

SEP 17 '10 AM 10:20

**TOWN OF UXBRIDGE  
21 S. MAIN STREET, UXBRIDGE, MA 01569  
BOARD OF SELECTMEN MEETING MINUTES  
BOARD OF SELECTMEN'S MEETING ROOM  
WEDNESDAY, AUGUST 25, 2010 – 7:00PM**

Present: Chair Beth Pitman, Vice-Chair Bruce Desilets, Clerk Jay Cahill, Selectman Cari Kay Robertson and Selectman Peter Baghdasarian. Also present Administrative Assistant Tracey Ante and Town Counsel Patrick Costello. Town Manager Michael Szlosek was not present.

**I. CALL TO ORDER AT 7:00PM**

- A. Announcements – Mr. Desilets announced ecoli testing at Pout Pond has ceased and therefore residents swim at their own risk after 9/20. Ms. Pitman announced 9/11 is the anniversary of Fly the Flag Campaign. Residents are encouraged to participate.
- B. Citizen's Forum – Jim Lynch, resident of Julia Drive advised the Board of the current status in seeking street acceptance and addressed concerns noted in the DPW report and costs associated thereto. Following discussion, the Board recommended moving to the next scheduled meeting to review and discuss the Determination of Completeness previously issued by the Planning Board.

**II. APPROVE MEETING MINUTES**

- 8/9/10 Executive Session Meeting Minutes – **MOTION by Mr. Baghdasarian to approve the 8/9/10 Executive Session Meeting Minutes. Seconded by Mr. Desilets, the motion carried 4-0-1 (Ms. Robertson abstained).**
- 8/13/10 Meeting Minutes – **MOTION by Ms. Pitman to approve the 8/13/10 Meeting Minutes, as amended. Seconded by Mr. Cahill, the motion carried 3-0-2 (Mr. Desilets and Ms. Robertson abstained).**
- 8/25/10 Meeting Minutes – **MOTION by Ms. Robertson to approve the 8/25/10 Meeting Minutes. Seconded by Mr. Baghdasarian, the motion carried unanimously.**

**III. OLD BUSINESS**

- A. Update on 8/18 SBC Meeting – Mr. Desilets updated the Board as to the 8/18 SBC meeting. Discussion included a report of Design Coordination Working Group, prioritization of alternates i.e. irrigation for playing fields, softball field package, practice fields, parking, football/track bleachers package, artificial turf field, baseball and field hockey and tennis court package. The next scheduled meetings are 8/23, 9/1, 9/8 and 9/15.
- B. Angel of Hope Monument/Charlie Smith Memorial Park – resolve sign issue – Mr. Francis Cove with the Historical Commission was present and discussed the

placement of the Charles R. Smith Memorial Park Sign approved by the Board of Selectmen. Material was provided to the Board (attached to the minutes). Mr. Brett Pomeroy, representing the Angel of Hope, discussed his concerns with the placement of the Charles R. Smith Memorial Park Sign. Discussion included changing the location of the sign, adding to the existing sign or adding an additional sign, costs associated thereto and DPW assistance in relocating the sign. The Board discussed the vote approving the current location of the sign and whether the Board made a mistake in their decision. The Board acknowledged there was a lack of follow-up and communication with the Angel of Hope and the Historical Commission. Mr. Bill Albin with the Historical Commission discussed the history of the formation of the park and naming of the pond. He further discussed the accomplishments of Charlie Smith. On September 18, 2010 at 10:30, there will be a ceremony dedicating the Charles R. Smith Memorial Park. Additional discussion included the proposed location of the new fire station, gray rock mansion and the debris at the location. **MOTION by Mr. Baghdasarian that the Board recognizes and approved the current placement of the Charles R. Smith Memorial Park Sign but it is not consistent with the Boards intent and all discussion was centered around Peaceful Pond. The Town will assist and relocate the sign at the Town's expense. Seconded by Ms. Pitman, the motion was 2-0-3 (Mr. Desilets, Ms. Robertson and Mr. Cahill abstained). MOTION FAILED. MOTION by Mr. Cahill that the Board fiscally support the relocation of the sign if submitted to the Board in writing by 9/30/10 and mutually agreed, in writing, by the two parties. Seconded by Ms. Robertson, the motion carried 4-1-0 (Mr. Baghdasarian opposed).** Mr. Cove expressed disappointment with the Board's Decision.

- C. CMRPC – BOS appointment – **Mr. Cahill volunteered to be the Board of Selectmen Delegate and Ms. Robertson volunteered to serve as the Board of Selectmen Alternate.**
- D. Update CAC – Mr. Barry Giles advised surveys are tabulated and the CAC is preparing information to present to the Selectmen. He advised new hire interviews have commenced and should be finalized by next week.

#### **IV. NEW BUSINESS**

- A. Vote Contract Amendments for the High School Project – Atty. Pat Costello advised he reviewed the retroactive Contract Amendments and noted the changes. He explained the contingency funds, basic services, extra services and sub consultant services. He advised as a general procedure, the Board should use caution using the contingency fund at this stage of the project. In the future, services should not be provided without an executed document. Additional discussion included process and procedures for future services and billing. Atty. Costello recommended the Board move forward in executing the amendments. Mr. Jeff Luxonberg with J&L was present and discussed the contract amendments, timing and approval process. He advised J&L will be tracking contingency reports and advise the Board monthly. (Amendments attached to the minutes).

- 1. Contract for Project Management Services Amendment No. 2 - J&L – **MOTION by Mr. Cahill to authorize the Chair to endorse the Contract for Project**

- Management Services Amendment No. 2. Seconded by Mr. Baghdasarian, the motion carried unanimously.**
2. **Contract for Designer Services Amendment No. 1 – RDA – MOTION by Mr. Cahill to authorize the Chair to endorse the Contract for Designer Services Amendment No. 1. Seconded by Mr. Baghdasarian, the motion carried unanimously.**
  3. **Contract for Designer Services Amendment No. 2 – RDA – MOTION by Mr. Cahill to authorize the Chair to endorse the Contract for Designer Services Amendment No. 2. Seconded by Mr. Baghdasarian, the motion carried unanimously.**
  4. **Contract for Designer Services Amendment No. 3 – RDA – MOTION by Mr. Cahill to authorize the Chair to endorse the Contract for Designer Services Amendment No. 3 and to include the transfer of \$70K from the Owner’s Project Contingency. Seconded by Mr. Baghdasarian, the motion carried unanimously.**
  5. **Contract for Designer Services Amendment No. 4 – RDA – MOTION by Mr. Cahill to authorize the Chair to endorse the Contract for Designer Services Amendment No. 4. Seconded by Mr. Baghdasarian, the motion carried unanimously.**
- B. **Vote to post the Warrant for the State Primary Election 9/14/10 – MOTION by Mr. Cahill to post the Warrant for the State Primary Election 9/14/10. Seconded by Mr. Desilets, the motion carried unanimously. (Attached to the minutes).**
- C. **Application for One Day Beer & Wine License – Uxbridge Rod and Gun club, Fundraiser Porketta Dinner, Saturday, 9/11 2:00PM – midnight - MOTION by Mr. Baghdasarian to grant the One Day Beer & Wine License to the Uxbridge Rod and Gun Club for 9/11. Seconded by Mr. Desilets, the motion carried unanimously.**
- D. **Application for One Day Beer & Wine License – Knight’s Of Columbus, St. Mary’s Parish and Good Shepherd Parish Family Day at Uxbridge Rod and Gun club, annual Chicken BBQ, Sunday, 9/19, 12-5PM – MOTION by Mr. Baghdasarian to grant the One Day Beer & Wine License to the Knight’s of Columbus for 9/19. Seconded by Mr. Desilets, the motion carried unanimously.**
- E. **Vote/acknowledge Mass Dover Amendment – High School local permitting process – Mr. Jeff Luxonberg with J&L was present and discussed the local permitting process. Atty. Pat Costello discussed the Mass Dover Amendment and advised communities generally designate the Building Inspector to assist in coordinating the local permitting with various Departments, Boards and Commissions. The Board had no objection.**
- F. **Per the Town Charter set open and closing date for the FATM November 16, 2010 Warrant (open date 8/26, close date 60 days prior to town meeting 9/17) – MOTION by Mr. Baghdasarian to set the opening date of 8/26/10 and closing**

**date of 9/17/10 of the November 16, 2010 Fall Annual Town Meeting Warrant. Seconded by Mr. Desilets, the motion carried unanimously.** The Board discussed that the Sponsor should be the person who presents and discusses the article at town meeting. There was no objection.

- G. Discuss/vote day of week and time change for BOS meeting – The Board discussed moving the meeting day and time. It was the consensus of the Board to remain with the same schedule. The meeting scheduled for 10/11 will move to 10/12 in observance of Columbus Day.

**V. MEMBER ISSUES**

Mr. Baghdasarian requested the Board consider sponsoring the article handed out for retreat lots (attached to the minutes). He discussed pending litigation relating to a Decision issued by the ZBA for Fafard/Scotland.

**VI. EXECUTIVE SESSION (MGL c.39, §23B)**

Update Police Union negotiations

**VII. ADJOURNMENT: Next BOS Meeting September 13, 2010**

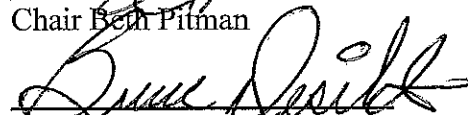
**At 10:00PM, MOTION by Mr. Baghdasarian to adjourn the meeting and enter executive session to discuss Police Union contract negotiations with no further business to follow. Seconded by Desilets, the motion carried unanimously on a role call vote (Pitman – aye, Desilets – aye, Cahill – aye, Robertson – aye, Baghdasarian – aye).**

*Minutes respectfully submitted by, Tracey Ante*

Minutes approved by Board of Selectmen:

  
\_\_\_\_\_  
Chair Beth Pitman

  
\_\_\_\_\_  
Selectman Peter Baghdasarian

  
\_\_\_\_\_  
Vice Chair Bruce Desilets

\_\_\_\_\_  
Selectman Cari Kay Robertson

  
\_\_\_\_\_  
Clerk Jay Cahill

9/13/10  
\_\_\_\_\_  
Date Approved

Attachments/DVD

COMMONWEALTH OF MASSACHUSETTS  
WILLIAM FRANCIS GALVIN  
SECRETARY OF THE COMMONWEALTH

SS. WORCESTER

To the Constables of the Town of Uxbridge

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at

PRECINCTS ONE, TWO, THREE AND FOUR

AT UXBRIDGE HIGH SCHOOL

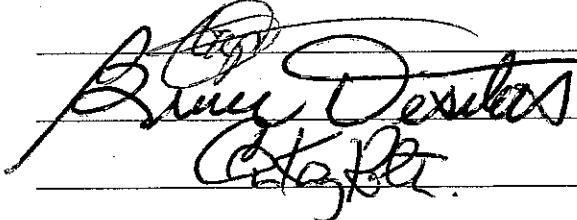
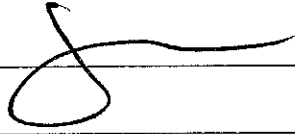
on TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER, 2010, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

GOVERNOR . . . . .	FOR THIS COMMONWEALTH
LT. GOVERNOR . . . . .	FOR THIS COMMONWEALTH
ATTORNEY GENERAL . . . . .	FOR THIS COMMONWEALTH
SECRETARY OF STATE . . . . .	FOR THIS COMMONWEALTH
TREASURER . . . . .	FOR THIS COMMONWEALTH
AUDITOR . . . . .	FOR THIS COMMONWEALTH
REPRESENTATIVE IN CONGRESS . . . . .	SECOND DISTRICT
COUNCILLOR . . . . .	SEVENTH DISTRICT
SENATOR IN GENERAL COURT . . . . .	WORCESTER & NORFOLK DISTRICT
REPRESENTATIVE IN GENERAL COURT . . . . .	EIGHTH WORCESTER DISTRICT
REPRESENTATIVE IN GENERAL COURT . . . . .	EIGHTEENTH WORCESTER DISTRICT
DISTRICT ATTORNEY . . . . .	MIDDLE DISTRICT
SHERIFF . . . . .	WORCESTER COUNTY
COUNTY COMMISSIONERS (if applicable) . . . . .	_____ COUNTY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 25<sup>th</sup> day of August, 2010.  
(month)

  
  
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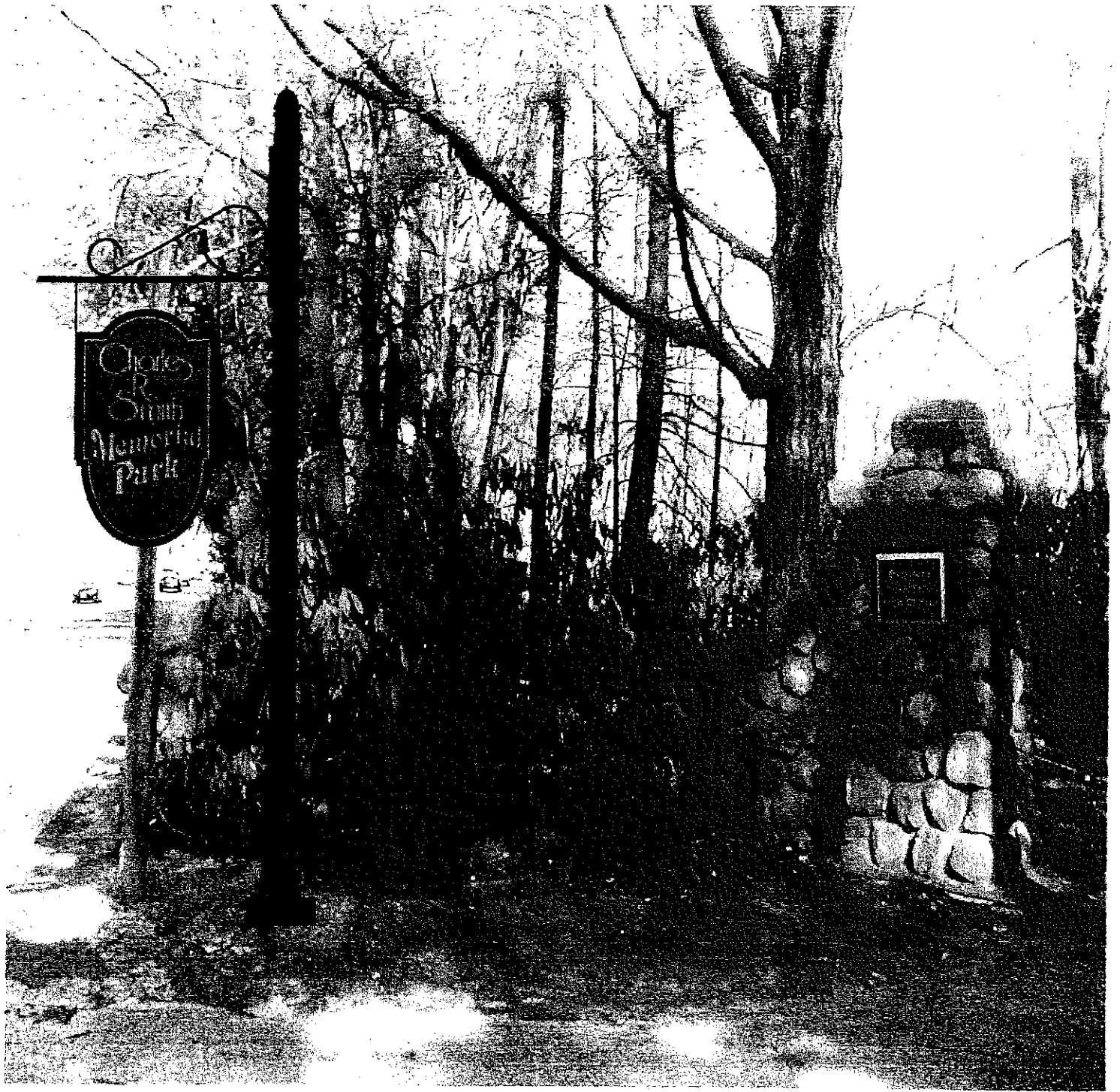
Selectmen of the Town of Uxbridge

Posted at Town Hall, Linwood Post Office, North Uxbridge Post Office, Millville Rd. Post Office,  
Department of Public Works on Hecla St.

(Indicate method of service of warrant.)

\_\_\_\_\_, 2010.  
Constable (month and day)

Warrant must be posted by September 7, 2010, (at least seven days prior to the September 14, 2010, State Primary).



Clare  
& Sam  
Memorial  
Park



pms 484

