be within any right of way and shall set back at least ten (10) feet from the edge of the street. The total Sign Area, for the full structure, may not exceed forty (40) square feet. There shall be one freestanding sign per parcel regardless of how many businesses or buildings reside on the parcel. Lots that have greater than one hundred (100) feet of frontage on more than one public way may have two freestanding signs on the lot, each along a different public way.
  - b. The total Sign Area of all signs attached to the sides of a building may not exceed one (1) square foot for each linear foot of building frontage facing a public way. The sign must be secured to the wall of the building and may not extend beyond the eaves of the building or more than one (1) foot from the wall or encroach within the public way.
  - c. A roof sign must be secured to the roof of the building and may not extend higher than the ridgeline of the roof.
  - d. Signs displayed on property that is for sale, lease or rental of the premises, are not to exceed thirty-two (32) square feet in Sign Area.
3. Industrial A and Industrial B zoning districts, are subject to the following:
- a. A non-illuminated sign displayed on property that is for sale, lease or rental, and having a Sign Area of not more than forty (40) square feet, shall be permitted.

- b. Permanent signs shall conform to all applicable side and rear yard requirements for the Zoning District as identified within Appendix B, Table of Dimensional Requirements. Signs may be located no nearer than six (6) feet to the edge of a street.
  - c. There may be one freestanding sign at each separate entrance, to each individual parcel of land, not to exceed the maximum height restriction for the Zoning District as identified within Appendix B, Table of Dimensional Requirements. Such sign shall not be within any right of way and shall set back at least six (6) feet from the edge of a street. The total Sign Area may not exceed eighty (80) square feet.
  - d. The total Sign Area of all signs attached to the sides of a building may not exceed one half (0.5) square foot for each linear foot of building frontage facing a public street. The sign must be secured to the wall of the building and may not extend beyond the eaves of the building or more than one (1) foot from the wall or encroach within the public way.
  - e. A roof sign must be secured to the roof of the building and may not extend higher than the ridgeline of the roof.
- 4. Overlay Districts are subject to the underlying base zoning district limitations unless additional criteria or allowance is set forth within the applicable section of the Zoning Bylaw for the Overlay District.
  - 5. Temporary Signs may be used in all districts and shall not exceed eight (8) square feet in Sign Area. Banners or advertising flags may be displayed and shall not exceed twenty-four (24) square feet in Sign Area and shall not be displayed for more than forty-five (45) consecutive days.
  - 6. The use of Wayfinding signs are permitted in all districts and shall not exceed six (6) square feet in Sign Area.
  - 7. Signs existing prior to the adoption of these provisions are allowed to remain and are not subject to the requirements of this Section unless said sign is removed and replaced with a different sign or expanded in size. Existing signs may be removed for maintenance, re-lettering or name change, without requiring approval under this section.
  - 8. Billboards are only permitted by Special Permit from the Planning Board or Board of Appeals, as set forth in the Zoning Use table.
  - 9. Illuminated Signs shall conform to the following:
    - a. Exterior illumination shall be by a stationary, shielded, white light directed downward or horizontally and solely at the sign.
    - b. Internally illuminated signs shall use white light and shall have opaque surfaces so that the light source is not directly visible.
    - c. Signs may be illuminated until 10:00 P.M. or end of daily operating hours, whichever occurs later.
    - d. The light from any sign shall be at a sufficiently low level of intensity that it shall not, in the judgment of the Zoning Enforcement Officer: adversely affect neighboring premises, reflect

or shine on lots used for residential purposes, or impair the safe vision of operators of vehicles moving on public roadways.

10. Signs not otherwise permitted shall be allowed by Special Permit from the Special Permit Granting Authority.

#### D. Issuing Authority

The Issuing Authority identified within the Table of Use Regulations may grant a Special Permit for signs, not otherwise allowed, upon determining that the proposed sign meets the purposes of this Section and otherwise shall not cause substantial detriment to the community.

If a proposed sign is included in an application for a related Special Permit, authority to grant a Special Permit will be with the Issuing Authority having jurisdiction over the related Special Permit.

#### E. Application

An application for a Special permit for a sign shall be submitted in accordance with the provisions contained in Section 400-50.

#### F. Submission Requirements

An application shall be submitted by the applicant showing all permanent signs in detail and as they are proposed to be installed on the building or structure. Plans shall include color, materials, lettering, lighting and proposed mounting details.

#### G. Recommended Standards

1. Signs should not extend above the roof line or facade, whichever is higher; roof signs should not be permitted.
2. Signs should not be flashing, shimmering or consist of rotating lights.
3. Sign should not be placed in a location which prevents the driver of a vehicle from having a clear and unobstructed view of approaching or merging traffic.
4. No floodlight or other light illuminating a sign, shall be placed so as to shine directly onto adjoining property or be a source of nuisance to the neighborhood in which it is located.

END OF NEW ARTICLE

BEGINNING OF CHANGES TO EXISTING BYLAW

### ARTICLE III USE REGULATIONS

#### § 400-10 Principal Uses

##### D. Prohibited Uses

Except where lawfully in existence at the time of these Bylaws, the following uses are expressly prohibited in all districts:

1. Racetracks, which include any tract of land which is used for the purpose of auto racing, horse racing or dog racing.
2. Commercial jetports, commercial airports, commercial heliports, commercial runways or commercial landing fields. Commercial is intended to mean business activities which rely on said jetports, airports, heliports, runways or landing fields to generate income, gross receipts and sales but is not intended to prohibit the use of private aircraft or landing facilities of any business enterprise obtaining approval for same.
- ~~3. Billboards, which include any sign which is over forty (40) square feet in area.~~
4. The manufacture, storage, transportation or disposal of hazardous material as a principal activity, but not including substances intended for use by a Gasoline Selling Station as defined Article X of these Bylaws.

#### ADDITION TO TABLE OF USE TABLE A TABLE OF USE REGULATIONS

USE	ZONING DISTRICTS							
	R-A	R-B	R-C	A	B	IA	IB	MTMC
Section G. Accessory Uses								
<u>Signs Requiring Special Permits</u>	<u>ZBA</u>	<u>ZBA</u>	<u>ZBA</u>	<u>ZBA</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>

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

#### **FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 6-1-0

The Finance Committee finds that this article establishes increased regulation which is currently minimal as well as establishes a special permitting process. The unfavorable recommendation was due to broad discretion given the Planning Board and ZBA to make exceptions to the bylaw.

#### **BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

#### **PLANNING BOARD RECOMMENDATION:** Favorable Action 5-0-0

**The motion was seconded**

**Motion to amend the main motion to: Move that “or” be moved to end and add “impair the mating and hunting behaviors of fireflies and other nocturnal species affected by light pollution”**

**Amended motion was seconded**

**Moderator declares the amended motion fails, Yes-35, No-44**

**Moderator declares 2/3rds majority vote, Main motion carries, Yes-60, No-17**

#### **ARTICLE 13: AMENDMENT TO ZONING BYLAW: SECTION 400-16 ACCESSORY DWELLING UNITS**

To see if the Town will vote to amend the Uxbridge Zoning Bylaw to add a new Section 400-16 Accessory Dwelling Units, or take any other action relating thereto.

**COMMENTARY:** The purpose of this proposed article is to add a section to the Zoning Bylaws specific to Accessory Dwelling Units (ADU), also sometimes known as "in-law apartments" or other terms. The current Town Zoning Bylaws do not allow for more than a Single-Family Dwelling on a property located within the Residence C or Agricultural districts. In an effort to aid the Town's residents in accommodating individual family's needs at various stages of their lifecycle, this proposed article would allow families located in all residential or Agricultural districts the ability to add an apartment containing both a kitchen, bath and no more than one bedroom that could be used by family members or a caregiver. The family member or caregiver that this apartment would make available would provide the elderly or disabled the means of living more independently within homes and neighborhoods they might otherwise be forced to leave. It would allow families the ability to provide affordable housing and share resources that support young families transitioning to their own homes, parents to potentially live with their children, and provide child care, or support many other family needs. All ADUs would be approved by the ZBA as a Special Permit that would expire in three years if not renewed. This would provide a level of oversight to mitigate these ADUs from being used in a manner not consistent with the intent of the bylaw. In summary, the proposed addition of a section to the Zoning Bylaws specific to Accessory Dwelling Units would provide additional affordable housing, specific to families, in a manner that preserves the residential character of neighborhoods, decreases unpermitted units, promotes code compliance, increases tax base and provides a desired and helpful option to families within the community.

**MOTION:** Move that the Town accept the article as written.

## **ARTICLE V GENERAL REGULATIONS**

### **§ 400-16 Accessory Dwelling Units**

#### A. Purpose

The purpose of this section is to provide standards for approval of Accessory Dwelling Units (also known as "accessory apartments", "in-law apartments", "family apartments", "secondary units" or ADUs) that can be integrated into, or on the same property as, existing single family residences to provide additional housing to relatives or caregivers of the primary resident; that have little or no negative impact on the character of the neighborhood; and that protect property values and prevent undue nuisances to neighboring properties.

Benefits of Accessory Dwelling Units include:

11. Provides the elderly or disabled with a means of obtaining individual caregiver services, thereby enabling them to stay more independently in homes and neighborhoods they might otherwise be forced to leave.
12. Allows for appropriate housing units, in single-family neighborhoods, that support households at various stages of their life cycle.
13. Allows families to more readily share resources.
14. Increases the number of affordable housing units within the community.
15. Decreases unpermitted housing units, promotes code compliance, and increases overall tax base.
16. Preserves the residential character of neighborhoods and maintains property values.

## B. Definitions

Accessory Dwelling Unit - An Accessory Dwelling Unit is a self-contained housing unit incorporated within a single-family dwelling, or within a detached structure that is subordinate to a single-family dwelling on the same lot. The ADU gross floor space includes all living, kitchen, bathroom, laundry, and entry space associated specifically for the use of the ADU.

## C. Applicability

1. Residence A, Residence B, Residence C and Agricultural zoning districts, are subject to the following:
  - a. The Board of Appeals may issue a Special Permit, for a period not to exceed three (3) years, authorizing the installation and use of an attached accessory dwelling unit within an existing or new single-family dwelling when the following conditions are met:
    - i. The unit will be a complete, separate housekeeping unit containing both a kitchen, bath and no more than one bedroom.
    - ii. Only one accessory dwelling unit may be created within a single-family dwelling or on a lot.
    - iii. No accessory dwelling unit may be created on a lot with multi-family dwellings.
    - iv. The owner of the property in which the accessory dwelling unit is created must continue to occupy the dwelling unit or the accessory dwelling as their primary residence, except for bona fide temporary absences not to exceed 6 months.
    - v. The gross floor area of an accessory dwelling unit shall not be greater than eight hundred (800) square feet, unless a larger gross floor area is approved by the Special Permit Granting Authority.
    - vi. The construction of any accessory dwelling unit must be in conformity with the State Building Code, Title V of the State Sanitary Code and other local bylaws/ordinances and regulations.
    - vii. All parking is to be off street unless specifically approved by the Special Permit Granting Authority.
    - viii. A unit that is contained within the primary dwelling shall have its own separate entrance from the outside, located at the side or rear of the primary dwelling, and shall be designed so that the appearance of the building remains that of a single-family dwelling.
    - ix. Occupancy is restricted to relatives of the primary resident who are to be related by blood, marriage, or adoption; or to allow occupancy by caregivers of the primary resident.
  - b. The Special Permit may contain any other reasonable conditions in the discretion of the Board of Appeals and will expire after a period of three (3) years and will be renewable upon request providing the applicant continues to meet the requirements of the special permit. Such renewal shall not be unreasonably denied if compliance with the underlying Special permit is maintained. The special permit shall expire if the conditions of approval are not maintained, or a transfer of ownership of the underlying property takes place, or the ADU ceases to be occupied. Within six (6) months of the

Special Permit's expiration, the ADU must be vacant, all separately metered utilities disconnected.

2. Business A and Business B zoning districts, are subject to the following:
  - a. ADUs are not permitted.
3. Industrial A and Industrial B zoning districts, are subject to the following:
  - a. ADUs are not permitted.
4. Overlay Districts are subject to the underlying base zoning district limitations unless additional criteria or allowance is set forth within the applicable section of the Zoning Bylaw for the Overlay District.

#### D. Application

An application for an ADU shall be submitted in accordance with this section as well as the provisions contained in Section 400-50 for Special Permits.

#### E. Submission Requirements

An application for an ADU shall include site plans and plans for the ADU and shall include such other material as necessary to describe in detail the general arrangement of the ADU, including:

5. Description of the proposed use and relationship of property owner with proposed occupants
6. Number and approximate size of rooms and structures
7. Location of parking
8. How utilities will be provided
9. Means and location of access and egress
10. Description of exterior appearance
11. Signed Affidavit confirming Primary Resident lives on the premises and that the ADU occupants meet the criteria of Section C, a, IX.

**TABLE A**  
**TABLE OF USE REGULATIONS**

	ZONING DISTRICTS							
USE	R-A	R-B	R-C	A	B	IA	IB	MTMC
Section G. Accessory Uses								
<u>Accessory Dwelling Unit</u>	<u>ZBA</u>	<u>ZBA</u>	<u>ZBA</u>	<u>ZBA</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>

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



**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 7-0-0

The Finance Committee feels this regulation provides needed alternative housing options for families and caregivers.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 5-0-0

**PLANNING BOARD RECOMMENDATION:** Favorable Action 5-0-0

**The motion was seconded**

**Moderator declares a 2/3rds majority vote, motion carries, Yes-69, No-8**

**ARTICLE 14: CITIZEN PETITION – AMEND THE HOME RULE CHARTER TO ALLOW PETITIONS FOR TOWN MEETING ARTICLES TO BE ACCEPTED DURING REGULARLY SCHEDULED OFFICE HOURS**

To see if the Town will vote to amend the Uxbridge Town Charter Article 2, § 7(c), by clarifying the time period for submission of Town Meeting articles.

**SPONSOR:** Susan Franz, Citizens' Petitioners

**COMMENTARY:** This proposal allows articles for inclusion on the Town Meeting Warrant to be submitted up to sixty days prior to a Town Meeting, provided articles are submitted on a business day when town offices would normally be open.

**MOTION:** I move that the Town amend Article 2, § 7(c) of the Town's Home Rule Charter, as follows (~~struck through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

Article 2, § 7(c) Inclusion on Warrant – The board of selectmen shall include on the warrant, for an annual town meeting, the subject matter of all petitions which have been received by it sixty or more days prior to the date fixed by by-law for town meeting to convene, except in emergencies. In instances in which town hall is closed on the sixtieth day preceding the annual town meeting, petitions must be submitted by the last business day during which town hall is open and which is at least sixty days preceding the annual town meeting. The board of selectmen shall not include in any such warrant the subject matter of any petition which has been received by it after said day nor shall any matter originating with the board be included after said date, unless the board, by a majority vote, determines the subject matter to be of an emergency nature. Whenever a special town meeting is to be called, the board of selectmen shall give notice by publication in a local newspaper and on the town website, or broadcast through media or medium that provides public notice throughout the town of such intention and shall notify all town agencies of its intention to do so. The board of selectmen shall include in the warrant, for such special town meeting, the subject matter of all petitions which are received at its office on or before the close of the fifth business day following such publication.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 6-0-0

The committee finds this is an appropriate housekeeping update.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 4-1-0 (Wise - No due to process)

**The motion was seconded**

**Moderator declares a 2/3rds majority vote, motion carries, Yes-66, No-13**

**ARTICLE 15: CITIZEN PETITION – AMEND THE HOME RULE CHARTER TO CLARIFY THE DEFINITION AND USAGE FOR NUMBER AND GENDER**

To see if the Town will vote to amend the Uxbridge Town Charter Article 7 § 4, to clarify the definition and usage for number and gender.

**SPONSOR:** Susan Franz, Citizens' Petitioners

**COMMENTARY:** This proposal clarifies the wording for gender, as described in Article 7 § 4. The updated language is as follows:

**MOTION:** I move that the Town amend Article 7 §4 of the Town's Home Rule Charter to clarify language for number, and gender, as follows (~~struck through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

1. Amend Article 7, § 4 as follows:

Number and Gender – Words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing ~~the feminine gender shall include the masculine gender; words importing the masculine gender shall include the feminine gender~~ a specific gender shall include any gender.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 6-0-0

The Committee finds this is an appropriate housekeeping update.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 4-1-0 (Wise - No due to process)

**The motion was seconded**

**Moderator declares a 2/3rds majority vote, motion carries, Yes-63, No-17**

**ARTICLE 16: CITIZEN PETITION – AMEND THE HOME RULE CHARTER TO REQUIRE AT LEAST FIVE MEMBERS TO SERVE ON SPECIFIC MULTI-MEMBER BODIES HOLDING CERTAIN REGULATORY RESPONSIBILITIES**

To see if the Town will vote to insert a definition for regulatory bodies in Article 1 §5 and amend the Uxbridge Town Charter Article 3 § 8(a), and Article 7 § 8(b) in regard to membership on multi-member bodies with regulatory responsibilities.

**SPONSOR:** Susan Franz, Citizens' Petitioners

**COMMENTARY:** This proposed change to the Charter would require regulatory bodies with certain regulatory duties to consist of at least five members. It adjusts conflicting language so that as nearly an equal number of terms, as is possible, will expire each year. At the recommendation of our attorney, it adds language so that in the future multi-member bodies may be designated (or removed from designation) as regulatory bodies by a majority vote of Town Meeting.

**MOTION:** I move that the Town amend the Town's Home Rule Charter, as follows, and further that these changes be permitted to comply with the numbering and format of the Charter and the Uxbridge General Bylaws.

1. Insert the following definition in Article 1, § 5 of the Town's Home Rule Charter:

Regulatory Body – the words “regulatory body” shall mean certain multiple member bodies that have legal authority to promulgate rules and regulations, decide individual cases, or enact policy and includes the board of health, capital planning committee, conservation commission, historic district commission, planning board, stormwater committee, school committee, zoning board of appeals, and any other multimember bodies, if so designated as a regulatory body by a majority vote of the town meeting.

2. Amend Article 3, § 8(a) of the Town's Home Rule Charter, as follows (~~struck through~~ text to be removed and underlined text to be added):

Composition, Term of Office – There shall be a board of health elected by the voters which shall consist of ~~three~~ five (5) members serving for terms of three (3) years each so arranged that the term of office of as nearly an equal number of members as is possible ~~one member~~ shall expire each year.

3. Insert the following paragraph at the end of Article 7, §: 8

Unless a greater number is required by Massachusetts General Laws, any multiple member body functioning as a regulatory body shall contain a minimum of five (5) members.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 6-0-0

The Committee believes that the additional members of regulatory boards is important. These boards will continue to function even if all seats are not filled as other boards do.

**BOARD OF SELECTMEN RECOMMENDATION:** Favorable Action 4-1-0

**The motion was seconded**

**Moderator declares a 2/3rds majority vote, motion carries, Yes-61, No-19**

**ARTICLE 17: CITIZEN PETITION – AMEND THE HOME RULE CHARTER TO INCREASE THE NUMBER OF ELECTED MEMBERS TO THE FINANCE COMMITTEE BY ONE AND DECREASE THE NUMBER OF APPOINTED MEMBERS BY ONE AND ADJUST TERMS AND METHOD OF SELECTION**

To see if the Town will vote to amend the Uxbridge Town Charter Article 2, § 3 and the Uxbridge General Bylaws Part I §35-2, by adjusting the number of elected and appointed members of the Finance Committee and the method of appointment of Finance Committee members.

**SPONSOR:** Susan Franz, Citizens' Petitioners

**COMMENTARY:** This proposal clarifies the responsibilities of the Finance Committee as described in Article 2, §3 of the Uxbridge General Bylaws Part I §35-2. to allow one additional member to be an elected position and one fewer to be an appointed position. It also adjusts language in the by-laws to assure that elections for new members of the Finance Committee are spread with three-year terms as evenly as possible.

**MOTION:** I move that the Town amend Article 2, § 3 of the Town's Home Rule Charter and the Uxbridge General Bylaws Part I §35-2, as follows (~~struck through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter and the Bylaws.

1. Amend Article 2, § 3, as follows:

Finance Committee – There shall be a finance committee of ~~7~~ seven (7) members of which ~~4~~ three (3) members shall be appointed by the moderator and ~~3~~ four (4) 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 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.

2. Amend Uxbridge General Bylaws Part I, § 35-2, as follows:

Finance Committee – Terms and methods of selection - At the conclusion of each Spring session of the Annual Town Meeting, the Moderator shall appoint for a three-year term, in successive years, one member in each of years ~~one and two, and two members in year three~~. In each succeeding year, one member shall be elected for a three year term in each of years one and two, and two members in year three. ~~for a three-year term.~~

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Unfavorable Action 5-1-0

The unfavorable members are concerned about the filling of elected vacancies. There is also concern for the lack of engagement and risks associated with a write in candidate. We believe that the present system works and see no reason to change it. The favorable member believes that the change will give more power to the voters to elect committee members.

**BOARD OF SELECTMEN RECOMMENDATION:** Unfavorable Action 5-0-0

**The motion was seconded**

**Moderator declares the motion fails, Yes-33, No-52**

**ARTICLE 18: CITIZEN PETITION – AMEND THE HOME RULE CHARTER TO MAKE THE TOWN MANAGER’S ANNUAL PERFORMANCE REVIEW A PUBLIC RECORD**

To see if the Town will vote to amend the Uxbridge Town Charter Article 4 § 1 to make the Town Manager’s Annual Performance Review a public record.

**SPONSOR:** Susan Franz, Citizens’ Petitioners

**COMMENTARY:** This proposal clarifies Article 4 § 1 to make the Town Manager’s annual review a public record.

**MOTION:** I move that the Town amend Article 4, § 1 of the Town's Home Rule Charter, as follows (~~struck through~~ text is be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

Article 4, § 1 Town Manager – The Board of Selectmen shall provide for an annual review of the job performance of the town manager, which shall, ~~at least in summary form~~, be a public record, notwithstanding any General or Special Law to the contrary.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 6-0-0

The Finance Committee feels this would increase accessibility to the Board of selectmen’s performance review as well as make the BOS process and documentation more accessible.

**BOARD OF SELECTMEN RECOMMENDATION:** Unfavorable Action 4-1-0

**The motion was seconded**

**Moderator declares the motion fails, Yes-41, No-38**

**ARTICLE 19: CITIZEN PETITION – AMEND THE HOME RULE CHARTER TO ADOPT PROCEDURES TO REVIEW AND/OR RETIRE MULTI-MEMBER BODIES AND ADVISORY COMMITTEES**

To see if the Town will vote to amend the Uxbridge Town Charter Article 7 to add §10 to review and retire multi-member bodies and advisory committees.

**SPONSOR:** Susan Franz, Citizens’ Petitioners

**COMMENTARY:** This proposal adds a process to require a multiple member body be reauthorized at Town Meeting every three years unless the body’s powers are granted under general law, Uxbridge by-law, or the Uxbridge Home Rule Charter. It also allows the Board of Selectmen as an appointing authority to abolish its own study and/or advisory committees.

**MOTION:** I move that the Town:

1. Amend Article 7 of the Town's Home Rule Charter by adding the following §10 and further that non-substantive changes be permitted to comply with the numbering and format of the Charter.

SECTION §10: Sunset Provision Any multiple member body not explicitly required by general law, by-law, or this charter that has not met for twelve (12) months shall be reviewed by its appointing authority or the Board of Selectmen to determine if the body still serves its stated purpose. Where the appointing authority or Board of Selectmen find they may be unable to dissolve a body through their own authorities, they shall bring the request to dissolve before Town Meeting.

2. Amend Article 3, § 2(d) of the Town's Home Rule Charter as follows (~~struck-through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

Article 3, § 2(d) Appointments – The board of selectmen may, in addition, and from time to time, establish ~~and~~ appoint or abolish such study or advisory committees of a temporary nature as it deems necessary or desirable.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Unfavorable Action 6-0-0

The Finance Committee feels that this article exceeds the underlying premise of housekeeping by requiring boards/committees to revisit town meeting every 3 years to show their worth.

**BOARD OF SELECTMEN RECOMMENDATION:** Unfavorable Action 5-0-0

**The motion was seconded**

**Motion was made to refer the article for further study**

**Motion to refer the Article was seconded**

**Moderator declares the motion to refer carries, Yes-41, No-30**

**ARTICLE 20: CITIZEN PETITION – AMEND THE HOME RULE CHARTER TO CLARIFY PROCEDURES FOR MULTI-MEMBER BODIES REGARDING EMAIL NOTIFICATIONS, MINUTES, AND COMPLIANCE WITH GENERAL LAWS, THE CHARTER, AND BYLAWS**

To see if the Town will vote to amend the Uxbridge Town Charter Article 7 § 7(a)-(d) to clarify procedures for multi-member bodies.

**SPONSOR:** Susan Franz, Citizens' Petitioners

**COMMENTARY:** This proposal clarifies notifications by email, and cleans up language related to general laws and minutes, as described in Article 7 §7 (a)-(d). The updated language is as follows:

**MOTION:** I move that the Town amend Article 7, § 7 (a)-(d) of the Town's Home Rule Charter, as follows (~~struck-through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

Article 7, § 7(a)-(d) Procedures Governing Multiple Member Bodies –

(a) Meetings - All multiple member bodies shall meet regularly at such times and places within the town as they may by their own rules prescribe. Except in cases of emergency, special meetings of any multiple member body shall be held on the call of the respective chairperson or by one-third of the members thereof by suitably written notice delivered to the residence, ~~or~~ place of business, or email address of each member at least forty-eight hours in advance of the time set or longer, if specified by Massachusetts General Laws. A copy of the said notice shall also be posted on the town bulletin board and town website(s). Special meetings

of any multiple member body shall also be called within one week after the date of the filing with the town clerk of a petition signed by at least fifty voters and which states the purpose or purposes for which the meeting is to be called. Except as authorized by law, all meetings of all multiple member bodies shall be open and public. All meetings shall be held in places to which members of the public have a convenient right of access.

(b) Agendas - At least forty-eight hours (or longer, if specified by Massachusetts 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. No action taken on a matter not included in the posted agenda shall be effective unless the multiple member body first adopts, by a separate vote, as resolution declaring that the particular matter must be acted upon at that meeting for the immediate preservation of the peace, health, safety, or convenience of the town.

(c) Rules and Minutes of Meetings - Each multiple member body shall determine its own rules and order of business unless otherwise provided by this charter ~~or, by~~ by-law, or law, and shall provide for keeping minutes of its proceedings. These rules and minutes shall be public records, and certified copies shall be kept available in the office of the town clerk and posted on the town website.

(d) Voting - Except on procedural matters, all votes of all multiple member bodies shall be taken by a call of the roll and the vote of each member shall be recorded in the ~~journal~~ minutes, provided, however, that if the vote is unanimous only that fact need be recorded.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 6-0-0

The Committee finds this is an appropriate housekeeping update.

**BOARD OF SELECTMEN RECOMMENDATION:** Unfavorable Action 5-0-0

**Motion was Seconded**

**Motion was made to move the article**

**Motion to move was seconded**

**Moderator declares the motion to move the article carries, Yes-64, No-5**

**Moderator declares the Main motion fails, Yes-44, No-29**

**ARTICLE 21: CITIZEN PETITION – AMEND THE HOME RULE CHARTER TO EXTEND THE TIME TO OBTAIN AND REDUCE THE NUMBER OF SIGNATURES NEEDED FOR A PETITION TO RECALL AN ELECTED OFFICIAL**

To see if the Town will vote to amend the Uxbridge Town Charter Article 3 §10 (b), §10(d), and §10(e)(3) to extend the time to obtain signatures needed for recall petitions, and to reduce the number of signatures needed for such petitions and clarify language regarding ballot candidates.

**SPONSOR:** Susan Franz, Citizens' Petitioners

**COMMENTARY:** This proposal addresses language that was altered by legislators at the General Court from the original petition submitted by Uxbridge voters. Those actions changed the intent of the original recall provisions approved by town meeting via special legislation and made it more difficult for local voters to proceed with the recall of a public official.

The in-depth review of the Charter Review Commission recommended two issues be addressed by recommending:

1. Increasing the time for petitioners to collect signatures for recall of a public official from 14 to 45 days.
2. Adjusting language to allow a simple majority of voters to decide a recall question at the polls.

This article also clarifies confusing language in the original charter provision regarding ballot candidates.

—  
The current procedure for recall of a public official has eight steps:

Step One–RECALL AFFIDAVIT: A recall affidavit, signed by not less than 50 voters in each of the precincts into which the town is divided, shall be filed with the town clerk and shall contain the name of the official whose recall is sought. The names on the recall affidavit are certified by the board of registrars of voters. - no changes

Step Two–PETITIONS: Not more than 7 days after the certification, the town clerk shall issue petition blanks to be addressed to the Board of Selectmen demanding the recall by notifying the 10 voters who have been identified as the lead petitioners (or the first 10 voters on the petition blanks). The Town Clerk will date and sign the petitions. - no changes

Step Three–SIGNATURES: The recall petitions shall be returned to the office of the town clerk not more than 14 days after the date they are issued and shall be signed by not less than 20 per cent of the qualified voters of the town as of the date that the affidavit was filed with the town clerk. Within 5 days, the town clerk will submit the petitions to the board of registrars of voters who will certify the names of the voters within another 5 days. This changes the number of days allowed to collect signatures from 14 to 45 but does not change the number of signatures required. As of February 2021, the Secretary of State reported Uxbridge has 10,591 registered voters.

Step Four–NOTIFICATION: If the petitions are certified as having a sufficient number of voter signatures, the town clerk will submit the petitions and certification to the board of selectmen who will give written notice of the petitions to the official whose recall is sought. - no changes

Step Five–SPECIAL ELECTION: If the official does not resign from office within 7 days after delivery of the notice, the board of selectmen shall order a special election or that a recall election be held in conjunction with a regular town election. The election must be held not less than 64 days nor more than 90 days after the date of the certification. - no changes

Step Six–CANDIDATES: An official whose recall is sought shall be a candidate to succeed to the same office unless the official requests otherwise. This addresses confusing language and deadlines on the procedures for a candidate whose recall has been petitioned by the voters.

Step Seven–BALLOT VOTE: An election will be held to vote on recall of the official and potential selection of a new officeholder. This changes language to let the question be decided by a majority of voters.

Step Eight–TIME LIMITS: No recall affidavits shall be filed against an official within 6 months after taking office and in the case of an official previously subject to a recall election and not recalled by such election, until not less than 6 months after the election. - no changes

The updated language is as follows:

**MOTION:** I move that the Town:

1. Amend Article 3, § 10(b) – Recall Petitions of the Town's Home Rule Charter, as follows (~~struck through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

The recall petitions shall be returned to the office of the town clerk not more than ~~14~~ forty-five (45) days after the date they are issued and shall be signed by not ~~less~~ fewer than 20 per-cent of the qualified voters of the town as of the date that the affidavit was filed with the town clerk. Not more than 5 days after the recall petitions have been returned to the office of the town clerk, the town clerk shall submit the petitions to the board of registrars of voters who shall, not more than 5 days after receiving the petitions, certify the names of the voters who signed the petitions.

2. Amend Article 3, § 10(d) – Recall Petitions of the Town's Home Rule Charter, as follows (~~struck through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

(d) Nomination of Candidates – An official whose recall is sought shall be eligible to be a candidate to succeed to the same office ~~unless the official requests otherwise~~. If the official requests ~~otherwise~~ otherwise in writing to be a candidate to succeed to the same office within 21 days of the date that the petitions were certified by the board of registrars, the town clerk shall place the name of the official on the ballot without nomination. Unless otherwise provided in this section, the nomination of other candidates, the publication of the warrant for the recall election and the conduct of the election shall be in conformity with the laws relating to town elections generally.

3. Amend Article 3, § 10(e)(3) – Propositions on the Ballot of the Town's Home Rule Charter, as follows (~~struck through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

If a majority of the votes cast is in favor of the recall, ~~and not less than 25 per cent of the total number of qualified voters as of the date of the most recent town election have participated in the recall election~~, the official shall be deemed to be recalled. If the official is recalled, the ballots for candidates shall then be counted and the candidate receiving the highest number of votes shall be declared elected.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 6-0-0

The Finance Committee feels these adjustments streamline the process while keeping the high threshold required to initiate the recall process.

**BOARD OF SELECTMEN RECOMMENDATION:** Unfavorable Action 4-1-0

**The motion was seconded**

**Moderator declares the motion fails, Yes-43, No-31**

**ARTICLE 22: CITIZEN PETITION – AMEND THE HOME RULE CHARTER REGARDING BUDGETS, PUBLIC BUDGET HEARINGS, AND RELATED DEADLINES TO MAKE KEY DOCUMENTS AVAILABLE TO THE PUBLIC**

To see if the Town will vote to amend the Uxbridge Town Charter Article 6 § 2, Article 6 § 4, and Article 6 § 6 (c) and (d) to require that key budget documents be available to the public.

**SPONSOR:** Susan Franz, Citizens' Petitioners

**COMMENTARY:** This proposal clarifies the deadlines by which public documents including town and school budgets, budget messages, and notices of public hearings must be posted. The updated language is as follows:

**MOTION:** I move that the Town amend the Town's Home Rule Charter to require budgets, budget messages, meeting and hearing notices, be posted timely for access by the public as follows and further that these changes be permitted to comply with the numbering and format of the Charter (~~struck through~~ text to be removed and underlined text to be added) and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:



1. Amend Article 6, § 2 of the Town's Home Rule Charter, as follows:

Article 6, § 2 School Committee Budget – (a) Public Hearing - ~~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 a general summary of its proposed budget. The school committee shall 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 shall 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. 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~~

The school committee shall take its vote on its proposed budget after the public hearing.

(b) Submission to Town Manager - The budget as adopted by the school committee shall be submitted to the town manager within the time fixed by the town manager in accordance with Article 6, section 6(d) to enable the town manager to consider the effect of the school department's requested appropriation upon the total town operating budget which is required to be submitted under this article.

2. Amend Article 6, § 4 of the Town's Home Rule Charter, as follows:

Article 6, § 4 Submission of Budget and Budget Message – ~~Within the time fixed by the town manager, before the town meeting is to convene. No less than sixty (60) days prior to town meeting convening 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 of a general summary of the proposed budget 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 variations 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, and make copies available for public examination at town hall during regular business hours.~~

1. Amend Article 6, § 6(c) and (d) of the Town's Home Rule Charter, as follows (~~struck through~~ text to be removed and underlined text to be added), and further that non-substantive changes be permitted to comply with the numbering and format of the Charter:

(~~e~~) (d) General long-term debt group of accounts and a statement of general long-term debt that shall include: inside and outside debt limit, date of bond, maturity year, rate of interest, amount of original issue, bonds outstanding at end of current fiscal year, and bonds outstanding at end of proposed budget year.

(~~d~~) (e) Time for Submission of Proposed Operating Budgets – For the purpose of Article 6, Sections 2(b) and Article 6-Section 3 the following shall apply: The town manager shall submit a proposed town operating budget to the finance committee not less than sixty days prior to the date on which the town meeting is to convene in its annual session. The school committee, and other elected officials shall submit ~~its~~ their proposed operating budgets to the town manager at least seventy-five days prior to the date on which the town meeting is to convene in its annual session.

*Vote required for passage: 2/3rds majority*

**FINANCE COMMITTEE RECOMMENDATION:** Favorable Action 5-0-1

The Finance Committee feels this moves the town in the right direction in providing the public with documents for the public hearings.

**BOARD OF SELECTMEN RECOMMENDATION:** Unfavorable Action 5-0-0

**The motion was seconded**

**Moderator declares the motion fails, Yes-43, No-31**

**ARTICLE 23: CITIZEN PETITION – VOTE TO RE-ACCEPT EXT. OF ELM ST. AS A PUBLIC WAY  
(WITHDRAWN)**

To see if the Town will vote to re-accept the extension of Elm Street as a public way as voted, Article 20, June 4, 1991 as shown on the street acceptance plan recorded at the Registry of Deeds Oct. 18, 1991, Book/page 00653/8.

**SPONSOR:** Jim Smith

*Vote required for passage: Petitioner withdrew article on 9/19.*

**FINANCE COMMITTEE RECOMMENDATION:** None - Petition withdrawn

**BOARD OF SELECTMEN RECOMMENDATION:** None - Petition withdrawn

No Motion

No Action

\*\*\*\*\*

**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 10:10pm.**

A true copy attest,



Kelly J. Cote, CMC  
Uxbridge Town Clerk