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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
MONDAY, MARCH 13, 2017 – 6:00PM**

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

I. CALL TO ORDER - EXECUTIVE SESSION – 6:00PM

Litigation strategy involving the matters of *Richardson North Corp., et al v. Town of Uxbridge, et al.*, Worcester Superior Court, CA. NO. 1785CV00272 and *Hannon v. Town of Uxbridge, et al.*, USDC, Ca. No. 17-40022

MOTION: I, Mr. Hogan, move that the Board enter into Executive Session to discuss Litigation strategy involving the matters of *Richardson North Corp., et al v. Town of Uxbridge, et al.*, Worcester Superior Court, CA. NO. 1785CV00272 and *Hannon v. Town of Uxbridge, et al.*, USDC, Ca. No. 17-40022. Seconded by Mr. Shaw, the motion carried 5-0 by roll call vote (Modica - aye, Shaw - aye, Hogan - aye, Baghdasarian - aye Piccirillo - aye). {See Executive Session Meeting Minutes}.

II. CALL TO ORDER – REGULAR SESSION CONVENED AT - 6:50PM

1. Announcements – Ms. Kristen Black announced that Uxbridge Clean-up day is Saturday, April 1st 9am to noon. Volunteers should meet at the Town Common. Thank you to the Blackstone Heritage Corridor, Uxbridge Boy Scouts, Conservation Commission and the Board of Health for assisting in the organization of the clean-up day. For additional information, please contact the Board of Health.
2. Citizen's Forum – Mr. Lance Anderson inquired if the Board was searching for a new Town Manager. There was general discussion on transparency. Mr. Piccirillo stated he would like to see the Board search for a new Town Manager.

III. PUBLIC HEARING

FY 2017-2018 Water and Sewer Rates and Rate Structure
(PUBLIC HEARING CONTINUED TO MARCH 27TH)

The Town Manager announced that the hearing has been postponed due to receipt of notification from the Clean Water Trust that new debt will be coming on line for FY18 for the Route 122 Water Main project. Initially this debt was scheduled for FY 2019. Mr. Benn Sherman, DPW Director was present and discussed the rate structure and sewer capital needs. Following discussion, it was the consensus of the Board to have the manager draft a rate structure including an additional CIF and rate increase to build retained earnings to address capital needs.

IV. NEW BUSINESS

1. MIIA/Hassett & Donnelly – update – Attorney Mayo advised the Board that she is still awaiting a decision from MIIA to see if they will handle the filing with respect to the *Richardson North Corp., et al v. Town of Uxbridge*. No votes or action was taken.

2. Special Counsel, Mead, Talerma & Costa – Permitting Boards – update – Atty. Jay Talerma with Mead, Talerma & Costa was present and discussed his role as Special Counsel. He is currently assisting the Planning Board/Zoning Board of Appeals through the permitting application process as relates to the earth removal/soil importation projects and assisting the Board of Health in drafting soil importation regulations. There was general discussion. No votes or action was taken.
3. Gift Acceptance – Police Department – Chief Jeffrey Lourie announced that the Police Department has received a \$400.00 donation. With great sadness, he announced that there was a drug overdose in Uxbridge. The family asked that in lieu of flowers donations be made to the police department to combat drug issues. At this time, to allow the family to grieve, no names will be released. **MOTION: I, Mr. Hogan, move that the Board accept the gift to the Uxbridge Police Department, with thanks. Seconded by Mr. Piccirillo, the motion carried 5-0.**
4. Ballot question – Proposition 2 ½ override – school department – Supt. Kevin Carney was present and discussed the proposition 2 ½ override requested by the School Committee outlined in his letter dated March 13, 2017 (attached to the minutes). There was general discussion. The School Committee will vote a sum of money at their next scheduled meeting. The Board will continue discussions at their next scheduled meeting.
5. Presentation/update School Buildings – Mr. Jim Hogan discussed the Preliminary Findings Report for McCloskey, Whitin and Taft dated March 2017 prepared by the Uxbridge School Building Study Group. Also present was Supt. Kevin Carney. There was discussion on the group's mission, what the schools are facing/conditions, process followed and priorities for review. Recommendations include closing McCloskey School and reorganizing grades K-8. The next steps entail board/community outreach and administration creating a plan for space and operations in the three buildings. No votes or action was taken.
6. Resident property damage complaint – 4 Park Street – drainage issues – Mr. Chase was present on behalf of his brother and inquired about the status/repairs of the drainage issues at 4 Park Street. There was severe house/yard flooding during a rain storm. He attributed the flooding to the fire station project. Mr. Benn Sherman, DPW Director provided a brief history as outlined in his memorandum dated March 8, 2017 (attached to the minutes). MIIA has denied the claim. It was noted that the town has no funding source or the right to enter the property and make repairs. Following discussion, DPW will do further investigating/dye testing during the Spring to potentially identify drainage issues.
7. Resident property damage complaint – 14 Wall Street – granite wall – Mr. Plasko was present and discussed the damage to his wall alleging a town plow truck hit it and that the town is responsible for repairing the wall. Mr. Benn Sherman, DPW Director provided a brief history as outlined in his memorandum dated March 8, 2017 (attached to the minutes). MIIA denied the claim as there is no evidence a town truck hit it. Mr. Plasko stated he would be willing to issue the town an easement, as suggested by the Fire Chief, for public safety issues. This would potentially minimize any future issues traversing the corner. In evaluating the costs and improvements, including but not limited to, tree removal, stone wall removal and reconstruction, roadway alignment improvements and legal documents for town meeting, the town has no funding source. No votes or action was taken.
8. Local Initiative Program – Jackson Court – The Board passed over.
9. FY18 Town Manager's Budget Distribution – The Town Manager provided a brief overview of the budget. The Board will continue discussions at a future meeting.

V. OLD BUSINESS

1. Recall petition – endorse letter – There was discussion that by submitting this letter to state officials that it may discourage volunteers. Following discussion, MOTION: I, Mr. Piccirillo move that the Board endorse the letter as written. Seconded by Mr. Hogan, the motion carried 2-3 (Ms. Modica, Mr. Shaw and Mr. Hogan opposed). MOTION FAILED.
2. TM/BOS Responsibilities – There was discussion regarding the Town Manager/Board of Selectmen roles/responsibilities and reference to the Charter. The Board will continue discussions at a future meeting. No votes or action was taken.



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: March 8, 2017
TO: Board of Selectman
David Genereux, Town Manager
FROM: Benn S. Sherman, P.E. *Benn S. Sherman*
RE: 4 & 6 Park Street and 14 Wall Street Summaries

There were some discussions relative to the two locations referenced above at the last BOS meeting. The purpose of this memorandum is to provide you with background information and action items (if necessary) for each issue

14 Wall Street-Stone Wall Issue

According to the claim submitted to MIIA, the date of loss was April 3, 2016. The claimant alleged the stone wall bordering their property (Wall & Highland Park) was damaged by plow operations. On April 25, 2016, the claimant contacted the DPW regarding the wall (see attached email with pictures). I directed Paul Morante, Highway Supervisor, to investigate the claim. Both Paul and I visited the site. Paul spoke with the claimant and informed him to contact the Town Manager's office to submit a claim to the Town's insurance provider (MIIA). There does not appear to be any evidence a plow struck the wall. However, the stones may have been dislodged and subsequently pushed down the road by a plow. In my opinion, the wall has been in bad shape for years as you can see by the variety of stone styles on the wall and this issue was not caused by the plow operations. The DPW submitted the required Road Defect Form to MIIA for consideration. Based on conversations with MIIA and the road defect form, MIIA issued a denial letter to the claimant on May 2, 2016.

During the last BOS meeting, the discussion turned to the potential of obtaining an easement for public safety purposes in order to minimize any future issues traversing the corner. I discussed this situation with Chief Kessler and he felt there was no harm in evaluating what would be required to obtain an easement and determine what improvements are needed. Should there be any interest from the BOS, further investigation is needed to evaluate this easement. It is important to note there would definitely be costs borne by the town to both evaluate and if necessary construct improvements. Improvements would include, but not limited to, tree removal, stone wall removal and reconstruction, roadway alignment improvements and the development of easement legal documents needed for Town Meeting approval. At the present time, the DPW does not have any available funding to support this project.

4 & 6 Park Street-Drainage Issues

On October 21, 2016, the town received approximately 4.5 inches of rain within a 2 ½ hour period. The DPW received a call from Chief Kessler at approximately 10:00 pm to report flooding at the 4/6 Park Street residence. The DPW reviewed available GIS drainage system mapping and there were no identified drainage components in the area. Because of the flooding, the UFD elected to utilize the pumper truck to expedite the dewatering of the area to determine the impacts to the residence.

DPW staff from Highway and Wastewater visited the site and determined there was an existing catch basin



in the side yard. Following the October 21, 2016 event, DPW Highway Division staff attempted to remove soil and roots from the inside of the basin. Material was removed from the inside the catch basin to a point below the flow line of the PVC outlet pipe. They were unable to remove any material from within the pipe.

Based on historic information provided by the Mr. Chase, he believes the catch basin was connected to the Park Street stone wall (via a clay pipe) at some time prior to him purchasing the residence. During 2001/2002, he indicated the DPW was allowed access to the site and cleaned out the catch basin and replaced the clay pipe with PVC. This was confirmed through email correspondence with Larry Bombara.

I reviewed available information from the Worcester Registry of Deeds to see if there is any information relative to easements, plans or documentation supporting the claim the Town has drainage infrastructure between High Street and Park Street. I was unable to find any information that specifically reference easements granted to the Town. Over the next couple of months, I had a number of conversations with Mr. Chase to update him on the status of where things stood with the evaluation of the issue. I strongly encouraged Mr. Chase to contact the Town Manager's office and submit a claim to MIIA for consideration.

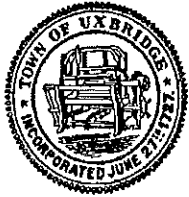
Based on the fact the DPW did not find any legal documents granting rights to the Town to operate or maintain infrastructure outside the layouts of the public ways in the area, I along with the Town Manager, suspended further investigations pending the review and determination from MIIA. I informed Mr. Chase this is a unique situation with the municipal system in Park Street, in addition to, potential unknown infrastructure located in the side yards between High and Park Streets.

The DPW completed the road defect form and provided supporting information to MIIA for consideration. On December 6, 2016, MIIA issued a denial letter to the claimant. Since snow and ice operations began to ramp up during December, no additional investigations were conducted in the area. However, the DPW intends to investigate the extent of the drainage network located on the westerly end of High Street and Park Street. Due to the limited resources within the DPW, we are talking with a pipeline assessment contractor to determine if it is feasible to engage them to further evaluate and/or confirm the drainage collection system in the area. Any potential work will depend on available budget and staff resources.

Attached to this memorandum are two attachments with additional supporting information for your review. If you have any questions or require additional information, please do not hesitate to contact this office.

Attachment A: 14 Wall Street Supporting Information

Attachment B: 4 & 6 Park Street Supporting Information



**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**

March 13, 2017

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.

- FY18 Budget completed/distributed
- Uxbridge Schedule A completed
- Spring Annual Town Meeting warrant drafted
- Training/demo new law - Freedom of Information Act
- Research/process various records request
- Coordinate/process various MIIA claims (property damage)/worker's compensation claims
- Attended various meetings
 - Meeting with State officials – treatment plant, soil importation projects
 - School walk-thru
 - Meetings with various Departments

Please contact me with any questions.

3. Zoning Bylaws – next steps – The Board passed over.

VI. MEMBER ISSUES

There was general discussion on the following topics:

- Planning Board permitting/tipping fees
- Financial needs of the Community

VII. TOWN MANAGER

The Town Manager report is attached to the minutes.

VIII. MEETING MINUTES

2/13/17 Release portion - Executive Session Meeting Minutes – **MOTION: I, Mr. Hogan, move that the Board release the portion of the 2/13/17 Executive Session Meeting Minutes pertaining to 32 S. Main Street. Seconded by Mr. Baghdasarian, the motion carried 5-0.**

2/15/17 Meeting Minutes – **MOTION: I, Ms. Modica, move that the Board approve the 2/15/17 Meeting Minutes. Seconded by Mr. Hogan, the motion carried 3-0-2 (Mr. Shaw and Mr. Piccirillo abstained).**

2/22/17 Meeting Minutes, as amended – **MOTION: I, Ms. Modica, move that the Board approve the 2/22/17 Meeting Minutes, as amended. Seconded by Mr. Piccirillo, the motion carried 4-0-1 (Mr. Hogan abstained).**

2/22/17 Executive Session Meeting Minutes – **MOTION: I, Ms. Modica, move that the Board approve the 2/22/17 Executive Session Meeting Minutes. Seconded by Mr. Baghdasarian, the motion carried 4-0-1 (Mr. Hogan abstained).**

2/27/17 Meeting Minutes – **MOTION: I, Mr. Baghdasarian, move that the Board approve the 2/27/17 Meeting Minutes. Seconded by Mr. Hogan, the motion carried 4-0-1 (Ms. Modica abstained).**

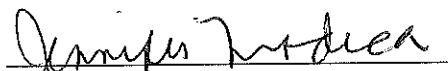
2/27/17 Executive Session Meeting Minutes – **MOTION: I, Mr. Baghdasarian, move that the Board approve the 2/27/17 Executive Session Meeting Minutes. Seconded by Mr. Hogan, the motion carried 4-0-1 (Ms. Modica abstained).**

2/27/17 Release Executive Session Meeting Minutes – **MOTION: I, Mr. Hogan, move that the Board Release the 2/27/17 Executive Session Meeting Minutes. Seconded by Mr. Baghdasarian, the motion carried 5-0.**

IX. ADJOURNMENT: NEXT SCHEDULED BOARD OF SELECTMEN'S MEETING 3/27/17


Minutes respectfully submitted by, Tracey Ante.

Minutes approved by Board of Selectmen:


Jennifer Modica, Chair

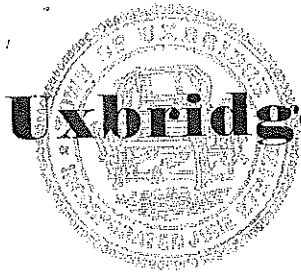

Jeff Shaw, Vice Chair


Jim Hogan, Clerk


Peter Baghdasarian, Selectman


Justin Piccirillo, Selectman

Date 27 Mar 2017



Uxbridge Public Schools

Office of the Superintendent
21 South Main Street • Uxbridge, MA 01569
Telephone (508) 278-8648 • Fax (508) 278-8612

cc: BOS 3/13/17 TA
3:30PM

Kevin M. Carney
Superintendent of Schools

March 13, 2017

Dear Chairwoman Modica and Chairman DeMers:

I am providing you with a summary of the Uxbridge Public Schools FY18 Budget scenario and the impact to the schools if a proposition 2 and ½ was to pass or fail. Please share this information with your board members.

At the Uxbridge School Committee Meeting on Tuesday, March 7, the administration reduced the Superintendent's FY18 needs-based operational budget by \$155,106, thus lowering the total request to \$22,096,428. This changed the budget deficit of \$711,036 as compared to the Town Manager's recommended school budget of \$21,385,392. In turn, the School Committee voted 6-0 to submit a Town Meeting warrant article requesting a five-year operational tax override for the Uxbridge Public Schools in the amount of \$2,980,000. Its FY18 portion of that request totals \$623,018.

Passing this override will protect over \$700,000 in staffing and program cuts. With the transfers of over \$900,000 in expenses to the general fund, which were previously paid from the School Choice revolving account, along with rising expenses in building maintenance, salaries, Special Education, and technology needs pinching the budget for next school year, the School Committee favored the override proposal.

Between FY10 and FY17, our eight-year trend in budget increases to the schools is 1.76%. Special Education costs alone have ballooned by an average of 20% over the past five years. Health insurance costs have increased by an average of 10% over this same time period. Increase in overall salary expenses have hovered around 3.5% in the past five years. The state has acknowledged that the Foundation Budget has understated Health and Special Education costs by approximately \$1 billion dollars in each of these line items. This naturally has a financial impact to local municipalities - especially for communities that have seen slow economic growth.

When annual budgets do not keep up with actual fixed cost expenses, districts have tough decisions and sacrifices to make. If we do not increase the revenue to pay for student services and programs, we need to trim back on fixed costs (like salaries) and programming. Our budget mostly covers legal requirements for education and contractual obligations. There is very little discretionary spending. There are not many people in our community who want to see athletic programs no longer funded in the budget or see elementary class sizes rise considerably and that is why we have spent down our School Choice monies to reduce cuts and balance our budgets without asking citizens to raise taxes. We are at the end of that road, however. Our School Choice reserves will likely be gone by the end of this school year.

The Uxbridge Public Schools ensures equal employment and educational opportunities for its employees and students and does not discriminate on the basis of race, color, creed, national origin, sex, gender identity, disability, or sexual orientation in compliance with Title VI, Title IX, section 504/ADA and G.L. c 151b and 157c.

Without the passing of a tax override, there is a possibility that Uxbridge High School and McCloskey Middle School athletics and activities expenses will be removed from the general fund budget in the amount of \$332,916. Parents could be expected to fund the programs.

Even with the tax override, potential reductions in middle school athletics, after school activities, and secretarial support could still occur if the district pursues its goals to expanding technology for all classrooms in the district and adding Foreign Language (Spanish) to the middle school course offerings. The School Committee is still considering the administration's budget reduction recommendations and final decisions are expected by early May. The School Committee could make adjustments to the administration's recommendations.

If the tax override was to pass at the ballot, it would potentially prevent the elimination of high school athletics from the budget, two reading specialists, one math specialist, one grade 4 teacher, two .5 assistant principals (newly proposed positions), and the reduction to two full-time school secretaries to half-time positions, and from moving the 18-22 year-old student program back into the high school. Furthermore, classroom access to technology would reach all classrooms in the district, with individual student access to technology devices in grades 4-8. The opportunity for Spanish instruction to begin by Grade 7 is also being considered as the School Committee debates priorities.

If the override fails, the six positions mentioned, athletics, and activities could be cut from the budget unless the School Committee considers other options that include reducing other elementary and middle school classroom teachers, which would result in raising class sizes to 25-29 students in some grade levels, cutting the Math Coordinator position, and cutting Professional Development.

With the \$623,018 override, the fiscal 2018 budget would represent a 5.15 percent increase over the fiscal 2017 budget. The initial proposal called for a 7.82 percent increase. With the school override, Uxbridge's fiscal 2018 budget would total \$21.7 million, up from \$20.6 million this fiscal year.

Override: What it means for taxpayers

The total amount requested for the override is \$2,980,000. This amount is based on a five-year budget plan designed by the administration and approved by the School Committee. Although 2.9 million is the override amount that will be asked to be approved at Town Meeting and at the ballot, the override would be taken in smaller annual appropriations. Those amounts and the actual annual costs of the override are listed in the chart below:

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Amount appropriated	\$623,018	\$799,352	\$473,798	\$484,089	\$599,743
Effect on tax rate	.39/1K val.	.50/1K val.	.30/1K val.	.31/1K val.	.38/1k val.
Annual cost to average home	\$113.45	\$145.45	\$87.27	\$90.18	\$110.54
Cost per month to average home	\$9.45	\$12.12	\$7.27	\$7.51	\$9.21

Based on the chart, the fiscal 2018 bill on the average home, valued at \$290,907, would rise from \$4,933.66 this year to \$5,047.12 in FY18, an estimated \$113.45 with the school override for the year or \$9.45 per month. The estimated effect of the override on FY18 tax bills is .39 for every thousand dollars of home value.

Discussion and debate will continue at the upcoming School Committee meetings on March 21, April 4, and May 2. Following guidance from the Department of Revenue, the final discussion and vote for the tax override warrant article will take place on March 21.

Respectfully Submitted,

Kevin M. Carney
Superintendent of Schools

cc: Uxbridge School Committee
Mr. David Genereux, Uxbridge Town Manager
Mr. Brian Hyde, Uxbridge Public Schools Business Manager