



TOWN OF UXBRIDGE
BOARD OF SELECTMEN'S MEETING MINUTES
BOARD OF SELECTMEN MEETING ROOM
21 S. MAIN STREET, UXBRIDGE, MA
MONDAY, JULY 10, 2017 – 6:30PM

Received by
Uxbridge
Town Clerk

Video of meeting discussions are available at www.uxbridgetv.org or by request at the Cable Access department.

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

I. CALL TO ORDER

The Chair called the joint meeting of the Board of Selectmen and Board of Health to order.

1. Announcements:

Mr. Hogan announced that Uxbridge Community Television and producer Steve Butler received a Silver Telly Award for best general how-to DIY programming. The Garage, with Steven Butler, has been picked up by the Public Broadcasting System and will be shown nationally on local PBS stations in the Fall.

Mr. Piccirillo made a request from the Board of Selectmen for citizens that would like to volunteer on a Water and Sewer Advisory Committee to submit talent bank forms.

Mr. Piccirillo reiterated a previous request for citizens and voters to provide feedback and opinions to the Town Manager and the Board about how the two positions are doing with their job for the town.

Mrs. Modica extended a thank you to the volunteers that assisted with the fireworks show which was a great success.

2. Citizens' Forum -Citizens were present and discussed the following topics:

- Dr. Tapscott of the Board of Health discussed appointing a recycling and sustainability committee to be a single-purpose, 1-year committee with extensions if needed, with the goal being to increase recycling and reduce waste.
 - Mr. Piccirillo suggested enlisting people that would be interested
 - Mrs. Modica suggested creating the charge in advance, have the BOH review it, and then bring it to the BOS

II. MEMBER ISSUES

Mr. Shaw asked if anyone had contacted National Grid regarding a pole that was repositioned at the end of the street about a month ago on East Street.

-Mr. Genereux stated he was gathering information on it and that National Grid would be contacted for that as well as the new lighting that was being put in. Mr. Baghdasarian added that there were also issues with the telephone wires being too low on South Main

Street and double poles. Mrs. Modica stated that National Grid could address this as well.

Mrs. Modica asked about several issues:

- Town Counsel Policy and the need to have it in place especially for RFP's (Requests For Proposals) going out for new Town Counsel. Mr. Piccirillo and Mrs. Modica stated they had done some research and would distribute that information.

-Citizen's acting without permission from the Board of Selectmen; legality and insurance aspects, expense of painting vs replacing, and asking volunteers who were painting fences on Town owned property to come before the Board of Selectmen to request approval before conducting work.

- The need to write up a charge for the Water and Sewer Advisory Committee. Mr. Piccirillo stated he would take that on.

Mr. Piccirillo had several questions for the Town Manager:

-It was brought to his attention that both the Library and Senior Center have been unable to access their A/P & A/R through the Vadar System for some time. Mr. Genereux stated he would contact IT and would need to know if was a system issue or if additional training was needed so the operators knew how to access the system.

-Mr. Piccirillo asked if the RFP (Request for Proposal) for Town Counsel had gone out yet. Mr. Genereux stated it had not. He said he wanted to wrap up a few things with the current Town Counsel first and that they had been on vacation.

III. TOWN MANAGER REPORT

Town Manager report is attached as an addendum to these minutes.

IV. NEW BUSINESS

Mr. Baghdasarian expressed his concern regarding the order of the agenda causing people to have to wait that have business with the Board. Mr. Hogan agreed with the concern. The Chair stated they could change it.

1. Conservation Commission request for Town Counsel opinion regarding enforcement orders:
 - i. 142 South St
 - ii. 9 Balm of Life Spring Rd
 - The Chair stated they would be passing over this agenda item.
 - The first issue being that two members of the Board of Selectmen are also members of the Conservation Commission and have access to all of the information on these two matters. The Chair stated he wanted to get data for the other members of the BOS so everyone is on the same page related to the two enforcement orders and then bring it back at the next meeting to discuss the request for counsel. He stated the BOS should not re-decide for the Conservation Commission any decisions that they have made.

- Mr. Hogan and Mrs. Modica disagreed. They expressed that Boards that vote to seek Town Counsel's opinion should not have to come before the Board of Selectmen to ask permission. Mr. Gorman stated there was no lawsuit and that they were seeking an advisory opinion pertaining to the two parcels Mr. Shaw stated they were seeking advanced discussion with Town Counsel to avoid a lawsuit.
- The Chair stated that he asked for information related to the enforcement orders and was denied. Mr. Hogan stated the response was "it's a public record"
- The Chair re-stated they were passing over this agenda item until the next meeting.

MOTION: I, Mr. Hogan, move that the Board of Selectman approve the Conservation Commission's request to speak with Town Counsel regarding possible enforcement action at two locations within the Town of Uxbridge. Seconded by Mrs. Modica.

The Chair asked for, and discussion was provided by Mrs. Modica and Mr. Hogan on the motion. Mr. Gorman asked if the Board voted in the negative, what information would they be looking for from the Conservation Commission. Mr. Piccirillo stated they would be looking for jurisdiction and the facts related to the enforcement order. Mrs. Modica read the request letter into record regarding the potential violations. Further discussion was held. Mr. Hogan stated the two members did not vote on the matter on the Conservation Commission. Mr. Piccirillo stated that the Conservation members had still seen the information. Mr. Shaw asked that they move to the vote. **The motion carried 4-1. (Mr. Piccirillo opposed)**

2. Review of letter from Mr. Morrissette (Uxbridge Board of Health Chair) regarding procedures and policies for appointments. Discussion of procedures and policies.
 - The Chair read the letter into the record. It stated that one of their members had to resign from the BOH to be reappointed to the Planning Board. Discussion was held, including a request that the Town Manager adhere to the Charter and reminded the Board that at the Fall Town Election the Town Meeting voted down an article prohibiting members from serving on multiple permitting/licensing Boards.
 - The Town Manager wrote a response letter.
 - Mr. Morrissette and the BOS had discussion regarding the issue, BOS and TM purviews, policies, authority, the Town Charter and appointment processes, licensing Boards vs permitting Boards.
3. Appointments
 - i. Board of Health seat - Fill vacancy through appointment
 - There was discussion regarding Board vacancies

The Board of Health Chairman called the BOH meeting to Order.

Dr. Tapscott had discussion with the BOS regarding the notification procedure for BOH vacancies.

- The vote to fill the vacancy was passed over due to procedural conflicts in the Charter.

The Board of Health then adjourned their meeting..

Mr. Genereux asked for clarity regarding whether or not to post all seats up for reappointment. The Board's consensus was posting was only needed for clear vacancies but not for candidate's with positions up for reappointment.

- ii. Trustees of Veterans' Memorial – Veteran's seat – Fill vacancy through appointment – Dennis Seely
 - passed over
- iii. Appointment – Cultural Council – Jennifer Lutton
 - passed over

4. Discussion relating to letter from Immanuel Corporation for administrative process of amending FEMA flood plain maps at 0 and 775 Millville Rd; request to remove areas of site from flood plain designation.

- passed over

The Chair stated additional information would need to be compiled and the Board would discuss it at a later meeting.

5. Cell Tower proposal at McCloskey Middle School lot, 62 Capron St.
 - The Town Manager gave the Board a summary and stated he did not recommend it as it brought in less than \$24,000 a year, it would be in the middle of town, surrounded by a residential neighborhood, and the location of the river but wanted to know the Board's opinion. Discussion was held and several questions posed for follow-up by the Town Manager.

6. Discussion of Zoning Bylaw Amendments relating to state marijuana legislation

- Discussion was had regarding a temporary moratorium
- Zoning
- Crafting the BOS' position
- Dispensary vs Grow Facility
- Specifying clear definitions
- Mrs. Modica said she would reach out to CMRPC, the school, and the Police Chief regarding General and Zoning Bylaws for Town Meeting

7. Zoning Bylaw Review

**A brief discussion was had regarding CMRPC, through a shared Community Compact Grant (with Millville), performing a zoning diagnostic to do a general review of the zoning laws identify areas that were wrong or inconsistent.*

MOTION: I, Dr. Hogan, move to authorize the Town Manager to work with the Town of Millville and CMRPC to perform a zoning diagnostic on the Uxbridge

Zoning Bylaws. Seconded by Mr. Shaw. The motion carried 4-1. (Mr. Baghdasarian opposed)

- i. Review and draft amendment, as necessary: §400-1 through §400-9

Points of discussion-

- Article I, 400-1-Check to see if *Section 2A of 1975 Mass Acts 808 and Article 89 of the Amendments to the Constitution of Massachusetts* is still active or if it's been codified into a law or if a new one pertains.
- Mixed Use Zoning District, the need for an inventory to capture it accurately, defining what the map layout would look like
- Eliminating the WMAROD, BMAROD, and ARDOD districts; further research and discussion needed, legal implications; alternately changing to "Mixed Use".
- Building Inspector's authority regarding boundary lines
- Zoning Enforcement Officer's authority for determination of zoning for a particular property

V. OLD BUSINESS

1. Set FY18 Board of Selectmen goals and objectives and adjust timing of annual review

The Chair presented suggested goals and objectives for discussion with the BOS

- Replace 2017 SATM budget amendments at the 2017 FATM
- Zoning Bylaw for 2017 FATM to deal with recent state legislation related to marijuana legalization/general zoning
- Review and submit rework of Zoning Bylaws by 2018 SATM (BOS suggested changing to 2018 FATM due to the budget warrant articles being presented in the spring)
- Create a long term financial model for Town budget
- Business plan for the Town

Discussion included achievable time goals, needs, mandates, water & sewer, zoning modification, opportunities for efficiency, economic development, funding gaps, identifying costs and when they will be in front of the Town, resources.

2. Set FY18 Town Manager goals and objectives and adjust timing of annual review

- Identify goals that are over and above regular duties/charged responsibilities
- Have measurable goals (specific goals with definitive time frame)
- Conduct the Town Manager evaluation prior to Spring Annual Town Meeting so performance can be assessed

VI. MINUTES

1. Signatures required on minutes as amended: 6/12/17

- The Board signed the previously approved 6/12/17 Minutes as amended.

2. Review and approve: 6/21/17

**MOTION: I, Mr. Hogan, move that the Board of Selectman approve the 6/21/17 Meeting Minutes as amended. Seconded by Mr. Baghdasarian
The Motion carried 4-0-1. (Mrs. Modica abstained)**

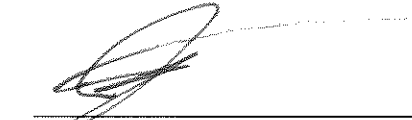
3. Review and approve: 6/26/17

- Minutes were passed over to the next meeting to allow members time to review.

VII. ADJOURNMENT: NEXT REGULAR BOARD OF SELECMEN'S MEETING: 7/24/17

**MOTION: I, Mrs. Modica, move that the Board of Selectman adjourn the meeting.
Seconded by Mr. Hogan. The Motion carried 5-0.**

Minutes approved by Board of Selectmen:

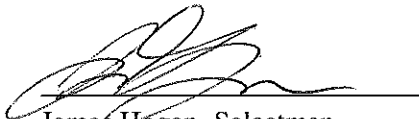


Justin Piccirillo, Chair & Clerk

Jeffrey Shaw, Vice-Chair

Peter Baghdasarian, Selectman

Jennifer Modica, Selectman



James Hogan, Selectman

Date _____



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David A. Genereux
Town Manager

MEMORANDUM

TO: Board of Selectmen
FROM: David Genereux, Town Manager *DG*
DATE: July 5, 2017
SUBJECT: Town Manager's Report for the BOS Meeting of July 10, 2017

I am pleased to offer the following report of the Town Manager's activities since June 26, 2017.

UNION CONTRACT NEGOTIATIONS

SEIU contract negotiations have been ratified by the union. This will complete all four union contract negotiations.

LEGAL

Had a telephone status update on matters with Special Counsel, which included the Board Chair and another Selectman.

FINANCIAL ISSUES

Continued work on the FY 2016 audit and FY 2017 financial documents

QUESTIONS FROM TOWN OFFICIALS (TO) AND/OR THE GENERAL PUBLIC (GP)

I fielded inquiries regarding the following topics:

- Status of putting flagpoles back on utility poles in the center of Town (GP)
- Unregistered vehicles (GP)
- Use and parking of the Building Inspector's car (TO)
- Formation on committees and associate members (TO)

ELECTRONIC PERMITTING

Had lengthy discussions with Accela systems regarding the problems with the implementation of our electronic permitting systems. We have are working on an action plan, which will either be an implementation or an exit plan.

TELEPHONE ISSUES

We are looking at replacing our Cisco systems telephones with a voice over IP solution. The current system is five years old, but is no longer supported by Cisco, or any other outside agency, making it near impossible to service. This system was purchased through Cisco's small business division through that was partially funded via insurance when a lightning strike crippled the

Police Station's telephone network. Since Cisco eliminated that division, there has been no available support, even though we sought contractors on three separate occasions. We also cannot expand the network, which would leave the new Fire Station with a shortage of telephones. The DPW network is twenty years old, and is in need of replacement.

The voiceover IP system uses the computer network, not outside lines. It will cost virtually the same amount of what we are currently paying for telephone service (25k) per year, and will allow the elimination of the separate networks that we are currently using for telephone service. The system will be maintained by our IT service provider.

We will maintain a hard line telephone in each building as a failsafe, but when the network is down, calls can be rerouted to any cell phone. There is no upfront costs, as the monthly charge includes all equipment. Our timeline for changeover to the new network is early fall.

CAPITAL PROJECTS

Discussed issue with the Fire Chief regarding rebuilding the two cardio units that are carried by the ambulances. We had planned on spending \$17,000 out of the municipal capital budget to refurbish them, but we have since discovered that they cannot be refurbished due to their age. We will be before the Capital Committee requesting a \$55,000 transfer from Stabilization at the Fall Annual Town Meeting. The reserve in the FY 2018 municipal capital account will now be \$57,000.

INSURANCE CLAIM

We have discovered mold infiltration in the Police Department network room. After conferring with our insurer, we have decided to remove the equipment from that room, disassemble it, and rebuild it as a storage closet. The equipment is going to be checked for damage, replaced as necessary and relocated in a new attic room. This will be covered by insurance, less the deductible and miscellaneous construction costs. The damage was caused, we believe, by water that was heated by the temperature of the adjacent furnace room, causing mold to infiltrate the network room through various areas including the electrical outlets. ServiceMaster is going to do the clean-up and remediation of the black mold.

VACATION CARRYOVER

I am requesting a carry-over of unused vacation hours in excess of the two weeks allowed by my employment agreement of 93 hours. I anticipate using these hours in the late fall after Town Meeting.

WORCESTER REGIONAL RETIREMENT

I personally delivered the check for the annual Worcester regional retirement assessment on July 5th. This check, which was for the full annual assessment, allowed the town to save approximately 3k for FY 18. You may recall that we missed the deadline last year and did not receive the early payment discount.

OTHER

- Completed department head salary changes for FY 2018 in keeping with the new four step schedule given the Board earlier this year.
- Produced appointment/reappointment/non-reappointment letters for terms ending on June 30th. Now beginning work on appointed committee vacancy and term issues.

- Updated Municipal Directory data through Massachusetts Municipal Association. All data was as of 06/27/17.
- Attended a long range planning meeting with BOS Chair, Capital Committee Chair, and Finance Committee Chair.
- Assisted Historic District Commission with production of mailers.
- Completed response regarding complaint by the BOH Chair.
- Planned process for completion of employee handbook
- Discussion with DPW Director regarding floodplain map issue and public records request
- Attended the July 7 Senior Center cookout.

Please contact me with any questions.