



REVISED MINUTES
SPRING ANNUAL TOWN MEETING
TUESDAY, MAY 8, 2012 – 7:00 P.M.
UXBRIDGE HIGH SCHOOL GYMNASIUM
62 CAPRON STREET, 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 High School Auditorium, in Precinct 2, in said Uxbridge, and transacted the following business on May 8, 2012:

Moderator Charles E. Maharay called the Spring Annual Town Meeting to order at 7:10pm, declaring the presence of a quorum (50 required, 604 voters present). Rules for conducting business and taking votes of the meeting were announced.

I move that the Spring Annual Town Meeting be recessed in order for the town to conduct the May 8, 2012 Special Town Meeting, and further move that the Spring Annual Town Meeting be resumed at the conclusion of the Special Town Meeting.

The motion is seconded.

Moderator declares a simple majority, motion carries

ARTICLE 1: REPORTS

To hear the report of any outstanding committee and act thereon

SPONSOR: Board of Selectmen

No Motion.

No Action Taken.

ARTICLE 2: FY12 INTER/INTRA DEPARTMENTAL TRANSFERS

To see if the Town will vote to transfer from available funds a sum of money to balance certain line items within the FY12 budget approved under Article 4 of the May 10, 2011 Annual Town Meeting or its continued date;

or take any other action relating thereto.

SPONSOR: Board of Selectmen (Finance Director)

Commentary: Transfers from miscellaneous department line items to others which are needed to fund FY 2012 anticipated budget deficiencies. Net total of all movements total \$191,351.

MOTION: *Move that the Town vote to transfer and appropriate the amounts as stated in the following chart for any purpose for which funds may be expended from the latter accounts, each item being considered a separate appropriation for FY12:*

A: Intra Departmental Transfers:

1.	FROM:	Amount	TO:	Amount
	Fire Salaries (220-5100)	\$4,000	Fire Expenses (220-5200)	\$4,000

COMMENTARY: *Transfer requested by the Fire Chief to cover miscellaneous expenses, identified as heating oil for Station 3, vehicle maintenance, and rescue tool service.*

2.	FROM:	Amount	TO:	Amount
	Snow & Ice Salaries (423-5100)	\$37,831	Snow & Ice Expenses (423-5200)	\$37,831

COMMENTARY: *Transfer requested by the DPW Director to cover deficits in the vehicle/equipment maintenance and supplies lines of the Snow & Ice Expense budget.*

3.	FROM:	Amount	TO:	Amount
	Highway Salaries (422-5100)	\$20,000	Highway Expenses (422-5200)	\$20,000

COMMENTARY: *Transfer requested by the DPW Director to cover forecast deficits in the vehicle/equipment maintenance portion of the Highway budget due to increased maintenance on aging equipment.*

4.	FROM:	Amount	TO:	Amount
	Treasurer/Collector Salaries (145-5100)	\$3,000	Treasurer/Collector Expenses (145-5100)	\$3,000

COMMENTARY: *Transfer requested by the Finance Director to offset projected postal/supply budget deficits.*

5.	FROM:	Amount	TO:	Amount
	Library Salaries (610-5100)	\$4,000	Library Expenses (610-5290)	\$4,000

COMMENTARY: *Transfer requested by Library Director to offset projected deficit in the department's cleaning services account.*

6.	FROM:	Amount	TO:	Amount
	Wastewater Expenses (440-5200)	\$7,000	Wastewater Salaries (440-5100)	\$7,000

COMMENTARY: *Transfer requested by the DPW Director to fund increased daily station checks on outlying facilities.*

B: Inter Departmental Transfers

7.	FROM:	Amount	TO:	Amount
	Snow & Ice Salaries (423-5100)	\$15,754	Veteran's Services Expenses (543-5770)	\$15,754

COMMENTARY: *Transfer requested by the Finance Director to offset projected deficits in the Veteran's Services account. Funding transfer requests #7 & #8 will bring the FY 2012 appropriation to*

\$218,192 including a reserve fund transfer for \$25,492 that was recently approved by the Finance Committee. The Commonwealth reimburses the Town for 75% of veteran's benefit payments over time.

8.	FROM:	Amount	TO:	Amount
	New Municipal Debt Expenses (700-5910)	\$23,754	Veteran's Services Expenses (543-5770)	\$23,754

COMMENTARY: *See commentary from Transfer #7 regarding veterans benefits expenses. Funds are available in the New Municipal Debt line as a principal payment on the new rescue apparatus and DPW combo was delayed until FY 2013 while awaiting the results of a debt exclusion ballot.*

9.	FROM:	Amount	TO:	Amount
	New Municipal Debt Expenses (700-5910)	\$42,880	Police Salaries (210-5100)	\$42,880

COMMENTARY: *Transfer requested by the Police Chief, to maintain acceptable shift coverage and fund anticipated salary expenses through the end of the fiscal year, as well as this year's portion of the new police union contract.*

10.	FROM:	Amount	TO:	Amount
	New Municipal Debt Expenses (700-5910)	\$3,000	Police Expenses (210-5200)	\$3,000

COMMENTARY: *Transfer requested by the Police Chief to offset projected deficit in police vehicle repair and police utility budgets.*

11.	FROM:	Amount	TO:	Amount
	Medicare Expenses (916-5180)	\$20,000	Health Insurance Expenses (914-5172)	\$20,000

COMMENTARY: *Transfer requested by the Finance Director to offset potential deficit in the health insurance budget due to increased deductible payments and Part B reimbursements.*

12.	FROM:	Amount	TO:	Amount
	Town Counsel Expenses (151-5306)	\$2,532	Worcester Retirement Expenses (911-5173)	\$2,532

COMMENTARY: *Transfer requested by the Finance Director to offset additional assessment for deployed personnel.*

13.	FROM:	Amount	TO:	Amount
	Town Counsel Expenses (151-5306)	\$3,000	MIS Expenses (155-5345)	\$3,000

COMMENTARY: *Transfer requested by the Finance Director for upgrades selected by the Police Department during MIS hardware upgrade.*

14.	FROM:	Amount	TO:	Amount
	Town Counsel Expenses (151-5306)	\$2,500	Conservation Expenses (171-5307)	\$2,500

COMMENTARY: *Transfer requested by the Town Accountant to offset deficits in department's advertising and postage accounts.*

15.	FROM:	Amount	TO:	Amount
	Town Counsel Expenses (151-5306)	\$2,100	Blanchard School Expenses (198-5210)	\$2,100

COMMENTARY: *Transfer request by the Finance Director to offset anticipated deficits in department's utilities and maintenance/repair accounts.*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-0-1)

RECOMMENDATION OF THE FINANCE COMMITTEE: (6-0-0): This is a standard financial article

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a simple majority, motion carries.

ARTICLE 3: PRIOR YEAR BILLS

To see if the Town will vote to raise and appropriate, or transfer from available funds such sums as required to pay prior fiscal year's bill(s);
or take any other action relating thereto.

SPONSOR: Board of Selectmen (Finance Director)

MOTION: *Pass Over*

Commentary: *This article was placed on the warrant in case that any FY 11 invoices that were inadvertently not processed or paid were discovered. There are no prior year bills.*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Pass Over

RECOMMENDATION OF THE FINANCE COMMITTEE: Pass Over

VOTE NEEDED: Requires a 4/5ths majority vote

No Motion.

No Action Taken.

ARTICLE 4: TOWN BUDGET

To see if the Town will vote to fix 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 2013 (FY13) – approve the budget;
or take any other action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: *Please see the revenue and expenditure details in the FY 2013 Budget document that is attached at the back of this warrant. Exhibit 1 details the Town's revenue projections; Exhibits 2 & 3 show the revenue share calculation; Exhibit 4 is a single page budget summary; Exhibit 5 shows the budget detail. Exhibit 6 shows detail for funds budgeted in Article 8 through Article 11. Budgeted FY 2013 salaries and expenses total \$36,840,617, an increase of \$603,823, or 1.67% from FY 2012.*

Budget Change by Category (See Exhibits 4 and 5 for expanded detail)

	FY 2012 Budget	FY 2013 TM Budget	Change From FY 2012	% Change
General Government	\$1,058,689	\$1,068,849	\$10,160	0.96%
Public Safety	\$2,223,915	\$2,284,434	\$60,519	2.72%
Education *	\$20,053,223	\$20,670,323	\$617,100	3.08%
Public Works	\$992,051	\$982,551	-\$9,500	-0.96%
Health Human Services	\$333,031	\$405,200	\$72,169	21.67%
Culture & Recreation	\$457,642	\$462,492	\$4,850	1.06%
Unclassified	\$11,118,243	\$10,966,768	-\$151,475	-1.36%
Total	\$36,236,794	\$36,840,617	\$603,823	1.67%

* Education totals include Uxbridge Public Schools, Good Shepherd, BVT, Norfolk Agricultural & Student Transportation

MOTION: *Move that \$36,840,617 be appropriated, as set forth in line items under the column "FY13 TM SATM Budget", on the sheet entitled "Exhibit 4 – FY 2013 Budget Summary – Town Meeting" in the budget prepared by the Town Manager, included at the back of this warrant, for recommendation at the Annual Town Meeting on May 08, 2012, as most recently revised; and as funding therefore, to transfer from revenue funds, and raise and appropriate the total sum of \$36,840,617 as set forth the column entitled FY13 Budgeted Revenues on the sheet entitled, "Exhibit 1 – FY 2013 Revenue Projections – Town Meeting", each item considered a separate appropriation.*

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-0-1): The Town Budget is starting to move in the right direction. No cuts were incurred in any department. In fact, we are able to make an important increase so that the Senior Center does not have to rely on donations for everyday expenses that should be in the budget. We are able to raise salaries slightly in FY2013.

However, maintenance expenses remain a significant issue for several departments. What was once paid for through a department maintenance fund is now often requested as a small capital expense, either through the small Town Maintenance Fund or a borrowing article. Two examples are police cars, which are not being replaced each year as previously done, and the Fire department apparatus requested on Article 15 tonight.

In addition, the town has not been successful in planning for capital expenses over the past several years. As the economy continues to improve, Future town budgets must have long term planning taken into account.

The School Department can say that this is a year without direct cuts to any areas. The Schools will see major changes this year, including full day Kindergarten for all students, and have planned accordingly in the past few years for this. Here again, this only tells part of the story. Unfortunately, the schools still face challenges in the short term, like completion of the High school project to include athletic fields, exhaustion of federal grants monies, and updates to our current high school (soon to be the middle school).

The Town must take action to increase revenues. Uxbridge needs to be seen as an excellent choice to locate a business. Again, planning and expenses are part of how this will happen.

VOTE NEEDED: Requires a simple majority vote, assuming no funding is coming from Stabilization. A transfer from Stabilization requires a 2/3rd's majority vote

The motion is seconded.

Moderator declares a simple majority, motion carries.

ARTICLE 5: CMRPC PER CAPITA RATE/APPROPRIATION

To see if the Town will vote to approve a per capita rate of .24092, as assessed upon the population of 13,457 persons in the Town of Uxbridge, as listed on the 2010 national census, and in doing so, vote to raise and appropriate the sum of \$3,243 to pay the Town's portion of the FY 2013 operating expenses of the Central Massachusetts Regional Planning Commission (CMRPC) pursuant to MGL Chapter 40B, Section 7;

or take any other action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: This article seeks funding for the FY 2013 assessment by CMRPC, as approved by the Regional Planning Commission pursuant Chapter 40B, Section 7 of Massachusetts General Laws. This assessment was previously raised within the general fund budget, but this year it was noted that Town Meeting must also approve the per capita rate upon which the assessment is based, which necessitates a special article. This will be a standard annual article going forward.

MOTION: Move that the Town accept the article as written

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0): This is a required payment increase for the CMRPC

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a unanimous vote, motion carries.

ARTICLE 6: REVOLVING FUND ACCOUNTS

To see if the Town will vote to establish and authorize GLc.44, §53E ½ revolving funds for the continuation of: Library book repairs, not to exceed \$12,000, derived from late fines and fees, under the Library Trustees; recreation program costs, not to exceed \$10,000, to be derived from program fees, under the Recreation Committee; compost bin costs, not to exceed \$2,000, derived from compost bin sales, under the Board of Health; operation and restoration costs associated with Pout Pond, not to exceed \$12,000, derived from user fees and concession sales;

or take any other action relating thereto.

SPONSOR: Board of Selectmen (Finance Director)

Commentary: Annual re-establishment of revolving funds as required by MGL. No appropriation is required; funded by fees charged.

MOTION: Move that the Town vote to establish and authorize GLc.44, §53E ½ revolving funds for the continuation of: Library book repairs, not to exceed \$12,000, derived from late fines and fees, under the Library Trustees; recreation program costs, not to exceed \$10,000, to be derived from program fees, under the Recreation Committee; compost bin costs, not to exceed \$2,000, derived from compost bin sales, under the Board of Health; operation and restoration costs associated with Pout Pond, not to exceed \$12,000, derived from user fees and concession sales, under the Conservation Commission.

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0): This is a standard financial article

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a unanimous vote, motion carries.

ARTICLE 7: REVOLVING FUND ACCOUNT FOR UXBRIDGE COMMUNITY GARDEN

To see if the Town will vote to establish and authorize pursuant to GLc.44, §53E ½ a revolving fund for operation and restoration costs associated with the Uxbridge Community Garden, under the Community Garden Committee, to be derived from user fees and concession sales, not to exceed \$12,000.00; or take any action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: This article seeks to establish a new revolving fund for the Uxbridge Community Garden, which would use the proceeds of user fees and donations for improvements to the site.

MOTION: *Move that the Town vote to establish and authorize pursuant to GLc.44, §53E ½ a revolving fund for operation and restoration costs associated with the Uxbridge Community Garden, under the Community Garden Committee, to be derived from user fees and donations, not to exceed \$12,000.00*

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-1-0): This article allows the Uxbridge Community Garden a way to manage its receipts in the same way other revolving funds work

VOTE NEEDED: Requires a simple majority

No Motion.

No Action Taken.

ARTICLE 8: WASTEWATER DEPARTMENT BUDGET (ENTERPRISE FUND)

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 Sewer Department (Wastewater) Enterprise Fund for the ensuing fiscal year, such sums of money to be offset by revenues of the Sewer Department Enterprise Fund received during fiscal year 2013; or take any other action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Wastewater Enterprise Fund is based upon the collection of sewer charges to over 3,200 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 wastewater departmental revenue. The FY 2013 Wastewater Enterprise voted budget shows level funding from FY 2012, although general fund charges are expected to rise by \$34,770. Expanded budget information for the Enterprise and Cable Access funds are presented as Exhibit 6 at the back of this warrant.

MOTION: *Move that the sum of \$811,782 as set forth in the column below ("FY13 Budget Town Manager Recommendation"), up to and including the line entitled "Total Budget Appropriation" be appropriated to the FY13 Wastewater Department Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation.*

Wastewater Department Enterprise Fund			FY 11 Budget	FY12 Budget	FY 13 Budget Town Manager Recommendation
650-440-5100	Wastewater	Salaries	\$305,224	\$314,932	\$321,574
650-440-5200	Wastewater	Expenses	\$508,050	\$496,850	\$490,208
		Total Budget Appropriation	\$813,274	\$811,782	\$811,782
		Deductions from Gross Revenues	\$226,357	\$224,808	\$259,578
		Total Departmental Expense	\$1,039,631	\$1,036,590	\$1,071,360

\$1,071,360 anticipated to be charged to Wastewater Enterprise revenues.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-0-1)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0): The Finance Committee supports the Wastewater Department budget

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a unanimous vote, motion carries.

ARTICLE 9: WATER DEPARTMENT BUDGET (ENTERPRISE FUND)

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 Department Enterprise Fund for the ensuing fiscal year, such sums of money to be offset by revenues of the Water Department Enterprise Fund received during fiscal year 2013;
or take any other action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Water Enterprise Fund is based upon the collection of water charges to over 4,000 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 FY 2013 water enterprise budget shows an increase of \$5,415, or 0.71% from FY 2012. General fund charges are expected to decrease by \$65,197.

MOTION: Move that the sum of \$767,322 as set forth in the column below ("FY13 Budget Town Manager Recommendation"), up to and including the line entitled "Total Budget Appropriation" be appropriated to the FY13 Water Department Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation.

Water Department Enterprise Fund			FY 11 Budget	FY12 Budget	FY13 Budget Town Manager Recommendation
650-450-5100	Water	Salaries	\$313,900	\$323,607	\$329,022
650-450-5200	Water	Expenses	\$454,350	\$438,300	\$438,300
		Total Budget Appropriation	\$768,250	\$761,907	\$767,322
		Deductions from Gross	\$556,213	\$867,945	\$802,748

		Revenues			
		Total Departmental Expenses	\$1,324,463	\$1,629,852	\$1,570,070

\$1,570,070 anticipated to be charged to Water Enterprise revenues.

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0): The Finance Committee supports the Water Department Budget

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a simple majority, motion carries.

ARTICLE 10: AMBULANCE DIVISION BUDGET (ENTERPRISE FUND)

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 and expenses of the Ambulance Division Enterprise Fund for the ensuing fiscal year, such sums of money to be offset by revenues of the Ambulance Division received during fiscal year 2013;

or take any other action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Ambulance Enterprise Fund is based upon the collection of ambulance charges is entirely self-supporting. Debt, fuel and benefit charges for departmental employees are paid from the general fund, and reimbursed by a charge against departmental revenue. The FY 2013 ambulance enterprise budget shows a decrease of \$27,300, or 5.10% from FY 2012. General fund charges to the fund are forecast to increase by \$5,485.

MOTION: Move that the sum of \$512,719 as set forth in the column below ("FY13 Budget Town Manager Recommendation"), up to and including the line entitled "Total Budget Appropriation" be appropriated to the FY13 Ambulance Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation

Ambulance Division Enterprise Fund			FY 11 Budget	FY12 Budget	FY13 Budget Town Manager Recommendation
602-231-5100	Ambulance	Salaries	\$434,586	\$424,586	\$418,919
602-231-5200	Ambulance	Expenses	\$76,875	\$115,433	\$93,800
602-231-5900	Ambulance	Special Outlay	5,700	0	0
		Subtotal Expenses	\$82,575	\$115,433	\$93,800
		Total Budget Appropriation	\$517,161	\$540,019	\$512,719
		Deductions from Gross Revenues	\$119,932	\$99,089	\$104,934
		Total Departmental Expense	\$637,093	\$639,108	\$617,653

\$617,653 anticipated to be charged to Ambulance Enterprise revenues.

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0): The Finance Committee supports the Ambulance Division Budget

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a unanimous vote, motion carries.

ARTICLE 11: COMMUNITY ACCESS TELEVISION BUDGET

To see if the Town will vote to transfer 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 Cable PEG Access "Receipts Reserved for Appropriation Account" ;
or take any other action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Community Access Television budget is based upon the collection of cable charges from subscribers and is entirely self-supporting. Benefit charges for departmental employees are paid from the general fund, and reimbursed by a charge against departmental revenue. The FY 2013 Cable PEG access operating budget shows an increase of \$3,269 or 2.36% from FY 2012. General fund charges are forecast to increase by \$3,574.

MOTION: Move that the sum of \$142,008, as set forth in the column below ("FY13 Budget Town Manager Recommendation"), up to and including the line entitled "Total Budget Appropriation" be appropriated to Community Access Television Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation:

			FY11 Budget	FY12 Budget	FY13 Budget Town Manager Recommendation
Community Access Television					
240-645-5100	Cable	Salaries	\$82,872	\$82,872	\$86,096
240-645-5200	Cable	Expenses	\$33,800	\$22,408	\$33,740
240-645-5900	Cable	Capital Outlay	\$25,000	\$33,459	\$22,172
		Subtotal Expenses	\$58,800	\$55,867	\$55,912
		Total Budget Appropriation	\$141,672	\$138,739	\$142,008
		Deductions from Gross Revenues	\$18,090	\$32,912	\$36,486
		Total Departmental Expense	\$159,762	\$171,651	\$178,494

\$178,494 anticipated to be charged to the Cable PEG Access Receipts Reserved for Appropriation account.

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (4-1-1): The Finance Committee supports the Community Access Television budget. While the amount and variety of programming has increased, problems remain with picture/video quality of the three Uxbridge cable stations.

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a simple majority, motion carries.

ARTICLE 12: FUNDING APPROPRIATION FOR THE PURCHASE OF CABLE PEG ACCESS EQUIPMENT

To see if the Town will vote to transfer \$130,000 for the purchase of Cable PEG access equipment for the current fiscal year, such sums of money to be offset by Cable PEG Access Receipts Reserved for Appropriation Account;

or take any other action relating thereto.

SPONSOR: Board of Selectmen (Cable Committee)

Commentary: Town Meeting supported a transfer of \$111,000 at the FY 2011 SATM to fund the purchase of equipment for the Cable Studio at the new Uxbridge High School. This request, which will be funded from the Cable PEG access fund, covers remaining equipment acquisition and installation costs.

MOTION: *Move that the Town vote to transfer and appropriate \$130,000 from Community Access Receipts Reserved (645-3580) to Community Access Capital Construction in Progress (645-5890-2012) for the purpose of equipping and furnishing a cable access studio at the new Uxbridge High School.*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-1-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (4-2-0): This article supports the educational purposes of Community Access Television.

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a simple majority, motion carries.

ARTICLE 13: TRANSFER FROM WATER ENTERPRISE RETAINED EARNINGS FOR THE PURCHASE OF WATER DEPARTMENT EQUIPMENT

To see if the Town will vote to transfer and appropriate the sum of \$116,000 from Water Enterprise retained earnings in the Water Enterprise Fund and transfer to the Water Enterprise Capital Fund for the purchase of departmental equipment for the current fiscal year

or take any other action related thereto.

SPONSOR: Board of Selectmen (DPW Director)

Commentary: Passage of this article will allow the DPW to purchase a new E-550 Water Maintenance Van to replace its current van, a 1994 model that has maintenance and operational issues. Funding for the purchase will be a transfer from the Water Enterprise Retained Earnings, which was certified by the Department of Revenue at \$1,775,639 for the period ending 06/30/11.

MOTION: *Move that the article be accepted as written*

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0): The Finance Committee supports the purchase and replacement of the 1994 utility work van used by the Water Department.

VOTE NEEDED: Requires a simple majority

The motion is seconded.

Moderator declares a unanimous vote, motion carries.

ARTICLE 14: BORROWING AUTHORIZATION – SALT SHED

To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money for the purpose of purchasing and equipping a new Salt Shed, for the Department of Public Works; and further, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow under Chapter 44 of Massachusetts General Laws or any other enabling authority;

that the Board of Selectmen is authorized to apply for and accept any federal or state funds or grants and/or gifts of any kind for the purpose of this acquisition;
or take any other action related thereto.

SPONSOR: Board of Selectmen (DPW Director)

COMMENTARY: *This request is to purchase a replacement salt shed. The current structure does not hold a seasonal allotment of supplies and is in poor condition. This is expected to be a ten year borrowing, which would cost approximately \$375,900, at an average annual cost of \$37,500 per year based on projected borrowing rates.*

MOTION: *Move that the Town appropriate \$310,000 for the purpose of purchasing and equipping a new salt shed for the Department of Public Works; and further, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$310,000 under Chapter 44 of Massachusetts General Laws or any other enabling authority; that the Board of Selectmen is authorized to apply for and accept any federal or state funds or grants and/or gifts of any kind for the purpose of this acquisition.*

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (3-2-1): While some of the committee voted for this article because of the need to have a proper storage facility, other members felt there was not enough specific information to make an informed decision.

VOTE NEEDED: A borrowing authorization requires a 2/3rds vote.

The motion is seconded.

Motion Failed.

ARTICLE 15: BORROWING AUTHORIZATION – SELF-CONTAINED BREATHING APPARATUS

To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money for the purpose of purchasing and equipping thirty-three (33) SCBA units for the Fire Department; and further, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow under Chapter 44 of Massachusetts General Laws or any other enabling authority; that the Board of Selectmen is authorized to apply for and accept any federal or state funds or grants and/or gifts of any kind for the purpose of this acquisition;
or take any other action related thereto.

SPONSOR: Board of Selectmen (Fire Chief)

GENERAL COMMENTARY: *Replacement of the Department's self-contained breathing apparatus. The current units were purchased in 1995 and are becoming obsolete – falling outside of NFPA guidelines, and incurring repairs on a more frequent basis. This will be a five year borrowing, which is expected to cost approximately \$228,150 with an average annual cost of \$45,080, based on current borrowing rates.*

MOTION: *Move that the Town appropriate \$210,000 for the purpose of purchasing and equipping thirty-three (33) SCBA units for the Fire Department; and further, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow up to \$210,000 under Chapter 44 of Massachusetts General Laws or any other enabling authority; that the Board of Selectmen is authorized to apply for and accept any federal or state funds or grants and/or gifts of any kind for the purpose of this acquisition.*

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0): Purchase and replacement of the Self Contained Breathing Apparatus addresses a major safety issue and should be given a high priority.

VOTE NEEDED: A borrowing authorization requires a 2/3rds vote.

The motion is seconded.

Moderator declares a unanimous vote, motion carries.

ARTICLE 16: LEASE OF TOWN PROPERTY (100 ACRE LOT) FOR SOLAR ARRAY

To see if the Town will vote to authorize the Board of Selectmen to lease all or any portion of the following parcel for a term of up to 20 years and for such consideration as the Board of Selectmen shall determine, for the purpose of installing and operating thereon a solar photovoltaic array for electric power generation and distribution, and to authorize the Board of Selectmen to grant such easements in, on, under and across said land for utility and access purposes, as reasonably necessary to install and operate such a solar array. Parcel to be included in this authorization is the area at 285 Sutton Street known as the "100 Acre Lot," Parcel 138, Map 11; or take any other action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: Passage of this article would allow the Town to solicit proposals to lease part or all of the Town-owned property on Sutton Street for the construction of a solar photovoltaic array, which would likely be similar in design and appearance to others being constructed on privately owned parcels of land within the Town. A portion of the property was previously leased as a cornfield for \$3,500 annually. A lease of this nature, which would likely be up to twenty years, would likely pay a higher annual rate. Town Meeting will be given an opportunity to approve any proposed agreement.

MOTION: *Move that the article be accepted as written*

Motion to amend as follows: To see if the Town will vote to authorize the Board of Selectmen to lease a portion of the following parcel for a term of up to 20 years and for such consideration as the Board of Selectmen shall determine, for the purpose of installing and operating thereon a solar photovoltaic array for electric power generation and distribution, and to authorize the Board of Selectmen to grant such easements in, on, under and across said land for utility and access purposes, as reasonably necessary to install and operate such a solar array. Parcel to be included in this authorization is the area at 285 Sutton Street known as the "100 Acre Lot," Parcel 138, Map 11;

The motion is seconded.

Motion to Amend Article 16 Failed.

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Unfavorable Action (5-0-1): No specifics were presented to the Finance Committee. Without defined plans, the Finance Committee does not support this article.

VOTE NEEDED: Requires a 2/3rds vote (MGL c.40 Sec 15A).

Original motion is seconded.

Motion Failed.

ARTICLE 17: STREET ACCEPTANCE SAND WEDGE DRIVE

Accept as a public way the street known as Sand Wedge Drive as laid out by the Board of Selectmen, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, easements and appurtenant rights in and for said way for the purposes for which public ways are used in

the Town; or take any other action relating thereto.

SPONSOR: Citizen's petition

MOTION: To be provided by the Petitioner.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action - Conditional upon Town Counsel recommendation (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation, without prejudice. The work to approve the road has not been completed as of 04/24/12

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

VOTE NEEDED: Requires simple majority (M.G.L. c. 82 § 23)

No Motion.

No Action Taken.

ARTICLE 18 : UXBRIDGE STORM WATER MANAGEMENT AND EROSION CONTROL BYLAW

To see if the Town will vote to amend the General Bylaw of the Town of Uxbridge, by inserting a new §345 Storm Water Management and Erosion Control Bylaw to read as follows:

§ 345-1. Purpose

To ensure that the Town of Uxbridge complies with the provisions of the National Pollutant Discharge Elimination System (NPDES) as promulgated by the U.S. Environmental Protection Agency.

§ 345-2. Authority

This Bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, the Federal Clean Water Act, and pursuant to the various regulations promulgated by the U.S. Environmental Protection Agency, the Massachusetts Department of Environmental Protection, and the Massachusetts Department of Conservation and Recreation.

§ 345-3. Applicability

This Bylaw shall apply to all elements of the Town of Uxbridge municipal government, the School Department, all corporate and business entities with activities within the Town of Uxbridge, and all residents and owners of property within the Town of Uxbridge.

§ 345-4. Objectives

1. Protect water resources by preventing pollutants from entering the municipal storm water drainage system or any resource area;
2. Control soil erosion and sedimentation;
3. Control the volume and rate of storm water runoff resulting from land disturbance activities such as development and redevelopment;
4. Protect groundwater and surface water degradation or depletion;
5. Promote the infiltration and recharge of groundwater.
6. Ensure compliance with all Federal and State statutes and regulations relating to storm water management and erosion control; and,
7. Establish the Town of Uxbridge's legal authority to ensure compliance with the provisions of this Bylaw through permitting, inspection, and enforcement.

§ 345-5. Administration

1. The Department of Public Works (DPW) shall:
 - a. operate and maintain the Municipal Separate Storm Sewer System (MS4) in accordance with applicable Federal and State statutes and regulations;
 - b. shall file all applications and reports required for the MS4 with appropriate Agencies in a timely manner;
 - c. report to the appropriate Agency any evidence of illicit discharge of pollutants into the MS4;

- d. maintain a schedule of routine street sweeping activities;
 - e. ensure, to the extent practical, that all municipal properties comply with established Best Management Practices (BMPs) for control of storm water runoff and siltation; and,
 - f. implement a public education program to provide information to the community concerning the impact of storm water discharges on water bodies..
2. The School Department shall:
 - a. operate and maintain in accordance with the manufacturer's product guidelines the storm water and erosion control equipment installed at the Uxbridge High School-Capron Street, Quaker Highway school site; Taft Elementary and Whitin Middle schools and,
 - b. distribute educational materials to enhance student awareness of the impact on resource areas of illicit pollutant discharge and storm water runoff.
 3. The Planning Board shall:
 - a. ensure that all applications for development or redevelopment contain a Storm Water Management Plan that complies with the hydrological design requirements mandated by Federal and State statute and regulation to control construction site storm water runoff and soil erosion when the land disturbance exceeds Federal or State thresholds; and,
 - b. ensure that all applications for development or redevelopment contain provision to minimize or mitigate post-construction discharge into the MS4 or water resource areas.
 4. The Conservation Commission shall:
 - a. review all proposed development or redevelopment activities within the statutory limits of water resource areas;
 - b. issue appropriate "orders of conditions" for the same;
 - c. enforce all laws and regulations regarding erosion control and sedimentation;
 - d. review and monitor Storm Water Pollution Prevention Plans; and,
 - e. implement a pro-active information program to educate the public about the sensitivities of resource areas and the statutory and regulatory limits on activities in or near those sensitive areas.
 5. All corporate and business entities with activities within the Town and all residents and property owners shall
 - a. avoid depositing pollutants of any nature into the MS4, into water resource areas, or pervious surfaces;
 - b. immediately clean up any pollutants deposited on impervious surfaces;
 - c. direct rain water from down spouts toward pervious areas to the extent practical;
 - d. wash vehicles and equipment on pervious areas to the extent practical; and,
 - e. use Department of Environmental Protection best management practices to prevent lawn clippings, leaves, other organic detritus, or soil from being washed into the MS4 or a water resource area.

§ 345-6. Enforcement

The Conservation Commission shall investigate and take appropriate action in any instance where illicit discharge or disturbance of land resulting in soil erosion impacts the MS4 or any water resource area. Additionally, The Conservation Commission shall take enforcement action allowed by Federal or State statute or regulation.

§ 345-7. Exempt Activities

1. Normal maintenance and improvement of Town owned public ways and related infrastructure;
2. Normal maintenance and improvement of land in agricultural use;
3. Projects fully permitted prior to enactment of this Bylaw;
4. Projects that are equal to or less than the Federal or State minimum square foot guidelines*;

5. Development of a single buildable lot, not held in common ownership with adjoining land, that cannot be further subdivided, as long as the disturbed area does not exceed 50% of the total area.
6. Repair or replacement of septic systems when required by the Board of Health for the protection of public health;
7. Normal maintenance of existing landscaping, gardens, or lawn areas associated with dwelling houses or commercial structures;
8. The construction of fencing that will not alter existing drainage patterns;
9. The construction of utilities (gas, water, electric, telephone, etc.) that will not alter terrain or drainage patterns;
10. Activities conducted in accordance with an approved Massachusetts Department of Conservation and Recreation Forest Stewardship Plan; and
11. Regular maintenance of structures associated with the MS4.
 - At the time of enactment of this Bylaw, projects with an area of 40,000 square feet or less were exempt from storm water control guidelines. That minimum is subject to change by Federal or State regulators.

§ 345-8. Definitions

AGRICULTURE: The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act and its implementing regulations

ALTERATION OF DRAINAGE CHARACTERISTICS: Any activity on an area of land that changes the forces, quantity, direction, timing, or location of storm water runoff from the area.

BEST MANAGEMENT PRACTICE: an activity, procedure, restraint, or structural improvement that helps reduce storm water runoff or negate erosion or siltation.

CLEARING: Any activity that removes the vegetative surface cover. Clearing activity may include grubbing as defined below.

DEVELOPMENT: The modification of land to accommodate a new use or expansion of use, usually involving construction.

DISTURBANCE OF LAND: Any action, including clearing and grubbing, that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material.

EROSION: The wearing away of the land's surface by natural or artificial forces such as wind, water, ice, gravity, or vehicular traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENT CONTROL PLAN: That portion of any development or redevelopment plan, drawn up by the project's engineers and/or surveyors, reviewed and approved by the Planning Board, in conjunction with the Conservation Commission, and monitored by the Conservation Commission to control surface water runoff, erosion, and sedimentation during pre-construction and construction-related land disturbance.

GRADING: Changing the level or shape of the ground contours.

GRUBBING: The act of enhancing clearing activity by removing stumps and roots.

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water infiltrating the under lying soil. Impervious surfaces include, without limitation, roads, paved parking lots, sidewalks, driveways, and roof tops.

LAND DISTURBING ACTIVITY or LAND DISTURBANCE: Any activity, including clearing and grubbing, that causes a change in the vegetative cover or the position or location of soil, sand, rock, gravel, or similar earth material.

MASSACHUSETTS STORM WATER MANAGEMENT POLICY: The policy issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act and the Massachusetts Clean Waters Act.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4): The system of conveyances designed or used for collecting or conveying storm water, including any road with a drainage system, street gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or manmade or altered drainage channel, reservoir, and other drainage structures that together comprise the storm drainage system owned and operated by the Town of Uxbridge.

PERVIOUS SURFACE: any natural feature or manmade structure that allows storm water to percolate into the ground.

PRE-CONSTRUCTION: all activity in preparation for construction.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition, or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

RUNOFF: Rainfall, snow melt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water from its origin to another location; the product of erosion processes.

SEDIMENTATION: the process or act of depositing sediment.

SITE: Any lot or parcel that falls under the aegis of the Planning Board for development or redevelopment permitting.

SLOPE: The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

SOIL: Earth materials including loam, sand, gravel and rock.

STABILIZATION: The use, singly or in combination, of mechanical, structural, or vegetative methods to prevent or retard erosion.

STORM WATER: Rain water runoff or snow melt runoff that moves across the surface of the land.

STORM WATER MANAGEMENT PLAN: That portion of any development or redevelopment permit application submitted to the Planning Board that contains details prepared by an engineer or surveyor for structural or non-structural best management practices to manage and treat storm water runoff generated from permitted development or redevelopment activity. The Plan shall contain post-development or post-redevelopment plans for the operation and maintenance of continuing best management practices for storm water and erosion control.

STRIP: Any activity which removes the vegetative ground surface cover, including tree removal, clearing, grubbing, and storage or removal of topsoil.

WATER RESOURCE AREA: Any feature specified in the Massachusetts Wetlands Protection Act.

WETLANDS: Wet meadows, marshes, swamps, bogs, areas where ground water, flowing or standing water, or ice provide a significant part of the supporting substrate for a plant community for at least five months of the year; emergent and submergent communities in inland waters; that portion of any bank that touches any inland water.

§ 345-9. Severability

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

SPONSOR: Board of Selectmen (Storm Water Committee)

Commentary: The EPA's National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (NPDES MS4) program was implemented several years ago. As part of our effort to comply with that program, the Town then developed a Stormwater Management Plan (in 2003) which called for the adoption of a local stormwater management bylaw in advance of the 2008 EPA deadline. This bylaw initiative is only one of many "Best Management Practices" (BMP's) that we are implementing. The proposed bylaw is the product of work by the Stormwater Committee, which has reviewed existing provisions and experiences throughout the Commonwealth in order to establish a bylaw that has well-tested provisions. We are required to protect our water resources from the potentially damaging effects of stormwater runoff and in particular those effects of construction runoff and the changes to runoff that construction can cause. As written, this bylaw is probably the least intrusive

document that meets the needs of our accepted plan and is drafted in a manner that will allow the Conservation Commission, as the administering agency, to adopt regulations which will meet the needs and expectation of our residents while implementing the objectives of the NPDES MS4 program.

MOTION: *Move that the article be accepted as written, with the addition of the following amendments (Per recommendation of Town Counsel):*

Strike §345-7(4) as written, and insert the following:

§345-7 (4): "Projects containing an area equal to or less than the minimum applicable square foot requirements established by applicable Federal or State stormwater control regulations or guidelines. For purposes of this exemption, the applicable regulations or guidelines shall be those in effect as of the date final permitting of the Project is approved".

Add to §345-8 Definition between "Pervious Surface" and "Preconstruction"

"POLLUTANTS: Any substance attributable to water pollution, including, but not limited to rubbish, garbage, solid waste, litter, debris, yard waste, pesticides, herbicides, fertilizers, animal waste, domestic waste, industrial waste, sanitary sewage, wastewater, septic tank waste, mechanical fluid, motor oil, used oil, grease, petroleum products, antifreeze, surfactants, solvents, detergents, cleaning agents, paints, heavy metals, toxins, household hazardous waste, small quantity generator waste, hazardous substances, hazardous waste, soil and sediment."

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-1-0): This bylaw is necessary to keep current with federal and state stormwater regulations

VOTE NEEDED: Requires 2/3rds majority

The motion is seconded.

Motion Failed.

ARTICLE 19: ADOPT TOWN OF UXBRIDGE GENERAL BYLAW § 1-8 ENFORCEMENT

To see if the Town will vote to adopt the following general bylaw, or take any action relative thereto;

§ 1-8 Enforcement

A. Criminal complaint

In addition to other procedures for enforcement described in this article, whoever violates any provision of these bylaws MAY be penalized by indictment or on complaint brought in district court. Except as otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each offense or violation brought in this matter, shall be three hundred dollars.

B. Non-criminal disposition

In addition to other procedures for enforcement described in this article, whoever violates any provision of these Bylaws, the violation of which is subject to a specific penalty, MAY be penalized through non-criminal disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D. Non-criminal disposition may also be used to penalize violations of any rule or regulation of any municipal officer, board, or department, if such violation is subject to a specific penalty.

Without intending to limit the generality of the previous statement, it is the intention of this provision that the following bylaws and sections of bylaws are to be included in the scope of this subsection, that the specific penalties, as listed here, shall apply in such cases, and that in addition to police officers, who shall, in all cases, be considered enforcing persons for the purposes of this provision, the municipal personnel listed in each subsection, as well as the Town Manager, shall also be enforcing persons for such subsections. Each day on which a violation exists shall be deemed to be a separate offense.

GENERAL BYLAWS SUBJECT TO NON-CRIMINAL DISPOSITION

§ 146 Animal Control **\$25.00**

Enforcing persons: Animal control officer, Board of Health agent, designees

§ 157 Buildings, Numbering of **\$1.00**

Enforcing persons: Building Inspector, Fire Chief, Board of Health agent, designees

SPONSOR: Board of Selectmen (Town Manager)

Commentary: Massachusetts General Laws Chapter 40, Section 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 which provides for a sum to be paid as a penalty for the violation of a local bylaw. Currently, the Town's only available enforcement mechanism is to bring either a civil or criminal court action to enforce Town bylaws, which is a time-consuming and expensive process.

The goal in establishing this process is to provide a disincentive to violations of the general bylaws, as in the case of this article, narrowed to animal control and numbering of buildings.

MOTION: *Move that the Town vote to amend Chapter 1, Article 1 of the Uxbridge General Bylaws by adding the following subsection:*

§ 1-8 Enforcement

A. Criminal complaint

In addition to other procedures for enforcement described in this article, whoever violates any provision of these bylaws MAY be penalized by indictment or on complaint brought in district court. Except as otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each offense or violation brought in this matter, shall be three hundred dollars.

B. Non-criminal disposition

In addition to other procedures for enforcement described in this article, whoever violates any provision of these Bylaws, the violation of which is subject to a specific penalty, MAY be penalized through non-criminal disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D. Non-criminal disposition may also be used to penalize violations of any rule or regulation of any municipal officer, board, or department, if such violation is subject to a specific penalty.

Each day on which a violation exists shall be deemed to be a separate offense.

GENERAL BYLAWS SUBJECT TO NON-CRIMINAL DISPOSITION

§ 146 Animal Control **\$25.00**

Enforcing persons: Animal control officer, Board of Health agent

§ 157 Buildings, Numbering of **\$1.00**

Enforcing persons: Building Inspector, Fire Chief, Board of Health agent

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-1-0): This bylaw change allows some "bite" to the town's enforcement of these bylaws.

VOTE NEEDED: Requires 2/3rds majority

The motion is seconded.

Motion Failed by Teller count.

ARTICLE 20: AMEND THE TOWN OF UXBRIDGE ZONING BYLAW ARTICLE IX

ADMINISTRATION AND PROCEDURES § 400-47 ADMINISTRATION B. ENFORCEMENT

To see if the Town will vote to amend the following zoning bylaw, or take any action relative thereto;

Accompanying changes to the Zoning bylaws as with Art 19.

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

VOTE NEEDED: Requires 2/3rds majority

The motion is seconded.

Motion Failed by Teller count.

ARTICLE 21: INSPECTOR OF BUILDINGS/ZONING ENFORCEMENT OFFICER

To see if the Town will vote to establish the position of the "Inspector of Buildings/Zoning Enforcement Officer" to full-time status in the execution of the duties to insure compliance with the By-Laws of the Town of Uxbridge with matters of zoning, construction integrity and the safety of buildings, electrical codes, plumbing, and gas.

The volume of construction work on new and old sites requires full-time execution for the well-being and progressive development of the Town of Uxbridge, as well as the issues of proper zoning and safety of construction, electricity, and gas. New construction, such as a High School, requires the adequate surveillance of a full-time position.

SPONSOR: Citizen's Petition

MOTION: To be provided by the Petitioner.

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Unfavorable Action (6-0-0): Town Counsel and the Charter each show that this article is out of order. The Town Manager is responsible for staffing in town departments.

VOTE NEEDED: Requires simple majority

No Motion.

No Action Taken.

A motion was made and seconded to dissolve the 2012 Spring Annual Town meeting. The motion carried unanimously and town meeting was adjourned at 10:21pm.

A true copy attest,



Kelly J. Bickford
Uxbridge Town Clerk

10/10/10