

Received by  
Uxbridge  
Town Clerk

APR 15 '14 AM 10:52

**TOWN OF UXBRIDGE**  
**21 S. MAIN STREET, UXBRIDGE, MA 01569 – 508-278-8600**  
**BOARD OF SELECTMEN MEETING MINUTES**  
**BOARD OF SELECTMEN'S MEETING ROOM**  
**MONDAY, MARCH 24, 2014 – 6:00PM**

Present: Chair Tim Rice, Clerk Jennifer Modica, Selectman Lance Anderson and Selectman Peter Baghdasarian. Also present Town Manager, Sean Hendricks and Administrative Assistant, Tracey Ante.

**I. CALL TO ORDER**

1. Announcements - Chief Lourie recognized Officers John Larrabee and Sergeant Timothy Burke for their heroic actions during an attempted suicide. Their actions should stand as a model for others to emulate, as they used sound judgment and tactics to end a potential fatal event. Chief Lourie also recognized Officer Benjamin Smoot and Officer Timothy Dean for their commitment to service and community by inquiring and responding to assist their fellow officers and a distressed citizen. He is extremely proud of all the Officers involved.
2. Citizen's Forum – No one wished to be heard.

**II. HEARING**

G2 Sports Cards & Memorabilia, 6 S. Main Street – hear alleged complaints of violations of Town of Uxbridge General Bylaws Chapter 236, Sections 5, 6 and 7.

The Chair opened the hearing. No one was present on behalf of G2 Sports Cards & Memorabilia. Chief Jeffrey Lourie and Officer Steven Pryor of the Uxbridge Police Department were present. Officer Pryor discussed the history of events and ongoing violations (memorandum dated 1/2/14 attached to the minutes and made part of the record). Chief Lourie expressed the importance of the bylaw and the effectiveness of the new law. He recommended the Board enforce the policy. Following discussion, **MOTION, I, Mr. Baghdasarian, move that the Board suspend the sale/exchange of precious metals for G2 Sports Cards & Memorabilia, 6 S. Main Street for 30 days for non-compliance of the Town of Uxbridge Bylaws, pending a 10 day appeal period of the business owner. Seconded by Mr. Anderson, the motion carried 4-0.**

**III. BUSINESS**

**A. OLD BUSINESS**

1. Discuss/adopt revised CORI Policy - **MOTION: I, Mr. Anderson, move that the Board adopt the revised CORI policy. Seconded by Ms. Modica, the motion carried 4-0. (Policy attached to the minutes).**
2. SATM Warrant 5/13/14 – Discussion Citizen's Petition – Mr. Michael Potaski discussed the reasons why the citizen petitions were submitted for town meeting relating to a request for the Board to commission a comprehensive audit of all school departments and the petition submitted relating to direct the School department to terminate the business manager. No action was taken.

**B. NEW BUSINESS**

1. Update – Wastewater treatment plant – Mr. Benn Sherman, DPW Director and Mr. Marc

Drainville, with GHD were present and presented a power point presentation of the Comprehensive Wastewater Management Plan. They provided a history of the events, discussed the consent order schedule and implementation process. No votes or action was taken.

2. Accept gift - \$1500.00 from Morningside Landscape LLC of Uxbridge to Police Dept. – **MOTION: I, Mr. Baghdasarian, move that the Board accept with sincere thanks the donation in the amount of \$1500.00 from Morningside Landscape LLC of Uxbridge to the Uxbridge Police Department. Seconded by Mr. Anderson, the motion carried 4-0.**
3. Citizen's Complaint against Town Manager – **MOTION: I, Mr. Baghdasarian, move that the Board take no action. Seconded by Mr. Anderson, the motion carried 4-0.**
4. Street Light Restoration – Millville Road/Blackstone Street, Pole #1  
**MOTION: I, Mr. Anderson, move that the Board approve the Street Light Restoration Request for Millville Road/Blackstone Street, Pole #1. Seconded by Mr. Rice, the motion carried 2-2 (Mr. Baghdasarian and Ms. Modica opposed). MOTION FAILED.**
5. Approve Street Name – Sedum Lane (Deere Run Subdivision off Sutton Street)  
**MOTION: I, Mr. Anderson, move that the Board approve the Street Name for Sedum Lane. Seconded by Ms. Modica, the motion carried 3-1 (Mr. Rice opposed).**
6. April 2014 Newsletter – The Board reviewed the newsletter.
7. Town Manager Search
  - Discussion/Review Advertisement – Ms. Modica and Mr. Baghdasarian both provided draft advertisements for the town manager job posting. It was the consensus of the Board to merge both advertisements and that the manager's salary be increased to a range of \$100,000 to \$120,000. The Board agreed to an April 22 deadline for applications.
  - Discussion Search Committee – There was general discussion regarding appointing a search committee. No action was taken.
  - Discussion Interim Town Manager – **MOTION: I, Ms. Modica, move that the Board appoint the Finance Director, David Genereux as the Interim Town Manager effective Thursday, April 10, 2014 at the close of the business day.**

#### IV. MEETING MINUTES

3/10/14 Meeting Minutes - **MOTION: I, Ms. Modica, move that the Board approve the 3/10/14 Meeting Minutes. Seconded by Mr. Anderson, the motion carried 4-0.**

3/17/14 Meeting Minutes - **MOTION: I, Ms. Modica, move that the Board approve the 3/17/14 Meeting Minutes. Seconded by Mr. Rice, the motion carried 4-0.**

3/18/14 Meeting Minutes - **MOTION: I, Ms. Modica, move that the Board approve the 3/18/14 Meeting Minutes. Seconded by Mr. Rice, the motion carried 3-0-1 (Mr. Baghdasarian abstained).**

#### V. TOWN MANAGER UPDATE

The Town Manager touched base on the following topics:

- Update contract negotiations
- Update on monthly meetings attended

**VI. MEMBER ISSUES**

Members discussed the following topics:

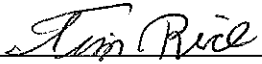
- Budget Review Process
- Board of Selectmen Goals/Priorities
- Economic Development

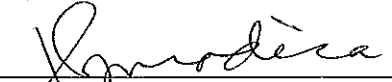
**VII. ADJOURNMENT: NEXT REGULAR SESSION BOS MEETING, MONDAY 4/14/14**

At 8:20PM, Mr. Rice adjourned the meeting.

*Minutes respectfully submitted by, Tracey Ante*

Minutes approved by Board of Selectmen:

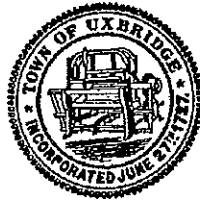
  
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Chair Tim Rice

  
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Clerk Jennifer Modica

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

\_\_\_\_\_  
Selectman Lance Anderson

Date Approved 4/14/14



Posted by  
Uxbridge  
Town Clerk

**POLICY OF THE BOARD OF SELECTMEN  
TOWN OF UXBRIDGE, MASSACHUSETTS**

**Criminal Offender Record Information (CORI)**

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, or the rental or leasing of housing, the following practices and procedures will be followed.

**I. CONDUCTING CORI SCREENING**

CORI checks will only be conducted as authorized by the DCJIS and MGL c. 6, §. 172, and only after a CORI Acknowledgement Form has been completed.

With the exception of screening for the rental or leasing of housing, if a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours notice that a new CORI check will be conducted.

CORI checks will be conducted every three (3) years on employees upon appointment and re-appointment and on volunteers working with special population upon appointment and re-appointment of the Town of Uxbridge.

**II. ACCESS TO CORI**

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. (Requestor Organization Name) must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

**III. CORI TRAINING**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at (Requestor Organization Name) will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

Additionally, if (Requestor Organization Name) is an agency required by MGL c. 6, s. 171A, to maintain a CORI Policy, all personnel authorized to conduct criminal history background checks and/or to review CORI information will review, and will

be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

#### **IV. USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING**

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

#### **V. VERIFYING A SUBJECT'S IDENTITY**

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

#### **VI. INQUIRING ABOUT CRIMINAL HISTORY**

In connection with any decision regarding employment, volunteer opportunities, housing, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

#### **VII. DETERMINING SUITABILITY**

If a determination is made, based on the information as provided in section V of this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and

(i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

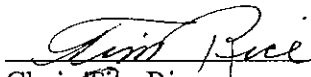
### VIII. ADVERSE DECISIONS BASED ON CORI

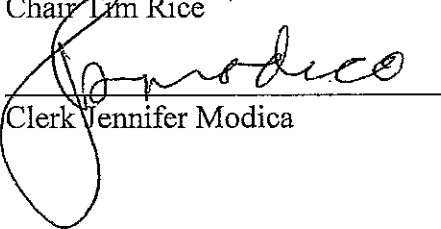
If the Town of Uxbridge is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

### IX. SECONDARY DISSEMINATION LOGS

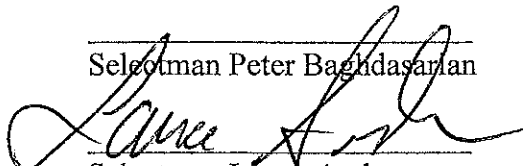
All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record *any* dissemination of CORI outside this organization, including dissemination at the request of the subject.

This policy enacted by the Board of Selectmen by vote at its regularly scheduled meeting on October 15, 2013 and revised on March 24, 2014 duly posted and noticed.

  
\_\_\_\_\_  
Chair Tim Rice

  
\_\_\_\_\_  
Clerk Jennifer Modica

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Selectman Peter Baghdasarian

  
\_\_\_\_\_  
Selectman Lance Anderson

3/24/14  
\_\_\_\_\_  
Date Approved

# UXBRIDGE POLICE DEPARTMENT

275 Douglas Street, Uxbridge, MA 01569-1851  
Telephone 508-278-7755 Fax 508-278-7874  
www.uxbridgepolice.com



Jeffrey A. Lourie Chief of Police

To: Chief Jeffrey Lourie

From: Officer Steven Prior

Subject: Town ByLaw Violation of Chapter 236 Precious Metal Dealers by G2 Sports Cards & Memorabilia 6 South Main Street, Uxbridge MA

Date: January 2, 2014

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Sir,

On Friday December 20 & 27, 2013 Officer Timothy Dean went to G2 Sports Card & Memorabilia at my request to check Mr. Fraga's Precious Metals sales receipts / book for a suspect I was investigating. This business buys Precious Metals and is licensed by the town.

Officer Dean gathered the information I requested from Mr. Fraga. The sales receipts were on plain white copy paper and contained the following information:

- photo copy of the sellers drivers license
- the date of the transaction
- the amount that was paid to the seller
- a photo copy of the items sold
- sellers signature

On December 27, 2013 Officer Dean informed me he asked Mr. Fraga about a purchase he made on 12/26/13 and if he still had the necklace. Mr. Fraga said he got rid of it.

According to Chapter 236 of the Town of Uxbridge ByLaws **section 5 (Waiting Period)** No article purchased or received shall be sold or altered in appearance, form or substance until a period of at least thirty (30) days from the date of its purchase or receipt has elapsed, thus putting Mr. Fraga in violation of this section.

After Officer Dean's visit on **December 20, 2013** I looked at the sales receipts he gave me and discovered there were no times printed on any of the receipts (5). This put Mr. Fraga in violation of **section 7 (Record Keeping Requirements)**, there were no inventory numbers listed on any sales receipts as stated it shall under section 7. I asked Officer Dean if Mr. Fraga had a book he took the sales receipts from as required under section 7, he said they were piled on the counter and not in a book. This put Mr. Fraga further in violation of section 7.

During the week of December 23, 2013 I had conversation with Mr. Fraga at the Uxbridge District Court House. I told him he needed to include the Time of the sale on the receipts of the items (precious metals) he buys. He needed to have a book where he keeps all his sales receipts and he needs to number each item. He also needs to deliver a copy of the week's purchases to the Police Chief of the Friday of each week. I even told him I would help him make a form so he could keep better records but he declined my offer.

I asked Chief Lourie if Mr. Fraga had been delivering copies of his weekly purchases of precious metals. The Chief told me Mr. Fraga had not. This puts Mr. Fraga in Violation of **section 6 (Weekly list of articles purchased required.)**

According to the Uxbridge Police Department Daily Log. Log # 13-12667 Dated **11/26/13**. Time of the call 2:38 PM: Chief Lourie and Officer Stuczynski went to G2 Sports Cards & Memorabilia located at 6 South Main Street and handed Mr. Fraga a copy of the updated Bylaw for purchasing precious metals. Mr. Fraga stated he was aware of the BYLAW change. A copy of the log entry is attached to this letter.

The Town Bylaw governing Precious Metals Dealers, Chapter 236 came into effect September 24, 2013. A few weeks prior to the 24<sup>th</sup> I visited Mr. Fraga at his 6 South Main Street business and handed him a copy of the Town Bylaw, explaining it in detail and told him the Bylaw would be in effect on September 24<sup>th</sup> and that he needed to check with the Town Manager's Office to be properly licensed. Mr. Fraga said he had been in contact with them and would contact the office before September 24<sup>th</sup>.

On Tuesday January 14, 2014 at approximately 12:20 PM I stopped at G2 and gave Mr. Fraga a white 3 ring binder containing a form I made to assist him in being in compliance with the Town Bylaw.

Since September 24, 2013 it appears Mr. Fraga has been in violation





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**POLICY OF THE BOARD OF SELECTMEN  
TOWN OF UXBRIDGE, MASSACHUSETTS**

**PRECIOUS METAL DEALER BYLAW, POLICY AND PROCEDURES**

**PURPOSE AND AUTHORITY**

The Uxbridge Board of Selectmen (hereinafter "Board") by the provisions of the Town of Uxbridge General Bylaws, C. 236, as the local licensing authority, hereby adopts the following policy and procedures for Precious Metal Dealer License for the Town of Uxbridge.

**GENERAL BYLAWS – CHAPTER 236 - PRECIOUS METAL DEALERS**

(Adopted at the Spring Annual Town Meeting 5/14/13)

**§ 236-1. Definitions**

**PRECIOUS METALS:** For the purpose of this bylaw, the term "precious metals" means and includes any precious metal, including, but not limited to, gold, silver or platinum without regard to the form or amount of such precious metal.

**PRECIOUS OR SEMI-PRECIOUS STONE OR GEMS:** any stone or gem that is rare or costly or any stone or gem that is of lower value than those classified as precious.

~~**ARTICLES:** The commodities defined within this section.~~

**DEALER:** Any person, corporation, or partnership who buys precious metal and/or precious or semiprecious stones or gems from the general public, whether in bulk or in manufactured form, with an intent to obtain a monetary profit for himself/herself or for a principal.

**§ 236-2. License Required**

- A. No dealer shall collect, deal in or keep a shop, residence or other location for the purchase, sale or barter of precious metals, and/or precious or semi-precious stones or gems in any building or place within the limits of the town without a license from the Board of Selectmen.
- B. The Board of Selectmen may, for a fee, license suitable persons to be dealers in for the purchase, sale or barter of precious metals, and/or precious or semi-precious stones or gems at such places within the town, as may be designated in such license, under such conditions and restrictions as are prescribed in this chapter, which shall be incorporated in every such license.

**§ 236-3. License fee**

The Board of Selectmen shall annually determine the license fee as described.

**§ 236-4. Transacting with minors prohibited.**

No dealer shall directly or indirectly, either purchase or receive by way of barter or exchange any of the articles of a minor, knowing or having reason to believe him/her to be such.

**§ 236-5. Waiting Period.**

No article purchased or received shall be sold or altered in appearance, form or substance until a period of at least thirty (30) days from the date of its purchase or receipt has elapsed.

**§ 236-6. Weekly list of articles purchased required.**

Every licensee under this chapter shall make out and deliver to the police chief (or his/her designee), on Friday of each week, a legible and correct list, containing an accurate description of all articles purchased during the preceding business week, the prices paid therefor, the time when such articles were purchased, and the respective numbers of such articles.

**§ 236-7. Recordkeeping requirements – Inspections.**

- A. Every dealer licensed as provided in this chapter shall keep a book in which shall be written, in English, at the time of every purchase, a description of precious metals and/or precious or semi-precious stones or gems so purchased, the name, age and residence of the person from whom purchased, and the day and hour when such purchase was made.
- B. Every such dealer shall, at the time of making any purchase, attach a number to each article purchased and shall make entry of such number in the book. Such book shall, at all times, be open for the inspection of the police chief or any member of the police department.

**§ 236-8. Posting of name and occupation.**

Every dealer shall display, in some suitable and conspicuous place in his shop, residence, or other place of business, a sign having his/her name and occupation legibly described thereon in large letters. Such shop and all articles purchased therein, may at all times, be examined by the police chief or member of the police department.

**§ 236-9. Violation-Penalty.**

Any person or entity not licensed as required under §2 of this chapter, who/which collects, deals in or barter precious metals and/or and precious or semi-precious stones or gems in any place or manner other than that designated in his/her/its license, or who/which engages in any such activity after notice to him/her that a previously issued license has been revoked, or any person or entity which violates any rule, regulation or restriction contained in his/her license, shall be subject to a fine to be determined annually by the Board of Selectmen; each day of such violation shall constitute a separate offense.

**APPLICATION POLICY/PROCEDURES**

The applicant must submit and obtain the following:

1. A completed Precious Metal Dealer Permit form.
2. Application fee made payable to the Town of Uxbridge in the amount of \$20.00.

3. A Criminal Background check will be conducted on the applicant and all employees. Please provide a completed CORI form.
5. A Business Certificate from the Town Clerk's office.
6. Zoning Compliance verification from the Zoning Enforcement Officer
7. Worker's compensation Insurance Affidavit and Insurance Certificate.

Licensee shall conform with the provisions of the Town of Uxbridge Zoning Bylaws, General Bylaws and the laws of the Commonwealth of Massachusetts.

**LICENSE INFORMATION**

Licenses are issued annually and expire on December 31<sup>st</sup>. The license must be posted in a conspicuous place upon the premises.

**VIOLATION/PENALTY**

All notices of violations and complaints received by the Board of Selectmen concerning the licensed property shall be placed in the file of the licensee.

The following shall serve as a guideline for minimum penalties/action to be taken by the Licensing Authority for license violations. These guidelines shall not preclude the Licensing Authority from taking additional action, as it may deem reasonable, necessary or appropriate in each situation:

<u>First Offense</u>	<u>Second Offense</u>	<u>Third Offense</u>	<u>Fourth Offense</u>
1-Day Suspension of License	3-Day Suspension of License	5-Day Suspension of License	10-Day Suspension of License
	(Consecutive Days)	(Consecutive Days)	(Consecutive Days)

The above penalties/actions shall commence on the day(s) specified by the Board of Selectmen. Suspension shall apply and relate to usual "business" days of the subject business.

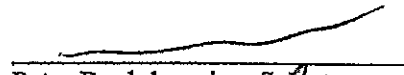
The Licensing Authority will notify police department of any suspension to ensure the establishment is in compliance.

If any further violations occur at the establishment during the term of any suspension, the Board shall revoke the suspended license.

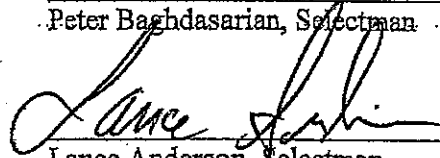
The licensee has the right to appeal any decision of the Board.


The Board of Selectmen enacted this policy, by vote, at its regularly scheduled meeting on 11/12/13, which was duly posted and noticed.

  
\_\_\_\_\_  
Tim Rice, Chair

  
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Peter Baghdasarian, Selectman

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Joe Frisk, Vice Chair

  
\_\_\_\_\_  
Lance Anderson, Selectman

  
\_\_\_\_\_  
Jennifer Modica, Clerk

Attachments: Precious Metal Dealer Permit  
Worker's Comp Affidavit  
CORI Form

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TOWN OF UXBRIDGE  
OFFICE OF THE BOARD OF SELECTMEN  
21 South Main Street  
Uxbridge, MA 01569-1851  
508-278-8600 Fax 508-278-8605

APPLICATION FOR PRECIOUS METALS DEALER PERMIT

Please complete all information.

Application Fee \$20.00

[General Bylaws Chapter 236]

Name of business: \_\_\_\_\_

Address of business: \_\_\_\_\_

Full name of applicant: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Current address: \_\_\_\_\_

Business Number \_\_\_\_\_ Cell Number \_\_\_\_\_

Email Address: \_\_\_\_\_

Form of business (check one):

Individual  Partnership  Association or corporation

If partnership, association or corporation:

List name and current address of all Officers, Directors of the corporation and all persons owning 10% or more of the stock in the corporation or interest in the partnership or association.

Names	Addresses
_____	_____
_____	_____
_____	_____
_____	_____

List all other names and addresses used now or in the past five years by the partnership, association or corporation:

Names	Addresses
_____	_____
_____	_____
_____	_____
_____	_____

List names of all current employees engaged in the practice of buying and selling merchandise:

Names	Addresses
_____	_____
_____	_____
_____	_____
_____	_____

The undersigned hereby applies for a license in accordance with the provisions of the statutes relating thereto.

Pursuant to MGL Chapter 62C, s. 49A, I certify under the penalties of perjury that I have, to the best of my knowledge and belief, complied with the law of the Commonwealth relating to taxes, reporting of employees and contractors.

Pursuant to MGL Chapter 152, s. 25A, I certify under the penalties of perjury that I have, to the best of my knowledge and belief, complied with the law of the Commonwealth relating to ~~Worker's Compensation Insurance.~~

Signature of applicant: \_\_\_\_\_ Date: \_\_\_\_\_

cc: Board of Selectmen  
Police Dept.  
Zoning Enforcement Officer

Attachments: CORI Form