

SPRING ANNUAL TOWN MEETING MINUTES TUESDAY, MAY 9, 2023 @ 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 May 9, 2023.

Moderator Charles "Ed" Maharay called the Spring 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.

* * *

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 action in relation 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 \$896.94 to pay the following unpaid bills from the previous fiscal year and to meet said appropriation, transfer the sums as follows:

~Vote required for passage: majority vote~

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

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

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

#	Funding Source	Use of Funding	Department	New Appropriation
				Amount
1	General Fund	LA Police Gear- uniform expenses	Police	\$896.94
	Total Reallocated Appropriations			\$896.94

The motion was seconded

Moderator declares a majority vote, motion carries, Yes-280, No-9

ARTICLE 2: FY2023 SNOW AND ICE DEFICIT

To see if the Town will vote to transfer from the General Stabilization Fund a sum of money to balance the snow and ice account for fiscal year 2023 (FY23) deficits incurred pursuant to M.G.L. c.44, §31D; or take any action in relation thereto.

SPONSOR: Town Manager

COMMENTARY: The estimated FY2023 overrun for snow and ice is \$12,500. 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 \$12,500 to apply to deficits incurred in the FY2023 snow/ice budget and to meet said appropriation transfer the sum of \$12,500 from the Stabilization Fund.

~Vote required for passage: 2/3 vote~

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

The Committee finds that this was a necessary cost incurred due to various precipitation events that occurred requiring these services. The Committee would prefer to see non-repair capital items be funded via the department budget or Capital planning in the future to ensure appropriate review.

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

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-248, No-34

ARTICLE 3: FY2024 TOWN BUDGET

To see if the Town will vote to approve the budget - 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 2024 (FY24); or take any action in relation thereto.

SPONSOR: Town Manager

COMMENTARY: Below is a by-department summary of the FY2024 Town Manager Budget. The expanded budget broken down by salaries and expenses was posted on the Town website on 4/3/23. Budgeted FY2024 salaries and expenses total \$51,980,253.95 an increase of \$3,190,680 or 6.5% from FY2023.

MOTION: Move that \$51,980,253.95 be raised and appropriated, as set forth in individual budget appropriations listed under the column "FY24 Town Manager", as described in the Spring Annual Town Meeting warrant in the budget prepared by the Town Manager, and transfer from local revenue or any other available funds.

~Vote required for passage: majority vote~

FINANCE COMMITTEE RECOMMENDATION:

General Government: Favorable Action (6-0-0)

Public Safety: Favorable Action (6-0-0)

Education: Favorable Action (5-0-1) one member was not on the committee for school presentations

Public Works: Favorable Action (6-0-0)

Health & Human Services: Favorable Action (6-0-0)

Library: Favorable Action (6-0-0) Debt Service: Favorable Action (6-0-0) Other Unclassified: Favorable Action (6-0-0)

The Committee finds the town manager's budget meets the needs of the town. Specifically, the adjustments to pay fair market value for positions reducing turnover. The committee highly recommends that a strategic plan be created and implemented to control future healthcare costs.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (4-1-0 DeMers No)

REFER TO ARTICLE 3 ATTACHMENT

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-264, No-101

The motion for Public Safety section was seconded Moderator declares a Simple majority vote, motion carries, Yes-296, No-52

The motion for Education section was seconded

Motion to Passover, motion seconded

Motion to reduce the Education section of the budget by \$119,000.00, motion seconded

Motion to move the question, motion to move the question was seconded

Moderator declares the motion to move the question carries, Yes-275, No-80

Moderator declares the motion to reduce the Education section of the budget by \$119,000.00 carries, Yes-183, No-169

Motion to move the amended motion question, Motion to move seconded

Moderator declares the motion to move the question fails, Yes-219, No-123

Motion to reduce the school/education budget section by \$119,000.00 to make the main motion \$26,962,947.00

Moderator declares the motion carries, Yes-256, No-104

Moderator declares a Simple majority vote, motion carries, Yes-245, No-116

The motion for Public Works section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-265, No-48

The motion for Health & Human Services section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-274, No-36

The motion for Library section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-282, No-33

The motion for Debt Service section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-287, No-19

The motion for Other Unclassified section was seconded

Moderator declares a Simple majority vote, motion carries, Yes-236, No-72

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 2024 (FY24), or take any action in relation thereto.

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 FY2024 Wastewater Enterprise Budget shows an increase of \$112,822 or <3% from FY2023 (excluding special purpose articles).

MOTION: Move that the sum of \$4,103,931 be raised from FY2024 receipts of the Wastewater Enterprise Fund, and appropriate the same to the Wastewater Enterprise Fund Account to be expended as follows Salaries: \$784,226 and Expenses: \$3,319,705; for the respective purposes set forth in the warrant.

~Vote required for passage: majority vote~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-0) The committee finds the budget in line with regulatory requirements.

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

The motion was seconded Moderator declares a majority vote, motion carries, Yes-263, No-40

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 2024 (FY24), or take any action in relation 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 FY2024 Water Enterprise Budget shows an increase of \$89,221 or 4% over FY2023 operating budget (excluding special articles).

MOTION: Move that the sum of \$2,285,927 be raised from FY2024 receipts of the Water Enterprise Fund and be appropriated to the Water Department Enterprise Fund Account to be expended as follows: Salaries: \$687,416 and Expenses: \$1,598,511; for the respective purposes set forth in the warrant.

~Vote required for passage: majority vote~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-0) The committee finds the budget meets the needs of the town and department.

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

The motion was seconded Moderator declares a majority vote, motion carries, Yes-254, No-39

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 2024 (FY24) by the Cable PEG Access Enterprise Fund; or take any action in relation thereto.

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 FY2024 Cable PEG access operating budget shows an increase of \$267.65 or <1 % over FY2023.

MOTION: Move that the sum of \$198,254.65 raised from FY2024 receipts of the Cable Enterprise Fund and be appropriated to the Cable Enterprise Fund Account to be expended as follows: Salaries: \$141,444 and Expenses: \$56,810.65; for the respective purposes set forth in the warrant.

~Vote required for passage: majority vote~

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

The committee finds this budget in scope for the activities of the Cable PEG access. The committee would like to see a review of the contract including possible regional cooperation.

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

The motion was seconded

Moderator declares a majority vote, motion carries, Yes-250, No-38

ARTICLE 7: REVOLVING FUND ACCOUNTS

To see if the Town will vote to authorize the following expenditure limits for the Town's M.G.L. c.44, §53E ½ revolving funds, as set forth in Chapter 2-4 of the Town Bylaws, as follow: 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 action in relation 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: majority vote~

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

The Committee finds these are all reasonable and necessary amounts.

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

The motion was seconded

Moderator declares a majority vote, motion carries, Yes-261, No-30

ARTICLE 8: CARE AND CONDITION OF TOWN ROADS

To see if the Town will vote to raise and appropriate, transfer, borrow, or otherwise provide a sum of money for maintenance and repair of Town roads as recommended by the Town Manager in conjunction with the Capital Planning Committee, and authorize the Board of Selectmen to accept and expend any grant funds that may become available pursuant to so-called Chapter 90 or any other grant program, or take any action in relation thereto.

SPONSOR: DPW Director

COMMENTARY: This request is a continuation of the proposal which began at the Fall 2017 Town Meeting. The \$585,640 is a 10% increase over last year. 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 \$585,640 for the purpose of care and conditioning of Town roads and approve Article 8 as set forth in the warrant.

~Vote required for passage: majority vote~

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

The committee agrees with providing funding for town roads. This amount just keeps the cumulative rating of the roads on a slow decline. The committee recommends increasing this in future years to have the overall road ratings increase.

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

The motion was seconded

Moderator declares a majority vote, motion carries, Yes-266, No-13

ARTICLE 9: TRANSFER TO CAPITAL STABILIZATION FUND FROM GENERAL STABILIZATION

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 action in relation 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 vote to transfer the sum of \$5,500,000 from the General Stabilization Fund to the Capital Stabilization Fund.

~Vote required for passage: 2/3 vote~

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

The committee finds this a standard financial process.

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

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-252, No-26

ARTICLE 10: 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 action in relation thereto.

SPONSOR: Town Manager

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

MOTION: Move that the Town vote to appropriate the sum of \$1,406,700 for the purchase and equipping of departmental projects in the table <u>set forth in the Spring Annual Town Meeting warrant</u>, and to meet said appropriation, to transfer the sum of \$1,406,700 from the Capital Stabilization Fund.

~Vote required for passage: 2/3 vote~

FINANCE COMMITTEE RECOMMENDATION:

#1: DPW Radio: Favorable Action (6-0-0) The committee understands the need for the DPW to be on the same system as the rest of public safety. Their existing system is also end of life. This will replace all radios in the fleet as well as base stations.

- #2: DPW NPDES Construction PoutPond: Favorable Action (6-0-0) The committee recognizes this as a requirement of the towns storm water permit from the EPA. This will upgrade the Pout Pond parking area.
- #3: Fire Dept: Purchase Vehicle: Favorable Action (6-0-0) The committee agrees with the replacement of this vehicle and sees this as a reasonable and customary cost.
- #4: Town Manager: Taft Community Playground: Favorable Action (6-0-0) The committee agrees with the immediate need of an ADA(American Disability Act) accessible playground and understands this is multi-year and multiphase project.
- #5: Town Manager: Upgrade lower TH: Favorable Action (6-0-0) The committee feels this upgrade is much needed to make best use of the lower town hall space.
- #6: School Dept.: Safety upgrades: Favorable Action (5-0-1) The committee finds this a vital and necessary upgrade to protect students and faculty. The abstention was due to the inability to adequately vet the cost given the timeline and need for executive session.
- #7: School Dept.: Pre-k playground: Favorable Action (6-0-0) The committee agrees with the immediate need of an ADA and adaptive accessible playground and understands this is multi-year and multiphase project.
- #8: School Dept.: Replace grade level Chromebook: Favorable Action (6-0-0) The committee agrees with the need to have equipment compatible with the MCAS testing system.
- #9: Senior Center: replace ceiling tiles: Favorable Action (6-0-0) The committee finds this as the next required step with the roof repair already completed.
- #10: Library: Mini Split replacement: Favorable Action (6-0-0) The existing 3 mini split systems are well past their useful life. The new units are more energy efficient and will also supplement the heating systems.

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 (4-0-1 DeMers abstain)

#5 Favorable Action (5-0-0)

#6 Favorable Action (5-0-0)

#7 Favorable Action (4-0-1 DeMers abstain)

#8 Favorable Action (5-0-0)

#9 Favorable Action (5-0-0)

#10 Favorable Action (5-0-0)

CAPITAL COMMITTEE RECOMMENDATION:

#1 Favorable Action 4-1-0

#2 Favorable Action 5-0-0

#3 Favorable Action 5-0-0

#4 Favorable Action 4-0-1

#5 Favorable Action 4-0-1

#6 Favorable Action 4-0-1

#7 Favorable Action 4-0-1

#8 Favorable Action 4-0-1

#9 Favorable Action 4-0-1

#10 Favorable Action 4-0-1

	DEPARTMENT	AMOUNT	CAPITAL PROJECT DETAILS
1	DPW	\$125,000	RADIO REPLACEMENT PROJECT FOR DPW.
2		\$165,000	NPDES STORMWATER RETROFITS CONSTRUCTION.
3	FIRE DEPARTMENT	\$60,700	PURCHASE FORD EXPEDITION FOR THE FIRE
			DEPARTMENT.
4	TOWN MANAGER	\$100,000	TAFT ELEMENTARY COMMUNITY PLAYGROUND ADA
			ACCESSIBILITY PLAYGROUND DESIGN AND FULL
			PRODUCTS FOR INSTALLATION TO BE DONE IN
			COALITION WITH SCHOOL FUNDING.
5		\$30,000	UPGRADE LOWER TOWN HALL INCLUDING FURNITURE
6	SCHOOL DEPARTMENT	\$650,000	UPGRADE LOWER TOWN HALL INCLUDING FURNITURE
0	SCHOOL DEPARTMENT	\$030,000	
			UXBRIDGE SCHOOLS / POLICE DEPARTMENT UXBRIDGE
			WIDE SCHOOL SAFETY BUILDING UPGRADES AND
			ENHANCEMENTS OF SECURITY PROJECT TO INCLUDE
			WHITIN FIRE ALARM AND SPRINKLER SYSTEM AND TAFT
		¢120,000	SCHOOL FIRE ALARM, INTERCOM AND CLOCKS.
		\$120,000	
			RELOCATE THE EXISTING TAFT PRE-K PLAYGROUND TO
			THE COMMUNITY PLAYGROUND AT THE TAFT SCHOOL
			AND INSTALL A NEW UPDATED PRE-SCHOOL ADA COMPLIANT PLAYGROUND.
8		\$80,000	CUIVIPLIANT PLATGROUND.
0		\$60,000	REPLACE GRADE LEVEL CHROMEBOOK THAT ARE NOW
			NOT MCAS COMPLIANT.
9	SENIOR CENTER	\$40,000	REPLACE CEILING TILES, GRIDS AND INSULATION AT
			THE SENIOR CENTER.
10	UXBRIDGE LIBRARY	\$36,000	MINI SPLIT REPLACEMENT ON 1ST FLOOR OF THE
		42 3,300	LIBRARY.
	TOTAL	\$1,406,700	

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-210, No-36

ARTICLE 11: INTER/INTRA DEPARTMENTAL TRANSFERS

To see if the Town will vote to transfer from the Water Enterprise Retained Earnings to the Water Enterprise Fund Capital Expense the sum of \$190,000 for a replacement of a Water Division dump truck and the sum of \$450,000 to conduct a PFAS and Manganese pilot study to evaluate treatment options; or take any action in relation thereto.

SPONSOR: Town Manager

COMMENTARY: The DPW Water Division 2005 Ford F650 dump truck (W-3) is slated for replacement under the vehicle replacement program. The vehicle will be replaced with a similar class vehicle. The DPW completed a source evaluation and facilities plan in 2022. This plan identified needed improvements to comply with the changing water quality regulations. Approval of this transfer will allow the Town to begin evaluating options for both manganese and PFAS treatment systems at the Blackstone facility. The pilot study and permitting is a requirement through MassDEP prior to commencing with the design of the treatment facilities. As of this printing, the Water Department anticipates that it will not seek approval to buy the dump truck referenced in the warrant Article 11. Instead, the Water Department will only request that Town Meeting act on PFAS and Manganese pilot study.

MOTION: Move that the Town vote to transfer from the Water Enterprise Retained earnings the sum of \$450,000 to conduct a PFAS and Manganese pilot study to evaluate treatment options.

~Vote required for passage: majority vote~

FINANCE COMMITTEE RECOMMENDATION:

Dump Truck: pass over

PFAS: Favorable Action (6-0-0) The committee finds this a proper use of the retained earnings. This is required per DEP regulatory requirements. This is also needed to apply for next phase funding assistance.

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

The motion was seconded Moderator declares a majority vote, motion carries, Yes-171, No-12

Motion to take Article 15 out of order, motion seconded Moderator declares a majority vote, motion carries, Yes-133, No-52

ARTICLE 15: TAX INCREMENT FINANCING AGREEMENT: BIG Y FOODS, INC.

To see if the Town will vote pursuant to M.G.L. c. 40, §59 and M.G.L. c. 23A, §§3E and 3F and applicable regulations thereunder, to:

- (a) approve the Tax Increment Financing ("TIF") Agreement between Big Y Foods, Inc. (or Big Y) and the Town of Uxbridge, substantially in the form as is on file with the Town Manager's office (the "TIF Agreement"), for improvements to the property located at 262 Millville Road and 240 South Main Street, Uxbridge, MA that will consist of approximately 11.73 acres @ 262 Millville Rd. & 3.61 acres @ 240 S Main St. and currently designated as part of Tax Parcel Numbers 030.0-2077-0000.0 & 030.0-1926-0000.0 by the Uxbridge Assessor and as described more fully in the TIF Agreement, which TIF Agreement provides for real estate tax exemptions at the exemption rate schedule set forth therein;
- (b) authorize the Board of Selectmen to execute the TIF Agreement, and any documents relating thereto; and
- (c) and authorize the Select Board to execute the TIF Agreement and approve submission to the Massachusetts Economic Assistance Coordinating Council (EACC) of the TIF Agreement and any Economic Development Incentive Program (EDIP) "Local Incentive Only Application" for EACC approval, and any necessary documents related thereto, all relating to the project as described in the TIF Agreement and related submissions; and to take such action as are necessary or appropriate to obtain EACC approval, implement those documents, and carry out the purposes of this Article; or take any action in relation thereto.

COMMENTARY: Big Y Foods, Inc. has proceeded with the permitting required to build a new state-of-the-art full-service supermarket at the property at 262 Millville Road and 240 South Main Street in Uxbridge. Part of the design of the project involves significant off-site improvements to create a safe means of access and egress to the site and to otherwise improve traffic circulation along South Main Street and the intersection with Quaker Highway. There are significant costs involved in the design and construction of these offsite improvements. This request is to authorize the Board of Selectmen to approve and execute an agreement to assist the Big Y in its creation of a new state-of-the-art supermarket through tax incremental financing.

MOTION: Move to approve the TIF Agreement with Big Y, for the property located at 262 Millville Road & 240 South Main Street, Uxbridge, consisting of approximately 11.73 acres @ 262 Millville Rd. & 3.61 acres @ 240 S Main St. and currently designated by the Assessor as part of Tax Parcel Numbers 030.0-2077-0000.0 & 030.0-1926-0000.0, and approve Article 15 as written in the warrant.

~Vote required for passage: majority vote~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-1-0)

The Favorable members feel this will benefit the town and expand the business base. This only affects the property tax. The personal property, fixtures, refrigeration equipment, etc, is still taxed. The unfavorable member, although fully in support of Big Y, is not in favor of the language in subparagraph (a) approving the capital TIF "substantially in the form" as it currently exists. This was not a negotiated contract but unilaterally submitted by Big Y.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (4-1-0 DeMers No)

The motion was seconded Moderator declares a majority vote, motion carries, Yes-110, No-83

ARTICLE 12: APPROPRIATION FOR CAPITAL PROJECTS/PURCHASES

To see if the Town will vote to appropriate and raise, transfer, borrow or otherwise provide a sum of money to be expended under the direction of the Board of Selectmen to pay costs of bridge and culvert replacement, design, planning, drainage improvements, building remodeling, and the payment of all other costs incidental or related thereto:

<u>Department</u>	<u>Equipment</u>	<u>Amount</u>
HIGHWAY	BRIDGE & CULVERT REPLACEMENT PROGRAM	\$2,682,000
HIGHWAY	HIGH ST. AREA DRAINAGE IMPROVEMENTS	920,000
HIGHWAY	LINWOOD ST. AREA DRAINAGE IMPROVEMENTS CONSTRUCTION	800,000
HIGHWAY	SUTTON ST. CULVERT REPLACEMENT DESIGN/CONST.	800,000
HIGHWAY	EMERGENCY GENERATOR (ENG. & IMPLEMENTATION)	200,000
HIGHWAY	DPW BUILDING AND SALT SHED DESIGN AND PERMITTING	125,000
	TOTAL:	\$5,527,000

; or take any action in relation thereto.

SPONSOR: Town Manager

COMMENTARY: The Town Manager and the DPW Director have identified a number of projects, outlined in the 5- year Capital Plan (posted on the Town Website); the total to do all of the identified projects is approximately \$20,000,000; however; the Town Manager is pursuing through either 100% forgiveness loan programs or Federal/State grants; alternative funding for those other infrastructure programs. The programs associated with this bond request would not qualify for either of those programs and due to the type of project they and the length of time they would last are better suited to be part of a bond issue such as the one being requested in this article. The projects listed would also be projects that would be reasonably be expected to be completed within a 3-year period and as such would limit the first round of requested funds to be bonded at \$5.527M for a period of 15 years.

MOTION: Move that the Town appropriate \$5,527,000, to be expended under the direction of the Board of Selectmen, to pay costs of bridge and culvert replacement, design, planning, drainage improvements, building remodeling and acquiring the departmental equipment, and the payment of all other costs incidental or related thereto and that, to meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$5,527,000 pursuant to the provisions of M.G.L. Chapter 44, Sections 7 or 8, or any other enabling authority; that the Board of Selectmen be authorized to apply for and accept any federal or state funds, grants and/or gifts of any kind for these purposes; and, whereas the amounts indicated in the Spring Town Meeting warrant for each project are estimates, to authorize the Town Manager to allocate the total sum appropriated so that each of the projects described in the warrant can be completed within the total appropriation made by this vote.

~Vote required for passage: 2/3 vote if borrowing~

FINANCE COMMITTEE RECOMMENDATION:

Road/ culvert Items 1-4 Favorable Action (5-0-0)

Item 5: Emergency Generator: Favorable Action (3-2-0)

Item 6: Building /Salt shed: Favorable Action (4-1-0)

The committee feels the Bridge and Culvert work is long needed and this is an appropriate process to fund this work.

The favorable members for the Generator feel this is a needed update to the DPW. The unfavorable feel this should have gone to the capital committee.

The favorable members for the DPW building and Salt shed design see these improvements are needed. The unfavorable feel this should have gone to the capital committee.

BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (4-1-0 Wise No)

The motion was seconded

Moderator declares a 2/3rds majority vote, motion carries, Yes-131, No-18

ARTICLE 13: APPROPRIATION FOR CMRPC PER CAPITA RATE

To see if the Town will vote, pursuant to M.G.L. c.40B, §7, to approve the per capita rate of <u>\$0.30839</u>, as assessed by the Central Massachusetts Regional Planning Commission (CMRPC) 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 raise and appropriate or transfer from available funds the sum of \$4,367.41 to pay the Town's portion of the fiscal year 2024 (FY24) operating expenses of the CMRPC; or take any action in relation thereto.

SPONSOR: Town Manager

COMMENTARY: This article seeks funding for the FY2024 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 a per capita rate of \$0.30839, as assessed by the Central Massachusetts Regional Planning Commission (CMRPC) upon the population of 14,162 persons in the Town of Uxbridge, as listed on the 2020 national census, and in connection therewith, to confirm the amount appropriated under Article 3, \$4,367.41, for the Town's portion of the FY2024 operating expenses of the CMRPC pursuant to M.G.L c.40B, \$7.

~Vote required for passage: majority~

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

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)

The motion was seconded Moderator declares a majority vote, motion carries, Yes-121, No-7

ARTICLE 14: BORROWING AUTHORIZATION LEAD SERVICE LINE INVENTORY (DEPARTMENT OF PUBLIC WORKS)

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money for purposes of financing the following project: Lead Service Line Inventory (LSL) as described more fully in a document entitled, "LCRR Lead Service Line Inventories", on file with the Town Clerk, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreements and/or security agreements with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project); or take any action in relation thereto.

SPONSOR: Town Manager

COMMENTARY: The DPW will be applying for State Revolving Fund (SRF) monies to assist in the funding of a lead service line inventory. This article funds the development of a lead service line inventory as required by the Lead and Copper Rule (LCR) under the authority of the 1974 Safe Drinking Water Act. The LCR helps protect public health by regulating water suppliers on how to treat and control lead. Lead and Copper Rule revisions (LCRRs), finalized in 2021, require all PWSs to complete a full inventory of service lines connected to its distribution system, whether or not they are owned or controlled by the water system, by October 16, 2024. The results of the lead service line (LSL) inventory must be made accessible to the public. Public Water Suppliers (PWSs) must also submit a plan to MassDEP by the 2024 deadline detailing how the PWS will prioritize, fund, and fully remove LSLs connected to its distribution system. Massachusetts Department of Environmental Protection (MassDEP) approves projects through the Intended Use Plan (IUP), which lists the projects, borrowers, and amounts that are being recommended for financing through the Drinking Water State Revolving Fund (DWSRF) loan program. The DWSRF is a joint federal-state financing program that provides subsidized loans to protect public health by improving water supply infrastructure systems and protect drinking water in the Commonwealth. LSL projects will be eligible to receive additional subsidy in the form of a 100% principal forgiveness.

MOTION: Move to appropriate the sum of \$200,000 for the Lead Service Line Inventory as described more fully in a document entitled "LCRR Lead Service Line Inventories", on file with the Town Clerk, and authorize the Treasurer, with the approval of the Select Board, to issue bonds and notes therefor pursuant to G.L. c.44, §7 or 8 or any other enabling authority, or, to borrow said sum from the Massachusetts Abatement Trust established pursuant to the provisions of Chapter 29, any other enabling authority and approve Article 14 as written in the warrant.

~Vote required for passage: 2/3 vote~

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

The committee agrees with funding this state mandated inventory. The state will reimburse these funds 100%

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

The motion was seconded Moderator declares a 2/3rds majority vote, motion carries, Yes-131, No-5

ARTICLE 16: HISTORIC DISTRICT EXPANSION: MENDON, NORTH MAIN, AND CAPRON STREETS

To see if the Town will vote to expand boundaries of the Common and Center Historic District by amending the Local Historic District Map of the Town of Uxbridge set forth as Appendix 1 of Chapter 218-12 of the Town Bylaws, to include the following: Mendon Street from #93 to #283 (south side) and from #96 to #276 (north side), North Main Street from #55 to #147 (east side) from #58-62 to #122 (west side), and Capron Street from #13 to #55 (east side), #14 to #58A/B (west side), #62 (McCloskey Middle School buildings only); or take any action in relation thereto.

SPONSOR: Uxbridge Historic District Commission (UHDC); Uxbridge Historic Commission

COMMENTARY: Serving as critical East-West 'gateways' to the central core of Uxbridge, addition of short stretches of Mendon and North Main Street follow paths through Town history almost 300 years old. Together with Capron Street, the houses and (four) mom-and-pop type businesses along the way compose a unique historic and architectural tapestry. In keeping with the objectives of the Historic District Bylaw and feelings prized by most residents, it is important to protect and preserve properties that reflect the character and enhance the atmosphere of a "small New England town".

With regard to the McCloskey Middle School (MMS), only its three buildings are included; athletic fields and Taft ELC are specifically excluded. Within this article, the decision to include or exclude MMS from the Historic District will be determined by a separate vote (Division of the Question). (It should be clearly understood the Historic District Bylaw gives the Commission authority only in regard to protection and preservation of architectural features on the exterior of buildings, where appropriate, and not over use of this or any other property.)

Sometime later, voters may be asked to determine how the Town 'reimagines' itself on a bigger scale, but for now, the UHDC considers additions to the existing Downtown Historic District footprint as the next logical step into that future. Where there is appreciation of preservation in communities, its benefits have proven to pay economic dividends, such as increased property values and greater flow of dollars from tourists seeking a historical experience. Even after 300 years, we are still uncovering our own nuggets of history, and Uxbridge is being recognized for its overall contributions to the Nation in high places... being praised by the National Park Service and the Blackstone Valley Heritage Corridor, important marketing benefits not to be squandered through poor choices or lack of attention.

As Uxbridge emerges from more than half a century of economic lassitude to host burgeoning business of all kinds, now is the time to "Preserve the Past; Enhance the Future" by amending the Historic District map.

The Mass. Historical Commission points to positives of being in an historic district: the likelihood of rising property values, increased neighborhood stability, and pride in surroundings.

The fabric of history is fragile. It must be treasured; once lost, recovery is impossible. The Historic District Bylaw imposes no heavy bureaucratic or financial burdens on homeowners in the District. YET costs taxpayers nothing to implement yet will reap priceless rewards for present and future generations.

MOTION: Move to expand the Town's Historic District as described in Article 16 and approve, Article 16 as written in the warrant.

~Vote required for passage: 2/3 vote~

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

The committee sees the potential benefit of resale value of homes in the historic district.

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

PLANNING BOARD RECOMMENDATION: Favorable Action 5-0-0

No Motion No Action

ARTICLE 17: ADOPTION OF INCREASED SEALER FEES

To see if the Town will vote, consistent with M.G.L. c.98, §35(a)(2), to increase the sealer fees, and, for such purposes, to amend the Town's General Bylaws, Part II General Legislation, Chapter 144 – Fees of the Sealer of Weights and Measures §1.1., by deleting the existing chart and replacing it with the following; or take any action in relation thereto.

Device	Time in minutes	Fee
0-100 lbs. scales	30	\$43
100-1,000 lbs. scales	45	\$64
Over 1,000 lbs. scales	60	\$85
Avoirdupois, Metric, Apothecary and Troy scales	30	\$43
Diesel emissions fluid	30	\$43
Diesel meters	30	\$43
Kerosene	60	\$85
High speed diesel	45	\$64
Octane test	30	\$43
Propane meter	60	\$85
Gasoline meter	30	\$43
Vehicle Tank inspection	60	\$85
Vehicle Tank inspection	15	\$21
Bulk meter	60	\$85
Auto body	30	\$43
Taxi	30	\$43
Item pricing per store	45	\$64
Scanner waiver per store	45	\$64
Price verification 1-3	30	\$43

Price verification 4-11	45	\$64
Price verification over 11	60	\$85
Reverse Vending per store	20	\$28

COMMENTARY: Pursuant to M.G.L. c. 98, § 35(a)(2), on March 21, 2022, the Massachusetts Weights and Measures Standing Advisory Committee adopted a new fee structure for the Division's performance of weights and measures. The chart represents the new fee structure.

MOTION: Move that the Town vote to approve the Massachusetts Weights and Measures Standing Advisory Committee's newly adopted fee structure for the Division's performance of weights and measures for the Town of Uxbridge and amend the Town By-laws for such purposes, and approve Article 17 as printed in the warrant.

~Vote required for passage: majority vote~

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

The state adopted a new fee schedule this follows that schedule. These fees are pass through from the requester to the state.

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

The motion was seconded

Moderator declares a majority vote, motion carries, Yes-109, No-8

ARTICLE 18: AUTHORIZE THE BOARD OF SELECTMEN TO SUBMIT SPECIAL LEGISLATION TO GENERAL COURT AMENDING THE CHARTER TO CHANGE THE NAME TO SELECT BOARD

To see if the Town will vote to authorize the Board of Selectmen to file with the General Court a petition for special legislation changing the title of the Board of Selectmen to "Select Board", replacing the words "board of selectmen" and "selectmen" with "Select Board" and replacing the word "selectman" with "Select Board Member", and, further, to make appropriate related grammatical revisions to carry out the purposes of this vote; provided, however, that the General Court may make changes of form only to such bill without approval of the Select Board, and, further, to authorize the Select Board to approve such revisions requested by the General Court as are consistent with the public purposes of the petition; or take any action in relation thereto.

SPONSOR: Town Manager

COMMENTARY: This article authorizes the Board of Selectmen to submit to the General Court a Home Rule Petition changing its name to the "Select Board". Should Town Meeting approve this article, the bill will be filed with the state legislature and the process for approval can take from six months up to a year or more. Should the bill be passed by the State Senate and House of Representatives, and then be signed by the Governor, it will take effect as of the date of the Governor's signature.

As a matter of law, the Charter supersedes any inconsistent provision of the Town General or Zoning Bylaws. For that reason, should the Charter change take effect, the Board of Selectmen will be a Select Board, regardless of existing references to the Board of Selectmen in any official Town documents.

MOTION: Move to authorize the Board of Selectmen to submit a Home Rule petition to amend the Town Charter to change its name to "Select Board" and to make related grammatical revisions as may be needed; provided, however that the General Court may make changes of form only to such bill without approval of

the Board of Selectmen, and, further, to authorize the Board of Selectmen to approve such revisions requested by the General Court as are consistent with the public purposes of the petition; and, further, to amend the General and Zoning Bylaws of the Town for the same purposes by deleting, in each instance in which they appear, the words "Board of Selectmen" and "selectmen" and replacing them with the words "Select Board" and deleting in each instance in which it appears, the word "selectman" and replacing it with the words "Select Board member", and to make related grammatical revision as may be needed, provided, however, that the amendments to the General and Zoning Bylaws approved hereunder shall take effect only upon the effective date of the authorized Home Rule Petition and compliance with the provisions of G.L. c.40, §32.

~Vote required for passage: majority vote~

FINANCE COMMITTEE RECOMMENDATION: Favorable Action (4-2-0)

The favorable committee members believe this will bring us in line with other communities in the commonwealth as well as updating the name to current cultural norms. The unfavorable members view this as circumventing the 2/3 vote needed at previous town meetings. They also feel that this change is not needed in practice nor support the expense required.

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

PLANNING BOARD RECOMMENDATION:

The motion was seconded Moderator declares a majority vote, motion carries, Yes-77, No-31

Motion to take Article 21 out of order, motion seconded Moderator declares a majority vote, motion carries, Yes-61, No-56

ARTICLE 21: CITIZENS' PETITION: CHANGE "BOARD OF SELECTMEN" TO "SELECT BOARD"

To see if the Town will vote to change the name of the Board of Selectmen to the "Select Board," and to amend the Town Charter and each of the Town's General and Zoning By-laws to substitute the term "Select Board" for the term "Board of Selectmen;" to substitute the word "Select persons" for the word "Selectmen"; and to substitute the word "Select person" for the word "Selectmen"; and further affirm that upon the effective date of such amendment, the term "Board of Selectmen" shall be taken to mean "Select Board" and the term "Selectmen" shall be taken to mean "Select persons" and the term "Selectmen" shall be taken to mean "Select person" for the purposes of all laws, regulations, contracts, agreements or other documents that refer to or are applicable to the Town of Uxbridge.

SPONSOR: Citizens' Petition

COMMENTARY: Petitioner to provide

MOTION: *Motion to Pass Over (or Petitioner to provide)*

~Vote required for passage: to pass over, majority vote, or if a positive main motion is made, a 2/3 vote as article proposes amendments to Zoning Bylaws, or majority vote if no Zoning~

FINANCE COMMITTEE RECOMMENDATION: No Recommendation without prejudice (4-2-0) The majority of the board agrees with the intent of the petitioner, however the wording of this article, as written, conflicts with article 18. The unfavorable members feel that this change is not needed in practice nor support the expense required.

BOARD OF SELECTMEN RECOMMENDATION: Favorable with amendment (5-0-0)

PLANNING BOARD RECOMMENDATION:

The motion was seconded Moderator declares motion fails, Yes-79, No-41

ARTICLE 19: RT. 122 RECONSTRUCTION PROJECT PHASE 2 AUTHORIZATION TO ACQUIRE PERMANENT AND TEMPORARY EASEMENTS (DEPARTMENT OF PUBLIC WORKS)

To see if the Town will vote to (a) authorize the Board of Selectmen to acquire, by purchase, gift and/or eminent domain and on such terms as the Board of Selectmen deems appropriate, the fee to and/or permanent and temporary easements in, on, under and over certain parcels of land located on or near Route 122 (South Main Street) and approximately shown on plans entitled "Route 122 (South Main Street) Roadway Improvements in the Town of Uxbridge, Worcester County, Preliminary Right of Way Plans", prepared by BETA, on file with the Town Clerk, as said plans may be amended from time to time and/or incorporated into an easement plan, and land within 200 feet of said parcels, for public way purposes, including without limitation, for the construction, installation, inspection, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, drainage, utilities, driveways, retaining ways, guardrails, slopes, grading, rounding, construction, landscaping, and other structures and/or appurtenances, to enable the Town to undertake the Route 122 South Main Street Reconstruction Project and for any and all purposes and uses incidental or related thereto; (b) transfer the care, custody, and control of the portions of the Town-owned properties shown on the aforesaid plans, if any, from the board or officer having custody of the same for the purposes for which such properties are currently held to the Board of Selectmen for said public way purposes and further to dedicate said portions of the Town-owned properties to said purposes, and, if applicable, authorize the Select Board to submit petitions to the General Court to permit the foregoing under Article 97 of the Massachusetts Constitution; (c) authorize the Board of Selectmen to dispose of excess land located outside the altered layout of the foregoing public ways, if any, on such terms and conditions and for such consideration as the Board of Selectmen deems appropriate; (d) raise and appropriate, transfer from available funds, and/or borrow a sum of money to fund the foregoing project and any and all costs incidental or related thereto, including, without limitation, the cost of any land/easement acquisitions, appraisals, and surveys; and, further, (e) authorize the Board of Selectmen to enter into all agreements and take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes; or take any action in relation thereto.

SPONSOR: Town Manager

COMMENTARY: This project is the second phase of the reconstruction of Rt. 122 Main Street. The town is responsible for securing the necessary right-of-way within the portion of Rt. 122/South Main Street between High Street and the beginning of the project near the intersection of Mendon Street. Federal funding requires the responsible party to acquire the necessary easements impacted by the project.

MOTION: Move to authorize the Board of Selectmen to acquire permanent and temporary easements as shown on a plan titled, "Route 122 (South Main Street) Roadway Improvements in the Town of Uxbridge, Worcester County, Preliminary Right of Way Plans" dated 1/7/2023, prepared by BETA, and, and approve Article 19 as written in the warrant.

~Vote required for passage: majority vote~

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

The committee sees that as required to complete the project

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

The motion was seconded Moderator declares a 2/3rds majority vote, motion carries, Yes-101, No-6

ARTICLE 20: STREET ACCEPTANCE: HYDE PARK CIRCLE

To see if the Town will vote to accept as a public way the layout of Hyde Park Circle, as heretofore laid out by the Board of Selectmen and shown more particularly on a plan entitled "Street Acceptance Plan Hyde Park Circle Uxbridge, Massachusetts," dated March 25, 2020, prepared by Guerriere & Hanlon, Inc., a copy of which is on file with the Town Clerk, and to authorize the Board of Selectmen to acquire, by purchase, gift, and/or eminent domain, the fee interest in and to or permanent easements in said roadway and any drainage, access, utility and/or other related easements; or take any action in relation thereto.

SPONSOR: Board of Selectmen

COMMENTARY: The Board of Selectmen, at their March 27, 2023 meeting unanimously voted to layout this road. This step is necessary prior to the road being presented for acceptance as a Town Road.

MOTION: Move that the Town vote to accept as a public way the street known as Hyde Park Circle, as laid out by the Board of Selectmen, in the name and on behalf of the Town, to authorize the Select Board to acquire by gift, purchase or eminent domain, the specified easements, and appurtenant rights in and for said way for the purpose for which public ways are used in the Town, and approve Article 20 as printed in the warrant.

~Vote required for passage: majority vote~

FINANCE COMMITTEE RECOMMENDATION: No Action without prejudice (5-0-0) The committee feels we did not receive all the information required to provide a recommendation.

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

PLANNING BOARD RECOMMENDATION: Favorable Action (4-0-1)

The motion was seconded Moderator declares a 2/3rds majority vote, motion carries, Yes-86, No-19

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 11:30pm.

A true copy attest,

Silly of Cote

Kelly J. Cote, CMC Uxbridge Town Clerk