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Uxbridge
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TOWN OF UXBRIDGE
BOARD OF SELECTMEN'S MEETING MINUTES
BOARD OF SELECTMEN'S MEETING ROOM
21 S. MAIN STREET, UXBRIDGE, MASS
AUGUST 22, 2016 – 6:00PM

Present: Chair Jennifer Modica, Vice Chair Jeff Shaw, Clerk Jim Hogan and Selectman Peter Baghdasarian. Also present Town Manager David Genereux and Administrative Assistant Tracey Ante.

I. CALL TO ORDER

1. Announcements

The Fall Annual Town Meeting Warrant for 10/25/16 closes on Friday 8/26/16 at 5:00pm for inclusion of warrant articles. The Town Manager's office will be open until 5:00pm that day and the Town Clerk's office, as needed.

2. Citizen's Forum

Mr. Anderson inquired about the road paving at South Street and the lack of notification. DPW Director, Benn Sherman provided clarification. There was additional discussion about scenic roads. Mr. George Goulet discussed the soil importation projects and the potential financial support to the town such as scholarships.

II. NEW BUSINESS

1. Appointments – School Committee (School Committee Members will be present)
The Board welcomed the interested parties to speak. Mr. Erick Voygt, Ms. Heidi Happy and Ms. Laura McGee discussed their interest in wishing to serve on the committee. The Board will meet on Monday, August 29, 2016 with the school committee to consider the appointments.
2. Blanchard Update – Representatives of the Virginia Blanchard Housing Associates were present. Mr. Harry Romasco announced “Good News” that the project has been awarded funding from the Department of Community Housing and Development. He discussed securing financial commitments and plan design/construction schedule. It is anticipated construction will be completed May 2018 with full rent-up of units for Fall 2018. He stated that this is a great project for the community. He thanked all involved for their efforts. No votes or action was taken.
3. Water Use Restriction (Acting as Water & Sewer Commissioners)
MOTION: I, Mr. Shaw, move that the Board implement additional water restrictions banning all outdoor water usage effective immediately. Seconded by Mr. Hogan, the motion carried 4-0.
4. Bylaw – Earth Removal/Soil Importation
MOTION: I, Mr. Shaw, move that the Board place the Earth Removal/Soil Importation Bylaw and the Amendment to the Use Table, as amended, on the Fall Annual Town Meeting Warrant. Seconded by Mr. Hogan, the motion carried 4-0.

Discussion Non Criminal Disposition – The Board had general discussion. The Board will research surrounding town bylaws for consideration at a future town meeting.

5. Fall Annual Town Meeting Warrant 10/25/16 – vote placement of warrant articles
MOTION: I, Mr. Shaw, move that the Board place the articles in the Placement Memorandum dated August 18, 2016 (attached to the minutes) on the Fall Annual Town Meeting Warrant. Seconded by Mr. Hogan, the motion carried 4-0.

DPW Director Benn Sherman requested the Board consider placing the article for NPDES Permit Compliance on the Fall Annual Town Meeting Warrant estimated at \$50,000 for support services. Following discussion, **MOTION: I, Mr. Shaw, move that the Board place the NPDES MS 4 Permit article, as presented, for Stormwater compliance (memorandum dated 8/18/16 attached to the minutes) on the Fall Annual Town Meeting Warrant. Seconded by Mr. Hogan, the motion carried 4-0.**

6. Annual License Renewals – The Board expressed interest in the license renewal process and it was suggested the Board review all the renewal materials and vote accordingly.
MOTION: I, Mr. Hogan, move that the Board rescind the administrative approval for the annual licenses and return that function to the Board of Selectmen. Seconded by Mr. Shaw, the motion carried 4-0.
7. Appointment – Historic District Commission – Marion Baker, full member
MOTION: I, Mr. Shaw, move that the Board appoint Ms. Marion Baker as a full member to the Historic District Commission. Seconded by Mr. Hogan, the motion carried 4-0.
8. Appointment – Historic District Commission – Michael Cove, Alternate Member
MOTION: I, Mr. Hogan, move that the Board appoint Mr. Michael Cove as an alternate member to the Historic District Commission. Seconded by Mr. Shaw, the motion carried 4-0.

III. OLD BUSINESS

1. Board of Selectmen Goals - **MOTION: I, Mr. Hogan, move that the Board approve the Board of Selectmen/Town Manager Goals for FY 2017/2018. Seconded by Mr. Shaw. There was no vote. Discussion ensued. There was discussion that the Town Manager should have his own goals. The Town Manager asked for clarification on his goals. Prior year goals were reviewed. It was suggested that the Town Manager should provide assistance to the Board to achieve their goals and have separate goals. MOTION: I, Mr. Hogan, move that the Board approve the Board of Selectmen Goals for FY 2017/2018, as amended. Seconded by Mr. Shaw, the motion carried 4-0. MOTION: I, Mr. Shaw, move that the Board continue the Town Manager Goals originally adopted on 6/22/15. Seconded by Mr. Hogan, the motion carried 4-0. (Goals attached to the minutes). Ms. Modica will provide further specificity on the Selectmen goals for discussion at a future meeting.**

IV. MEMBER ISSUES

There was inquiry on the relining of Route 122 in front of the fire station project. DPW will do the line work. Mr. Sherman provided a brief update on the Route 122 TIP project.

V. TOWN MANAGER

The Town Manager report is attached to the minutes.

VI. MEETING MINUTES

8/8/16 Meeting Minutes – **MOTION: I, Mr. Hogan, move that the Board approve the 8/8/16 Meeting Minutes, as written. Seconded by Mr. Shaw, the motion carried 4-0.**

VII. ADJOURNMENT: NEXT SCHEDULED BOARD OF SELECTMEN'S MEETING 9/12/16

Ms. Modica adjourned the meeting at 8:45pm.

Minutes respectfully submitted by, Tracey Ante.

Minutes approved by Board of Selectmen:

Jennifer Modica, Chair

Peter Baghdasarian, Selectman

Jeff Shaw, Vice Chair

Jim Hogan, Clerk

Date _____

9/12/16

ARTICLE : AMEND THE ZONING BYLAWS, ARTICLE X, DEFINITIONS AND APPENDIX A, TABLE OF USE REGULATIONS

To see if the Town will vote to:

Item 1

Amend the Zoning Bylaws, Article X, Definitions, by inserting the following:

Soil Importation: Refers to the trucking of soils, loam, sand, gravel or other fill material pursuant to Mass DEP 310 CMR40.0032(3), and Mass DEP Comm 15-01 from unregulated sites and tested soils from regulated sites. Tested soils that exceed state and federal guidelines for toxins are not included within this definition, nor allowed within the Town of Uxbridge.

Item 2

Amend the Zoning Bylaws, Appendix A, Table of Use Regulations, Section E, Industrial Uses, by inserting:

R-A R-B R-C A B I

Soil Importation ZBA ZBA ZBA ZBA N ZBA

Or take any action relative thereto.

SPONSOR: Board of Selectmen

MOTION:

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Amendments to the Uxbridge Zoning Bylaws requires a 2/3rds majority.

ARTICLE: AMEND CHAPTER 181, ARTICLE 1 OF THE UXBRIDGE GENERAL BYLAWS

To see if the Town will vote to amend Chapter 181, Article 1 of the Uxbridge General Bylaws as shown below (proposed changes shown in markup format)

Chapter 181

EXCAVATIONS/FILL

ARTICLE I

ARTICLE II

Earth Removal/~~Importation~~

Barriers

§ 181-1. Purpose.

§ 181-10. Safety measures required.

§ 181-2. Permit required; Exceptions penalties

§ 181-11. Barriers - violations and

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| § 181-3. Application for permit. | |
| § 181-4. Procedure for issuing permit. | |
| § 181-5. Conditions of permit. | ARTICLE III |
| § 181-6. Duration of permit. | |
| § 181-7. Annual reports and inspections. | Procedure |
| § 181-8. Permit fees. | |
| § 181-9. Violations and penalties. | § 181-12. Compliance § 181-13. Written Permit |

GENERAL REFERENCES

ARTICLE I

Earth Removal/Importation

181-1. Purpose.

The primary intent of this regulation is to establish guidelines and regulate the importation or excavation of soil, fill, loam, sand, or gravel. (for the purpose of this bylaw to be deemed "material" earth removal in the Town of Uxbridge.

181-2. Permit required; Exceptions:

The importation or removal of soil, fill, loam, sand, or gravel to or from any parcel of land in the Town of Uxbridge is prohibited unless a written permit therefor is obtained from the Planning Board as herein provided; except however, that no permit shall be necessary when soil, loam, sand, fill, or gravel must be imported or removed for the following purposes:

- A. To ~~Construct~~ a single or multi-family building being built in accordance with a permit issued by the proper Town Authority. ~~This will be exempt from a permit for up to 1,500 yards of material removed. The importation or removal of up to 1,500 yards of material shall be exempt from permitting. A permit from the Planning Board is required for importation or removal beyond 1,500 yards.~~
- B. To ~~Construct~~ a commercial building or facility that has met Planning Board and town approvals for a permit. Importation or Removal and/or hauling of material is permitted up to the amounts necessary to complete project according to approved plans. Additional importation or removal beyond the scope of construction of over 3,000 yards shall require ~~a Gravel Removal Permit from Planning Board.~~
- C. To ~~Construct~~ a public or private way within the town that has met all town approvals, and after the developer has put a covenant in place and recorded said covenant along with the conditions of approval by the Planning Board. Additional importation or removal of the material beyond the scope of construction of over 3,000 yards shall ~~need require~~ require a permit from the Planning Board. ~~Gravel Removal Permit.~~

D. Operate a licensed landscape/materials facility to sell/remove materials produced offsite and hauled into said facility.

D.E. General property improvement or maintenance, such as the installation of swimming pools, landscaping, construction of septic systems, and/or other property improvement or maintenance. The importation or removal of up to 1,500 yards of material shall be exempt from permitting. A permit from the Planning Board is required for importation or removal beyond 1,500 yards.

E.F. Importation or rRemoval of soils/materials is not considered part of a normal operation of a farm or garden and is not exempt from this Bylaw.

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§ 181-3. Application for permit.

- A. Any person wishing to obtain a permit to import or remove soil, fill, loam, sand, or gravel to or from any parcel of land within the Town shall file a written application with the Planning Board, which shall include the following information and documentation:
- 1) The legal name and address of the applicant. The name, address and telephone number of the individual overseeing the ~~gravel operation~~ proposed excavation and/or fill project.
 - 2) The location of the proposed excavation and/or fill project.
 - 3) The legal name and address of the owner of the property to be filled or excavated.
 - 4) A list of abutters, and abutters to abutters, within 300 feet of the location of the proposed excavation and/or fill project, as appearing in the records maintained by the Assessor's Office of the Town.
 - 5) A site plan of the land prepared by a registered land surveyor or registered professional engineer showing the existing contours and topography of the entire site of the proposed excavation and all abutting land within 100 feet of the proposed excavation and/or fill project. The site plan shall locate monuments sufficient to delineate the perimeter of the site at intervals of not less than 500 feet.
 - 6) A plan of the land showing the proposed contours and topography of the site when the proposed excavation and/or fill project is completed, showing a typical cross-section of the proposed final cover as well as any drainage or other structures that may be necessary.
 - 7) A proposal concerning the provisions of security for the final completion of the excavation and/or fill project in accordance with plans submitted and any additional conditions that may be attached to the permit.
 - 8) The Planning Board shall submit application materials to the Building Inspector/Zoning Enforcement Officer for review, approval and comments if a residential use shall occur.
- B. The Planning Board may, by regulation, prescribe forms for initial applications, extensions, and renewals, and such forms may require additional information as the Board shall determine to be necessary.

§ 181-4. Procedure for issuing permit.

- A. Prior to issuing any permit hereunder, the Planning Board shall hold a public hearing, notice of which shall be given by publication in a newspaper having general circulation within the Town and copies of which are mailed to each of the abutters shown on the list submitted with the application, at least seven days prior to the hearing.
- B. Prior to such hearing the Planning Board shall also send notice of the application to the Board of Health, Conservation Commission, and Planning Board and request such comment or advice as said Boards or Commission may deem appropriate.
- C. If, after hearing, the Planning Board determines that the permit application conforms to the requirements of § 181-2 hereof, and that the permitted operation would conform with the requirements of public health and welfare and be consistent with the sound development of the Town, the Planning Board may issue such permit upon the terms specified in this bylaw and subject to such additional conditions the Planning Board may determine to be necessary.

§ 181-5. Conditions of permit.

Every permit issued shall be subject to the following conditions:

- A. The portions of the permitted premises which have been filled or excavated shall be graded and leveled to conform to the approved final contour plan at least annually.
- B. After final grading and leveling and not later than October 15 of each year, the filled or excavated portion shall be covered with not less than four inches of suitable topsoil, and shall be seeded and planted with suitable ground cover within 200 feet of current excavation operations. All final contour slopes will conform to a 2 to 1 maximum. That is for every two (2) feet of horizontal travel only a one (1) foot drop maximum is allowed.
- C. No fill or excavation shall be undertaken within 100 feet of a public or private way or within 150 feet of a building or structure, unless the Planning Board specifically finds that such fill or excavation will not undermine the way or structure or otherwise be seriously detrimental to the neighborhood and such finding is endorsed on the permit.
- D. No swamp, pond, watercourse, or other wetland will be altered or polluted in any way without all necessary permits and no watercourses, drains, swales, culverts or other water channeling contours or structures shall be constructed unless shown on the plan submitted and approved.
- E. No fill or excavation will begin until security by surety bond, cash, or other approved method is provided to insure that the excavation will be carried out in accordance with the permit and that the final grades and cover are provided. Such security shall not be less

than \$2,000 for each acre of the proposed site. The security shall be released when suitable vegetation has been reestablished on the portion of the site for which it was provided.

§ 181-6. Duration of permit.

Every permit granted under this bylaw shall be valid for a period not to exceed one year. Any permit issued may be renewed by the Planning Board, without hearing, if the proposed fill or excavation will be conducted in accordance with a plan previously approved and if the annual report required by § 181-6 has been filed. Any expansion or extension of a permitted excavation will also be subject to a public hearing.

§ 181-7. Annual reports and inspection.

- A. One month prior to permit expiration, the permitted operator of an excavation shall submit a report showing the following information for the preceding permitted period of operation:
- 1) The amount of material filled removed.
 - 2) The type of material filled or removed.
 - 3) The area (square feet or acres) excavated and the area regraded, covered, and seeded.
- B. Every permitted fill or excavation project shall be open for inspection by the proper local officials and the Town's Engineer at all reasonable times. Every November the Town Engineer, at the applicant's expense, will do an annual site visit to verify that proper restoration has been completed according to the submitted plan and report findings to the Planning Board.

§ 181-8. Permit fees.

The Board of Selectmen thereto shall set all application and renewal fees. The applicant is responsible for peer review fees for new applications, annual renewal of applications, inspections, plan review and site visits for the Town's Engineer as deemed necessary.

§ 181-9. Violations and penalties.

Each day of fill or excavation without the permit required, or otherwise, in violation of this bylaw shall constitute a separate offense and shall be individually punishable by the fine provided in MGL c. 40 §21, Clause (17).

Or take any action relative thereto.

SPONSOR: Board of Selectmen

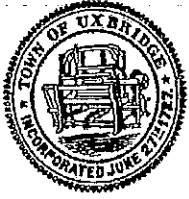
MOTION:

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

RECOMMENDATION OF THE PLANNING BOARD:

VOTE NEEDED: Amendments to the Uxbridge General Bylaws requires a simple majority.



TOWN MANAGER
Town Hall Room 102
21 South Main Street
Uxbridge, MA 01569-1851
508-278-8600 Fax 508-278-8605

August 18, 2016

From: David Genereux, Town Manager
To: Board of Selectmen

RE: Proposed Warrant Articles

Listed below is a list of draft articles for discussion and/or placement on the Fall Annual Town Meeting warrant by the Board of Selectmen. Please be advised that the wording of the articles themselves are subject to change.

ARTICLE 1: TRANSFER TO STABILIZATION

To see if the Town will vote to transfer and appropriate a sum or sums, including Free Cash to the Stabilization Fund Account;

Or take any action relating thereto.

SPONSOR: Town Manager

ARTICLE 2: FY17 BUDGET AMENDMENTS

To see if the Town will vote to transfer from available funds, including Free Cash, stabilization and enterprise retained earnings, and to appropriate, or to raise and appropriate, or to approve budget reductions, in order to balance the FY 2016 Town Budget approved under Article 4 of the May 10, 2016 Spring Annual Town Meeting;

Or take any other action relating thereto.

SPONSOR: Town Manager

ARTICLE 3: FY17 INTER/INTRA DEPARTMENTAL TRANSFERS

To see if the Town will vote to transfer and appropriate from available funds, including funds previously appropriated to other uses or Free Cash, Stabilization Fund and enterprise fund retained earnings, or to raise a sum or sums of money to appropriate to accounts and for purposes to be specified at the Special Town Meeting;

Or take any action relating thereto.

SPONSOR: Town Manager

ARTICLE 4: REVOLVING FUND ACCOUNT FOR DOG UXBRIDGE PARK ACTIVITIES

To see if the Town will vote to re-establish and authorize pursuant to GL c.44, §53E ½ a revolving fund for construction-related and operational costs associated with the Uxbridge Dog Park; under the Dog Park Committee, not to exceed \$12,000, derived from user fees, donations, sponsorships, and/or purchases of memorial bricks;

Or take any action relating thereto.

SPONSOR: Town Manager

ARTICLE 5: STABILIZATION FUND TRANSFER – NEW AMBULANCE AND RELATED EQUIPMENT

To see if the Town will vote to appropriate and transfer the sum of \$250,000 from the Town Stabilization Fund and to authorize the expenditure of up to that amount for the purpose of purchasing a new ambulance for the Fire Department, purchase of ambulance-related equipment; and to further authorize the Fire Department 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: Fire Chief

ARTICLE 6: STABILIZATION FUND TRANSFER – NEW LEVEL III HELMETS, LEVEL IV PLATES, FIREARMS

To see if the Town will vote to appropriate and transfer the sum of \$20,000 from the Town Stabilization Fund and to authorize the expenditure of up to that amount for the purpose of purchasing a new Level III Helmets, Level IV Plates and Firearms for the Police Department and to further authorize the Police Department 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: Police Chief

ARTICLE 7: APPROPRIATION FOR BOND PREMIUM

To see if the Town will vote to appropriate the premium paid to the Town upon the sale of bonds issued for high school construction, which are the subject of a Proposition 2 ½ debt exclusion, to pay costs of the project being financed by such bonds and to reduce the amount authorized to be borrowed for such project, but not yet issued by the Town, by the same amount;

Or to take any other action relative thereto.

SPONSOR: Town Manager

ARTICLE 8: APPROPRIATION FOR BOND PREMIUM

To see if the Town will vote to appropriate the premium paid to the Town upon the sale of bonds issued for fire station, which are the subject of a Proposition 2 ½ debt exclusion, to pay costs of the project being financed by such bonds and to reduce the amount authorized to be borrowed for such project, but not yet issued by the Town, by the same amount;

Or to take any other action relative thereto.

SPONSOR: Town Manager



TOWN OF UXBRIDGE
DEPARTMENT OF PUBLIC WORKS

147 HECLA STREET
UXBRIDGE, MASSACHUSETTS 01569-1326
508-278-8616 ♦ Fax 508-278-3179

Benn S. Sherman, P.E.
Director

MEMORANDUM

DATE: August 18, 20165
TO: David Genereux
FROM: Benn S. Sherman, P.E.
RE: **Fall Town Meeting Transfer/Proposed Article**

I have reviewed the status of the DPW operations and propose the following for consideration at the Fall Town Meeting in October 2016

Request: NPDES MS4 Permit Compliance = **\$50,000 (estimate)**.
Reason: The Town's engineering consultant, BETA, has submitted a proposal for stormwater GIS services in support of our NPDES MS4 permit compliance needs. This proposal includes a variety of field work needed to update the stormwater mapping for additional infrastructure that was added since the original collection in 20013/2004. In addition, the 2016 Massachusetts Small MS4 General Permit was signed April 4, 2016 and will become effective July 1, 2017. The final permit reflects modifications to the 2014 draft small MS4 general permit released for comment on September 30, 2014 and replaces the 2003 small MS4 general permit for MS4 operators within the Commonwealth of Massachusetts. Prior to the effective date of July 1, 2017, the Town will have to develop a new Stormwater Management Plan to reflect the work required under the 2003 permit, as well as, the new requirements under the 2016 permit.

Please advise as to the method (transfer vs. Article) selected for the warrant. Should you need additional information, please don't hesitate to contact this office.

CC: Paul Morante

MANAGER'S GOALS

Adopted 6/22/15

1. Provide for the efficient, effective and economical operation of all governmental agencies and personnel under the control of the manager.
 - A. The functions of every department needs to be analyzed and listed as essential or discretionary together with the resources devoted to each. Discretionary functions must be justified as to the importance for the "common welfare" of residents .
 - B. Functions mandated by state law which are overly burdensome to the community should be brought to the attention of the Board of Selectmen and our state senator and representative. Update unfunded mandates annually for next year.
2. Provide an operating budget that properly provides for the maintenance of all town facilities, departments and infrastructure within existing resources.
 - A. Including a realistic capital plan, justified yearly.
 - B. Identify areas of savings and potential budget busters.
3. Review permitting process for individuals and businesses to improve efficiency.

*Re-adopted
Bos Mtg
8/22/16*

BOS and TM Goals for FY 2017/18

Goal 1: Make the Government of Uxbridge the best in the Commonwealth

a) By understanding that the taxes we impose on property owners are not voluntary contributions. That every dollar we take from people is a dollar NOT AVAILABLE to the tax payer to spend as they wish.

b) By understanding that every origination wants to grow, to do more things. Our challenge is to counter the natural urge of government to constantly expand.

c) By asking our state rep and senator to eliminate state imposed mandates especially mandated wages that are two or three times the actual prevailing wages.

Goal 2: Review Building Fees

Goal 3:

Goal 4:

Create a master plan for Sutton Street that gives the various groups space for their activities
Town assets - working with the town manager, superintendent, BOS, and SC determine repairs/maintenance of all town/school buildings/assets and come up with a long term plan for addressing the issues, for example McCloskey Middle School requires approximately \$11 million in repairs

Goal 5:

Review available town-owned land/properties that could be sold or re-used. Pursue disposition of tax title properties that town has no interest in retaining. Work with the Conservation Commission and the proposed Open Space committee to identify land that we want to retain for open space and create plan to improve or maintain said property.

Goal 6:

Review By-laws & Regulations – review Town By-laws and regulations to identify those requiring updating or further attention.

Goal 7:

Update and reformat Board of Selectmen policies. Research prior actions/votes by BOS to ensure that all policies and procedures are included and being implemented.

Goal 8:

Come up with an economic and development plan/vision for the town of Uxbridge with input from boards/committees and citizens. What does the town want going forward for business and new growth?



**TOWN OF UXBRIDGE
TOWN MANAGER
21 South Main Street
Uxbridge, MA 01569-1851
508-278-8600 Fax 508-278-8605
dgenereux@uxbridge-ma.gov**

**David Genereux
Town Manager**

August 22, 2016

To: Board of Selectmen
From: David Genereux, Town Manager

RE: Town Manager Report

I am pleased to provide the Board of Selectmen with a report of current activities of the Town Manager's Office.

- Meeting with state/local officials regarding Sewer Treatment Plant Financials
- Attended schooling, Massachusetts Treasurer/Collector's Association
- Rollout/training for VADAR Accounting System
- Traveler's Insurance annual boiler/air tank inspections/O'Connell Fire Protection inspections on all municipal buildings
- Ongoing town hall maintenance

Please contact me with any questions.