



**TOWN OF UXBRIDGE
BOARD OF SELECTMEN'S MEETING MINUTES
BOARD OF SELECTMEN MEETING ROOM
21 S. MAIN STREET, UXBRIDGE, MA
MONDAY, AUGUST 14, 2017 – 6:00PM**

**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 Zoning Board of Appeals to order.

II. EXECUTIVE SESSION

1. Richardson-North Corporation, et al, v. Mark Wickstrom, Member of the Uxbridge Zoning Board of Appeals, et al; Case #17 MISC 000271 -Discussion of litigation strategy and possible mediation.

The Zoning Board of Appeals Chairman called the Zoning meeting to order.

The Chair, Mr. Piccirillo, stated the Board of Selectmen would be returning to regular session after the Executive Session and that all votes would be taken by roll call vote.

MOTION: I, Mr. Hogan, move that the Board of Selectman move into Executive Session regarding Richardson-North Corporation, et al, v. Mark Wickstrom with "New Business" to follow. Seconded by Mr. Shaw. The Motion carried 5-0 by roll call vote. Mr. Baghdasarian -yes. Mr. Hogan -yes. Mr. Shaw -yes. Mr. Piccirillo -yes. Mrs. Modica -yes.

The Zoning Board of Appeals Chairman, Chris Currie, stated pursuant to MGL Chapter 30A Section 21A-3 it is necessary for the ZBA to enter into Executive Session jointly with the Board of Selectmen to discuss litigation, strategy, and possible mediation in regarding Case #17 MISC 000271 Richardson-North Corporation et al vs. Mark Wickstrom, Bruce Desilets, and Kevin Harn as members of the Uxbridge Zoning Board of Appeals et al and the Board will not reconvene at the end of the Executive Session.

He asked for a motion to enter into Executive Session for the purpose stated. Mr. Harn stated "So moved". Seconded by Mr. Currie. The Motion carried 2-0. Mr. Harn -AYE. Mr. Currie -AYE.

III. RETURN TO OPEN SESSION

1. Announcements:

*Mr. Piccirillo made a request from the Board of Selectmen for citizens that would like to serve on the *Water and Sewer Advisory Committee*.

Mr. Piccirillo stated the Town Manager and the Board are looking for volunteers to fill vacancies: Affordable Housing Committee, Cable Advisory Committee, Conservation Commission, Cultural Counsel, Historic Commission, Housing Authority, Parade Committee, Planning Board, Town Common Committee and Zoning Board of Appeals. Anyone interested may submit a Talent Bank Form to the Town Manager's office.

http://www.uxbridge-ma.gov/Pages/UxbridgeMA_Manager/talentbank.pdf

-Mr. Genereux had 3 announcements:

- o The Chair of the Capital Committee offered his assistance if needed with the Water/Sewer Committee.
- o The Board of Health advised that residents to make sure any solar eclipse viewing glasses were approved/ safe and not fake.
- o The Warrant is open for the Fall Annual Town Meeting and Citizen's Petitions are being accepted at the Town Manager's Office until Friday at 5:00PM, August 25th.

2. Gift acceptance from American Legion Post #33 'Riders

Police Chief Lourie stated the American Legion Post #33 Riders donated a \$500 gift was for a request of it being used for the Student Trooper program. He stated an Uxbridge HS student would be selected to attend that program next summer. He humbly asked that the Board of Selectmen accept with gratitude this gift and thanked the American Legion for their support.

MOTION: I, Mr. Hogan, move that the Board of Selectman accept the generous donation from the American Legion Post 33 Riders. Seconded by Mr. Baghdasarian. The Motion carried 5-0

Mr. Piccirillo thanked Chief Lourie and the American Legion for their generous donation.

3. Citizens' Forum

Citizens were present and discussed the following topics:

- Ms. Ouellette stated she had spoken with Senator Fattman who felt there was Federal money available to offset water/sewer fees. She asked the Board to look into it as people need assistance. She also asked that an expiration of CIFs be added to the bills. She also expressed that the water was undrinkable due to the added chlorine.
 - o Mr. Piccirillo stated that he, Mr. Shaw, and the Town Manager met with Representative McGovern and the feeling was that there may not be Federal money to assist. Mr. Piccirillo stated he would reach out to Senator Fattman for clarification and that the reason for their asking for volunteers to for a Water/Sewer Committee is to help understand these

costs to see what could be done to help lessen the cost to rate payers. He also stated the DEP required the chlorination of the water.

- Mr. Paulino stated he had spoken to the Board regarding a complaint he filed with the Town about a website previously posted by a former Conservation Member who disparaged certain town residents and Town Officials by name. He stated he did not receive a reply. The resident stated that this same person was now using the Uniquely Uxbridge Facebook page, a public forum where a large majority of Uxbridge activities are placed, to disparage a Selectman.
- Mrs. Gibson stated she was going to be applying a Cannabis license next year and asked if Uxbridge would be a friendly town for cultivation only. She explained to the Board the details of what that was and had a dialogue with the Board regarding the growing facility, state and local taxation, location, and other provided information to the Board.
 - One resident asked a question regarding security.
- A representative of Uniquely Uxbridge stated they had petitioned to have Court Street closed on September 2nd for Uniquely Uxbridge Day. He submitted paperwork to the Board.

IV. PUBLIC HEARINGS

1. Application for Cumberland Farms, Inc., for storage of flammable and combustible liquids, flammable solids, or flammable gasses, at N. Main and Hazel Streets
 - On behalf of Cumberland Farms Attorney Tom Reidy of Bacon Wilson, Amherst Massachusetts addressed the application with the Board along with Luke DiStefano of Bohler Engineering.
 - The safety features and design of the underground storage of 32,000 gallons of gasoline and 8,000 gallons of diesel were discussed.
 - Mr. Genreux asked on behalf of the Fire Chief if the properties had been acquired. Attorney Reidy stated they had not been but would be leased. He stated the license would run with the land and the other Cumberland Farms would be closed.
 - One resident asked questions and spoke to the Board and Fire Chief regarding the application
 - The Chief stated that the license goes to a property owner so the lots would need to be joined prior to issuing. Attorney Reidy stated a condition could be added to the license regarding unified ownership.

MOTION: I, Mr. Hogan, move that the Board of Selectman close the Public Hearing. Seconded by Mr. Baghdasarian. The Motion carried 5-0

MOTION: I, Mr. Shaw, move that the Board of Selectman issue a license to store flammable and combustible material [liquids, flammables, solids, or flammable gases] at North Main and Hazel Streets to Cumberland Farms and 165 Flanders Rd. Westboro MA contingent upon all 4 parcels coming under one ownership per the application. Seconded by Mr. Baghdasarian. The Motion carried 4-0. (Mr. Hogan was temporarily called away from the meeting prior to and during the vote)

The Chair stated the movement of the easement location on the property would be taken up at the next meeting.

2. Application for a Class II License (Motor Vehicle Sales) for Wild Fifty Sevens, Inc, 870 Quaker Highway

Mr. Hogan returned to the meeting.

MOTION: I, Mr. Baghdasarian, move that the Board of Selectman continue the Public Hearing to September 11, 2017 . Seconded by Mr. Shaw. The Motion carried 5-0

V. NEW BUSINESS

1. Zoning Board of Appeals request for Town Counsel support at meetings
 - Passed over; the ZBA Chairman was unable to attend the meeting.
2. Recommendation for FY18 pavement management plan
 - Full report submitted to the Board prior to the meeting
 - \$695,000 pavement program from Chapter 90 money and funds that have been turned back from closed projects over the past year and half; \$0.00 in local funding.
 - General discussion regarding the plan, safety issues, needs of road repairs in Town, details of planned street repair/re-pavement, financial and review process, software for work orders and requests.
3. Discuss options for citizens with road repair questions or concerns
 - Potholes on State roads call: 857-DOT-INFO
4. **taken out of order after New Business item #3 :(Acting as Water & Sewer Commissioners), Authorize MassWork Grant Application for Regional Septage Collection at Uxbridge Wastewater Treatment Facility*
 - The DPW director asked the Board to acknowledge that they wanted the application submitted on behalf of the Town for consideration.
 - Discussion was had regarding assistance with wastewater treatment plant, not being able to qualify for Federal assistance due to Uxbridge's statistics and population; only State funding is available at this time

MOTION: I, Mr. Hogan, move that the Board of Selectman acting as Water and Sewer Commissions authorize the MassWork Grant Application for Regional Septic

Collection of the Uxbridge Water Wastewater Treatment Facility and authorize the that a letter be sent, signed the, to illustrate the Board's support. Seconded by Mrs. Modica. The Motion carried 5-0

5. Approval of "No Trespass" signage and/or security measures at Blanchard School building and lot
 - The Town Manager stated there was a break-in and graffiti left. Due to it being Town Property the no-trespassing signs will read "No Trespassing per order of the Board of Selectmen." The developer will pay for the boarding up of the building and the Town will pay for the signage.

MOTION: I, Mr. Hogan, move that the Board of Selectman approve the adding of No Trespass sign with additional security measures to include but not limited to the boarding of the first story of the Blanchard School. Seconded by Mr. Shaw. The Motion carried 5-0.

6. Identify selectmen or designees to find and mark Town Boundary Markers per MGL Chapter 42, §2 -discuss communications with contiguous towns
 - A resident inquired at the Clerk's office and no records were found.
 - The Section was read into record
 - Discussion was had. Mr. Shaw said he would research it.
7. **taken out of order after New Business item #4* Request for street closure -Court St, 7:00AM to 2:00PM, September 2nd, 2017
 - Mr. Hogan began making a MOTION but withdrew it and amended it as follows after the Fire Chief requested it be open for emergency vehicles.

MOTION: I, Mr. Hogan, move that the Board of Selectman approve the street closure for standard traffic but to remain open for emergency services for Court Street from 7AM to 2PM for September 2, 2017. Seconded by Mr. Shaw. The Motion carried 5-0

8. Select BOS delegates to Central Massachusetts Regional Planning Commission (CMRPC)
 - Mrs. Modica volunteered.

MOTION: I, Mr. Hogan, move that the Board of Selectman select Jen Modica as the Primary for CMRPC. Seconded by Mr. Shaw. The Motion carried 5-0

MOTION: I, Mr. Shaw, move that the Board of Selectman select Mr. Hogan as the Alternate for CMRPC. Seconded by Mr. Shaw. The Motion carried 5-0

9. **taken out of order after New Business item #7* Presentation of Good Energy L.P., regarding municipal electricity aggregation; discussion relating to FATM warrant article
 - John O'Rourke of Good Energy provided a presentation to the Board
 - A proposed Town Meeting warrant article will allow the business to bid for the electricity loads of their residents and businesses for better rates than those from local utilities. Rates are fixed on average for 2-3 years as opposed to every 6 months.
 - The Board had no objections

VI. OLD BUSINESS

1. Economic Development & Planning position reporting to Town Manager; discuss creation of position, timing, financing
 - Discussion was had regarding the needs of the Town, professional assistance to move the Town forward, finances, timing.

MOTION: I, Mr. Hogan, move that the Board of Selectman endorse the creation of an economic development and planning position that will report to the Town Manager. Seconded by Mrs. Modica. The Motion carried 4-1. (Mr. Baghdasarian voted no)

2. **taken out of order after New Business item #9* Discussion of Town Meeting warrant articles relation to state marijuana legislation
 - Mrs. Modica drafted an article for a temporary moratorium that would expire on December 31, 2018; Mr. Piccirillo drafted an alternative Article would allow it in the Industrial Zone, with regulations
 - Discussion was had regarding taxation, timing, zoning, processes, regulations, licensing, MGL, Town Meeting/Special Town Meeting,
 - Residents and UPD Sergeant Burke spoke to the Board regarding the pros and cons.

MOTION: I, Mr. Hogan, move that the Board of Selectman put forward the proposed zoning amendment for the Uxbridge Zoning Bylaws to establish a temporary moratorium with the adjustment of the effective date through replacing December 31, 2018 with May 10, 2018. Seconded by Mrs. Modica. The Motion carried ~~2-2-1~~ 3-1-1. (Mr. Baghdasarian voted no. Mr. Shaw voted no. Mr. Piccirillo abstained.)

3. Discussion/Review/Approval of warrant articles for FATM 2017
The Town Manager reviewed/reviewed the warrant article summaries into record with a brief description/explanation of each along with answer questions from the Board.
MOTION: I, Mr. Hogan, move that the Board of Selectman approve the Warrant as

amended and to include the Moratorium Article as voted earlier in this meeting for the Fall Annual Town Meeting. Seconded by Mrs. Modica. The Motion carried 5-0.

4. Reconsideration of Town Counsel RFP
 - No action taken, discussion was taken up to approve of eliminating the RFP and making a motion to appoint at the next meeting.
5. Zoning Bylaw Review
 - i. Review and draft amendment, as necessary: §400-1 through §400-10
~~§400-10~~
 - The Town Manager stated there were 2 versions the Town Clerk had from 2004 which was 31 pages and 2007 which was 61 pages, before Codification.
 - General discussion was had regarding the pre-existing bylaw, Table of Use, Principle and Accessory Uses, Allowed vs. Prohibited Uses
 - The Board agreed to review it and discuss in September
6. Discuss and approve policies for interaction with Town Counsel
 - The Board touched upon current policy and practices, volunteer Board's legal needs, appeal process, record keeping practices
 - The Chair read the proposed revised policy draft and amendments into record
 - Mrs. Modica said she would draft a clean copy and provide it to the Board for approval at the next meeting.

VII. MEMBER ISSUES

1. The Chair read a section of the Open Meeting Law (OML) Guide, "What constitutes a deliberation", for review. He recommended that the Board keep that in mind regarding emails and facts vs. opinion.
2. Mrs. Modica asked about the cell tower information. The Chair stated he would follow up on the subject at the following meeting.
3. Mr. Hogan asked about the status of the alternate cooling units for the BOS room. The Town Manager stated he is awaiting proposals.
4. Mr. Baghdasarian informed the Board that the agenda of another Town body was not clearly marked as to what Board it was; had only the initials. He also discussed the amount of notifications on the bulletin board in Lower Town Hall. He questioned the formats of the different agendas.

VIII. TOWN MANAGER REPORT

1. Mr. Genereux stated it was in the Board's packet but due to the time he did not read it out. He information regarding one item not on the report item: an update regarding a barter agreement with Blackstone: the sharing of the Blackstone Animal Control Officer and the Uxbridge's ACO vehicle. (Report is attached in addendum to these minutes)

2. Mr. Piccirillo asked about the Sutton Street solar RFP/solar lease. Mr. Genereux stated he is re-writing it, no bites on it last time, taking it down to a small version to make it more attractive.

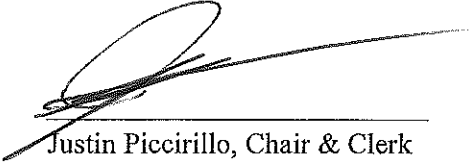
IX. MINUTES - Discussion had regarding the Minutes being less detailed and more generic. Mr. Piccirillo asked if anyone wanted to volunteer to do the Minutes. There were no volunteers. The remaining Minutes were passed over to the following meeting.

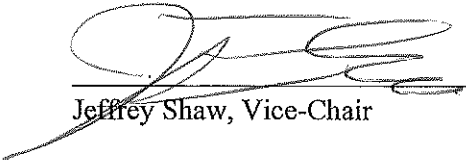
MOTION: I, Mr. Shaw, make a Motion to accept the Executive Session Meeting Minutes for Monday June 26th. Seconded by Mr. Baghdasarian. The Motion carried 4-0-1. (Mr. Hogan abstained)

X. ADJOURNMENT: NEXT REGULAR BOARD OF SELECMEN'S MEETING: 8/28/17

MOTION: I, Mr. Shaw, move to adjourn the meeting. Seconded by Mr. Hogan. The Motion carried 5-0.

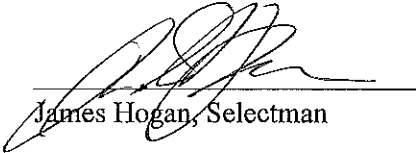
Minutes approved by the Board of Selectmen:


Justin Piccirillo, Chair & Clerk


Jeffrey Shaw, Vice-Chair

Peter Baghdasarian, Selectman

Jennifer Modica, Selectman


James Hogan, Selectman

Date Sept 25, 2017



TOWN OF UXBRIDGE
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David A. Generoux
Town Manager

MEMORANDUM

TO: Board of Selectmen
FROM: David Generoux, Town Manager
DATE: August 10, 2017
SUBJECT: Town Manager's Report for the BOS Meeting of August 14, 2017

I am pleased to offer the following report of the Town Manager's activities since July 24, 2017.

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

I fielded inquiries regarding the following topics:

- Multiple questions regarding water/sewer bills (GP)
- Resolved issue with sidewalk conditions on Elm Street (GP)

ELECTRONIC PERMITTING

Continued discussions with training subcontractor regarding past due invoice

OTHER

- Currently working on the municipal portion of the end-of-year report for the schools.
- Completed warrant article request for FA/TM.
- Completed mediation process with Fire Union regarding swapped time, achieving resolution.
- Worked with Accounting Department on employee transition.
- Finished contract negotiations with contract signing of SEIU and DPW unions.
- Appointment made to Conservation Commission. Still seeking experienced candidates for ZBA.
- Resolved final issues with school central office lease (Timing, brush removal, etc.)
- Met with Board Chair, Capital Committee Chair; attended Treatment Plant Committee meeting.
- Worked on Sutton St Solar RFP.
- Corresponded with Town Counsel on various open issues.

Please contact me with any questions.