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TOWN OF UXBRIDGE  
BOARD OF SELECTMEN'S MEETING MINUTES  
BOARD OF SELECTMEN MEETING ROOM  
21 S. MAIN STREET, UXBRIDGE, MA  
MONDAY, AUGUST 28, 2017 – 6:30PM

Received by  
Uxbridge  
Town Clerk

Video of meeting discussions are available at [www.uxbridgetv.org](http://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**

1. Announcements:

Mr. Piccirillo stated the Town Manager and the Board are looking for volunteers to fill vacancies, and in particular, the 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](http://www.uxbridge-ma.gov/Pages/UxbridgeMA_Manager/talentbank.pdf)

Mr. Shaw announced unfortunate news of the passing of a 32-year veteran of the Uxbridge DPW, Ronald "Dipper" Glode and provided details for the funeral arrangements.

Mr. Genereux announced the start of the Town's Sharps Program. The Board of Health office will have containers available for needles, free of charge. If the public has any questions, they may contact the Board of Health directly.

Mr. Robert Badzmierowski, Manager for the Uxbridge 9U Cal Ripken All Star League, announced the 9U Team's Championship win in the New England Regional Tournament. He also made a request to the Board to sponsor signage at the town entrance to commemorate the team performance.

**MOTION: I, Mr. Hogan, move that the Board of Selectman authorize the purchase and placement of two signs at the entrance of the Town of Uxbridge to honor the 2017 9U Cal Ripken All-Star Team, with placement at the discretion of the DPW Director. Seconded by Mrs. Modica. The Motion carried 5-0**

2. Gift acceptance from Unilock.

Police Chief Lourie humbly requested the Board to accept a generous donation of \$605 from Unilock for the Uxbridge Police K9 program.

**MOTION: I, Mr. Hogan, move that the Board of Selectman accept the generous donation from Unilock for the Police K9 unit. Seconded by Mr. Baghdasarian. The Motion carried 5-0.**

Mr. Piccirillo thanked Chief Lourie and Unilock for their generous donation.

3. Citizens' Forum

Citizens were present and discussed the following topics:

- Mr. Dubois reminded the Board of recent inconsistencies in direction from those directives provided by the Town Meeting. He also reminded the board members that

communications between members may be deliberative and warned against violations of open meeting law.

- Ms. Mitchell reminded the Board that not all approvals for the Cumberland Farms project had been granted, and expressed her opinion that project would not represent the best use of land in Uxbridge. Members reminded Ms. Mitchell of the authority of the Board of Selectmen in the matter, and she wished to remind viewers that it is 'not too late' to change the direction on the project.
- Mr. Anderson reminded the Board that they had voted to be a "Purple Heart Community" a few years back, but no signs had been erected. Mr. Genereux stated he would look into the matter.

## II. NEW BUSINESS

### 1. Eagle scout proposal

Mr. Robertson, candidate for Eagle Scout, explained to the Board that he would like to build a platform for the POW MIA chair that sits in a corner of the Selectmen's Meeting Room. He described the platform's design to the Board. It was agreed that he would bring a final design for the structure to the Town Manager's Office, where it would be forwarded to the Board for review and comment. Mr. Hogan reminded the Board that the chair should be brought to each Town Meeting as a reminder for those POW/MIA's who could not be there.

**MOTION: Mr. Hogan moved that that the Board support and allow the Eagle Scout project, with the assistance of the Town Manager. Seconded by Mr. Baghdasarian, the motion carried 5-0-0.**

### 2. Discussion/endorsement of Easement Relocation Agreement (for sewer and drainage) related to Cumberland Farms -- Uxbridge project.

Attorney Thomas Reidy explained the easement relocation to the Board, noting that the work to be performed would have a slight benefit to the drainage in the area. Mr. Genereux informed the Board that both the DPW and Town Counsel had approved the easement relocation.

**MOTION: Mr. Shaw moved that the Board accept the Easement Relocation Agreement. Seconded by Peter Baghdasarian, the motion carried 5-0-0.**

### 3. Presentation of Xiphos Wellness, Inc., a MA non-profit corporation, seeking a letter of support or non-opposition to a medical marijuana grow facility in Uxbridge.

Steve Croteau, a resident and Chief Financial Officer from Xiphos Wellness, Inc. introduced members of the company's legal, management, operations and security team, and explained their proposal for installation of a medicinal marijuana cultivation facility at 1045 Quaker Highway. Discussion was held regarding the matter, with Chiefs Lourie and Kessler adding commentary.

Mr. Baghdasarian was opposed to writing a letter of support, but would not object to a letter of non-opposition. Mr. Hogan concurred. Mr. Shaw asked to see comparisons of other host community agreements, which Attorney Romano agreed to supply. After further discussion, the consensus of the Board was to discuss the matter further at its next meeting.

**No motion was taken or vote held.**

4. Establishment of Advisory Committee – Recycling and Sustainability Committee on behalf of the Board of Health.

Dr. Tapscott from the Board of Health discussed the establishment of a recycling committee with the Board. Mr. Baghdasarian inquired whether the Board of Health could form the Committee on its own. Mr. Genereux stated that the Board of Selectmen had sole appointing powers of a temporary committee per the Charter.

**MOTION: Mr. Hogan moved that the Board establish a 5 member (with two alternates) Recycling and Sustainability Committee to advise and report to the Board of Health. Seconded by Mr. Shaw, the motion carried 4-1-0. (Mr. Baghdasarian voted against).**

5. Street light restoration request – 73 Elm St, pole #13

The requester was not present, and there were questions regarding the pole number and whether Public Safety had met on the matter. After short discussion, the item was pushed to a future agenda.

**No motion was taken or vote held.**

6. Select BOS delegate to attend Central Massachusetts Metropolitan Planning Organization (CMMPO) for Info and Member Selection Meeting – 9/13/17

There was a short discussion during which Ms. Modica stated she was going to run to be the CMMPO alternate or representative, depending on the wishes of the current representative.

**MOTION: Mr. Shaw moved that the Board select Ms. Modica as their delegate to attend the CMMPO meeting on 09-13-17. Seconded by Mr. Hogan, the motion carried 5-0-0.**

7. Town Manager - annual review

Mr. Piccirillo informed the Board that he had sent out requests members annual review of the Town Manager and stated that he had received no response or information. Discussion was held on the subject and Mr. Genereux said that previously there were not measurable goals in place and he would prefer to move forward with quarterly reviews. A resident asked to speak and concurred with Mr. Genereux, recalling a similar discussion with a previous town manager. Mr. Piccirillo contended that it is a valuable management toll that would be a benefit to Mr. Genereux, and that a review of past performance should be done.

**No motion was taken or vote held.**

### III. OLD BUSINESS

1. Town Meeting venue discussion

*\*taken out of order after New Business item #4*

Discussion was held regarding the visits made to the auditorium at the Valley Chapel. Mr. Genereux asked the should the Board vote to move town meeting that it be for all town meetings so as to minimize confusion regarding meeting location with voters. Other discussion occurred relative to the use of a religious building as a town venue.

**MOTION: Mr. Shaw moved that the Board move Town Meeting to the auditorium at the Valley Chapel, 17 Hunter Road. Seconded by Mr. Hogan, the motion carried 4-0-1 (Mr. Piccirillo abstained).**

2. Electronic voting system for Town Meeting – discuss / approve purchase  
*\*taken out of order after New Business item #4, following Old Business #1*  
Town Clerk Dumas was present to discuss the results of testing conducted with the electronic voting devices. Discussion was held regarding the purchase of Merida wireless voting keypads. Ms. Dumas recommended the purchase of 1,000 units at a price of \$27,000.

**MOTION: Mr. Hogan moved that the Board to authorize the purchase of 1,000 electronic voting devices and support systems from Meridia. Seconded by Mr. Shaw, the motion carried 5-0-0.**

3. Vote to accept Pavement Management Plan, or any discussion thereof  
*\*taken out of order after New Business item #4, following Old Business #2*  
There was discussion centered on the Pavement Management Plan with Benn Sherman, DPW Director.

*accept*  
**MOTION: Mr. Hogan moved that the Board the Pavement Management Plan, as written. Seconded by Mr. Baghdasarian, the motion carried 5-0-0.**

4. Discuss / endorse proposal for Wireless Communication Facility, location at Parcel 1485 (121 East Hartford Ave) or Parcel 1732 (62 Capron St)  
Discussion was held regarding a proposal for a wireless communication facility and associated revenues. The parties wishing to construct the facility proposed a fixed payment of approximately \$20,000 for siting the tower. The Board members felt that the revenue may not justify the project.

**No motion was taken or vote held.**

5. Identify selectmen or designees to find and mark Town Boundary Markers per MGL Chapter 42, §2 – discuss communications with contiguous towns  
There was some discussion on this matter. Mr. Shaw stated that he would seek out Scouts to assist in this project, and would update at a future meeting.

**No motion was taken or vote held.**

6. Zoning Bylaw Review
  - i. Review and draft amendment, as necessary: §400-1 through §400-10Discussion on this matter centered on whether the table of uses should be corrected or abolished. Discussion continued for some time.

**No motion was taken or vote held.**

7. Zoning Board of Appeals request for Town Counsel support at meetings  
The Board discussed a request from Zoning Board of Appeals Chair Currie (not present). Mr. Genereux stated that the current membership of the Board was dwindling and not experienced, and that he continued to seek experienced candidates. Mr. Shaw and Mr. Baghdasarian mentioned training and texts from which the members might benefit. Mr. Piccirillo suggested that Counsel fees were small when considering the cost of potential litigation.

**MOTION: Mr. Hogan moved that the Board support Town Counsel attendance ZBA meetings until the end of the calendar year. Seconded by Peter Baghdasarian, the motion carried 5-0-0.**

8. Discuss / approve BOS policy for Town Counsel interaction  
Mrs. Modica presented a blended version of two previously discussed Counsel Use policies, and read the proposed policy into the record.

**MOTION: Mr. Hogan moved that the Board support the amended Town Counsel use policy. Seconded by Mr. Shaw, the motion carried 4-1-0 (Mr. Baghdasarian opposed).**

9. Discussion related to Town Counsel appointment, and appointment thereof  
Mr. Genereux reiterated his support for the firm. Mr. Piccirillo stated that he found some answers received by a particular staff member to be difficult to interpret. Mr. Genereux stated that he would work with questions posed to Counsel to ensure that the future responses were more clear.

**MOTION: Mrs. Modica moved that the Board reappoint the firm of Louison, Costello, Congdon & Pfaff as Counsel for the Town, at the rate of \$175.00 per hour until June 30, 2018. Seconded by Mr. Hogan, the motion carried 5-0-0.**

#### IV. MEMBER ISSUES

1. Discussions related to BOS email

Mr. Piccirillo read examples of emails into the record sent between members and reminded members of the Open Meeting Law statute. The chair also reminded the members of examples provided of recent rulings relating to email correspondence and deliberation.

*Mr. Shaw exited the meeting <sup>before</sup> during this discussion.*

Mr. Hogan brought forward a memorandum provided by the Chair relating to a request for an agenda item. Discussion was held relating to the use of Board of Selectmen letterhead. The commentary was duly noted by the Chair.

Mr. Hogan also inquired if there was a serious plan to merge with the Town of Uxbridge. The Chair replied that there was not.

#### V. TOWN MANAGER REPORT

The Town Manager report is attached to the minutes. Mr. Genereux commented that he was nearly complete in the hiring process for a part time assistant, which he hoped would be funded as a full time position at the Fall Annual Town Meeting. He further explained an IT issue for which he was seeking a reserve fund transfer from the Finance Committee.

**VI. MINUTES**

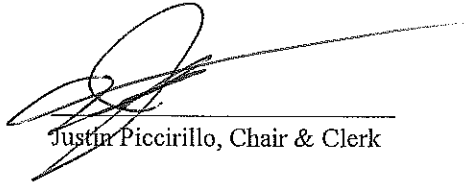
Mrs. Modica stated that she was not ready to approve meeting minutes, as she noted that they were received late on Sunday and that she had found two errors in the first set of minutes.

No motion was taken or vote held.

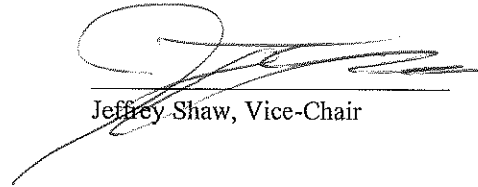
**VII. ADJOURNMENT: NEXT REGULAR BOARD OF SELECMEN'S MEETING: 9/11/17**

**MOTION: Mr. Piccirillo asked for a motion to adjourn and Mr. Hogan, so moved. Seconded by Mr. Baghdasarian. The Motion carried 4-0-0.**

Minutes approved by the Board of Selectmen:



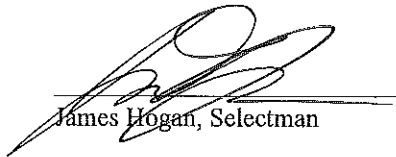
Justin Piccirillo, Chair & Clerk



Jeffrey Shaw, Vice-Chair

Peter Baghdasarian, Selectman

Jennifer Modica, Selectman



James Hogan, Selectman

Date Sept 25, 2017



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[dgeneroux@uxbridge-ma.gov](mailto:dgeneroux@uxbridge-ma.gov)

David A. Genereux  
Town Manager

MEMORANDUM

TO: Board of Selectmen

FROM: David Genereux, Town Manager

DATE: August 23, 2017

SUBJECT: Town Manager's Report for the BOS Meeting of August 28, 2017

I am pleased to offer the following report of the Town Manager's activities since August 10, 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)
- Burn issue for winter maintenance (GP)
- Tree issue on Henry Street (GP)
- Possibility of expansion of regional Animal Control (GP)
- Licensing issue (resolved) (GP)
- Complaint regarding town roads (GP)

ELECTRONIC PERMITTING

Continued discussions with training subcontractor regarding past due invoice

IT ISSUES

The vendor who provides us with email back up services recently informed us that they were going to be discontinuing that ongoing service as of December 1. We received this information in June, well after Town Meeting. Our current provider backs up email once a month and sends us a disk as part of the archive. It meets the minimum standards of the Public Records Act, but is not user friendly, as each archived disk must be searched individually.

We decided that it would make sense to purchase an email archive server and our own software, which would allow us to manage our archived email without paying a monthly subscription. The cost of this product, along with the installation and restoration of the existing emails (Records law requires us to keep email for seven years) is \$23,581.

The outgoing Accountant and I discussed the price of the system, but did not discuss the issue with paying for it. The current IT budget can only pay for police/fire hardware/software support.



So, I will likely have to seek a transfer from the Finance Committee, or use Town Capital to pay for it.

PERSONNEL

- Posted the Assistant Town Accountant position. Position closes at the end of the month
- Posted the Assistant to Town Manager position for ten days, in accordance with the Charter. I have interviewed two qualified individuals to this point. Three more interviews are scheduled for next week. I hope to have a new hire by the next BOS meeting.

OTHER

- Still working on the municipal portion of the end-of-year report for the schools.
- Now working on warrant article detail for FATM.
- Worked with Accounting Department on employee transition. Have posted the Assistant Town Accountant position.
- Continued work on the title issue with the Blanchard Building.
- Processed new rounds of Public Records requests.
- Processed new Schedule Z for the allocation of town energy credits.

MEETINGS

- Attended the School Building reuse meeting on Tuesday 8/24/17
- Held a Department Head meeting

Please contact me with any questions.

