



TOWN OF UXBRIDGE  
BOARD OF SELECTMEN'S MEETING MINUTES  
LOWER TOWN HALL / BOARD OF SELECTMEN ROOM  
21 S. MAIN STREET, UXBRIDGE, MA  
TUESDAY, OCTOBER 10, 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, Selectmen Peter Baghdasarian, Jim Hogan and Jennifer Modica. Also present: Town Manager David Genereux.

**I. CALL TO ORDER**

*\*Meeting called to order in the Lower Town Hall*

1. Announcements

An announcement was made relative to the location of the upcoming Town Meeting, being held at the Valley Chapel, 17 Hunter Rad, on October 24 at 7:00pm.

Volunteers needed: Affordable Housing Committee, Cable Advisory Committee, Cultural Council, Housing Authority, Parade Committee, Planning Board, Town Common Committee, Zoning Board of Appeals, and *Water / Sewer Advisory Committee*

**II. PUBLIC HEARING**

1. Discussion for Fall Annual Town Meeting warrant articles

*\*A copy of the Draft Warrant, Version 2A is provided in attachment to these minutes*

Fall Annual Town Meeting 10/23/17 – Review draft warrant articles. Mr. Plasko was present to speak in relation to two citizen's petition Articles on the Town Meeting Warrant having to do with Charter and Bylaw amendments relating to service on multiple bodies by elected officials.

Discussion was held regarding other warrant articles. Department Heads were present and commented on the articles.

There was some ambiguity in relation to calculations use to formulate budget line items in Article #3, Table C. With respect to Article #3, Table C, the Finance Committee requested that the Board of Selectmen Chair return at the October 11, 2017 meeting with updated numbers relative to Town Manager Professional Salaries.

Mr. Anderson spoke from the public to offer opinions on Article #3, Table C.

**No motion taken or vote held.**

**III. BUSINESS**

1. Discussion relating to contract commitments for nonunion personnel involving time and benefit accruals and/or payment thereof, and/or take any actions related thereto

No motion taken or vote held.

**IV. RECESS**

*BOARD OF SELECTMEN RECESSED AND RECONVENED TO THE BOARD OF SELECTMEN ROOM*

**V. BUSINESS (CONTINUED)**

1. Discussion for Fall Annual Town Meeting warrant articles; make recommendations, and/or take any actions related thereto

The Board discussed the Article relating to transfer of free cash to stabilization.

**MOTION: Mr. Hogan made a motion to recommend favorable action Article #1. Seconded by Mrs. Modica. The motion carried 4-0-0.**

The Board discussed the Article relating to adjustments of budget line items relating to recently signed union contracts and an IT budget transfer.

**MOTION: Mr. Hogan made a motion to recommend favorable action Article #2, Table A. Seconded by Mrs. Modica. The motion carried 4-0-0.**

The Board discussed the Article relating to transfers from stabilization relating to Town Counsel and other expenses.

**MOTION: Mr. Hogan made a motion to recommend favorable action Article #2, Table B. Seconded by Mr. Baghdasarian. The motion carried 4-0-0.**

The Board moved over the recommendation for Article #3.

The Board discussed the Article relating to capital purchases.

**MOTION: Mr. Hogan made a motion to recommend favorable action Article #4, Table D, Items 1 through 6. Seconded by Mr. Baghdasarian. The motion carried 4-0-0.**

The Board discussed the Article relating to a raise and appropriation of funds for roadway improvements.

**MOTION: Mr. Hogan made a motion to recommend favorable action Article #4, Table E. Seconded by Mrs. Modica. The motion carried 4-0-0.**

The Board discussed changes to Chapter 44, Section 53E accounts.

**MOTION: Mr. Hogan made a motion to recommend favorable action Article #5. Seconded by Mrs. Modica. The motion carried 4-0-0.**

Mr. Potaski spoke for the public, asking the Board for clarity relating to the Municipal Electricity Aggregation plan. Some discussion ensued. Mr. Piccirillo offered that the Board would do more diligence relating to the plan if the Article passes at Town Meeting.

**MOTION: Mr. Hogan made a motion to make no recommendation, without prejudice on Article #6. Seconded by Mr. Baghdasarian. The motion carried 4-0-0.**

The Board passed over Article 7.

The Board discussed an Article relative to an administrative correction for the General Bylaws.

**MOTION: Mr. Hogan made a motion to recommend favorable action Article #8. Seconded by Mrs. Modica. The motion carried 4-0-0.**

Mrs. Modica expressed a desire to extend a proposed moratorium on the use of land or structures for recreational marijuana as proposed in Article #9, changing the date of May 10, 2018, to December 31, 2018.

**MOTION: Mrs. Modica made a motion to recommend favorable action Article #9 with the understanding that the article would be amended on the floor to modify the moratorium to be in effect through December 31, 2017. Seconded by Mr. Hogan. The motion did not carry 2-2-0.**

**MOTION: Mr. Hogan made a motion to make no-recommendation without prejudice on Article #9. Seconded by Mr. Piccirillo. The motion did not carry 2-2-0.**

**MOTION: Mr. Hogan made a motion to make no-recommendation on Article #9. Seconded by Mrs. Modica. The motion carried 4-0-0.**

Discussion was held regarding the cost of obtaining an easement on Arch Street. Mr. Genereux did not have estimate for costs at this time, but did not anticipate having any costs related to securing the easement.

**MOTION: Mr. Hogan made a motion to make favorable action on Article #10. Seconded by Mrs. Modica. The motion carried 4-0-0.**

The Board passed over on a recommendation relating to the Street Acceptance of Clark Road.

The Board passed over on a recommendation for a Citizen's Petition relating to Street Acceptance of Bentley Drive & Kieronski Court.

Mr. Potaski approached the Board to seek unfavorable recommendation for a Citizen's Petition relating to the Community Preservation Act.

**MOTION: Mrs. Modica made a motion to make unfavorable recommendation on Article #13. Seconded by Mr. Baghdasarian. The motion carried 3-0-1. Mr. Piccirillo abstained.**

Mr. Potaski noted a scribe's error in the text of Article #14. The Board discussed the merits of the Article.

**MOTION: Mr. Hogan made a motion to make unfavorable recommendation on Article #14. Seconded by Mr. Baghdasarian. The motion carried 3-1-0. Mr. Piccirillo voted No.**

**MOTION: Mr. Hogan made a motion to make unfavorable recommendation on Article #15. Seconded by Mr. Baghdasarian. The motion carried 3-1-0. Mr. Piccirillo voted No.**

Further discussion was held regarding to payouts relating to the Town Manager's contract. Mr. Genereux and Mr. Piccirillo discussed approaching Town Counsel for confirmation of the basis used to calculate payouts relating to accrued time under Mr. Genereux's contract, using that feedback to provide the Town Accountant and Treasurer for the calculation. The Board also discussed making an initial calculation with the Town Treasurer so that such information could be provided at the Finance Committee discussion on October 11, 2017.

## VI. MINUTES

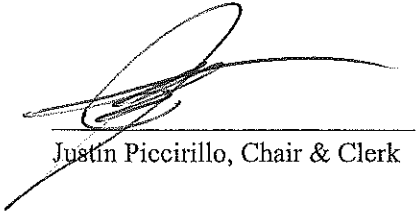
The Board passed-over on minutes until the next regular meeting.

## VII. ADJOURNMENT

*Mr. Baghdasarian left the meeting.*

**MOTION: Mr. Hogan made a motion to adjourn. Seconded by Mrs. Modica. The motion carried 3-0-0.**

Minutes approved by the Board of Selectmen:



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Justin Piccirillo, Chair & Clerk

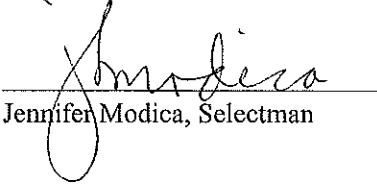


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Peter Baghdasarian, Selectman

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James Hogan



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Jennifer Modica, Selectman

Date \_\_\_\_\_



**FALL ANNUAL TOWN MEETING WARRANT**  
**TUESDAY, OCTOBER 24, 2017 – 7:00 P.M.**  
**VALLEY CHAPEL AUDITORIUM**  
**14 HUNTER ROAD**  
**UXBRIDGE, MASSACHUSETTS**

WORCESTER, S.S.

TO EITHER OF THE CONSTABLES OF THE TOWN, IN SAID COUNTY

GREETINGS:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, YOU ARE DIRECTED TO NOTIFY THE INHABITANTS OF THE TOWN OF UXBRIDGE, QUALIFIED TO VOTE IN THE TOWN ELECTIONS AND IN TOWN AFFAIRS, TO MEET AT THE VALLEY CHAPEL AUDITORIUM, AT 14 HUNTER ROAD, IN SAID UXBRIDGE, ON THE FOLLOWING ARTICLES TO WIT:

\* \* \*

**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

*Commentary:* This article serves to transfer FY 2017 Free Cash to the Stabilization Fund. Stabilization Fund monies may be appropriated for any lawful purpose via 2/3<sup>rd</sup> vote at any town meeting. The balance in stabilization before this transfer and any other appropriation articles on this warrant is \$3,386,390.

**MOTION:** Move that the Town vote to transfer and appropriate the sum of \$ \_\_\_\_\_ from Free Cash to the Stabilization Fund.

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote, unless funds are transferred to or from Stabilization. A transfer to/from the Stabilization Fund requires a 2/3<sup>rd</sup> vote per MGL Ch. 40, §5B

**ARTICLE 2: FY18 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 Fall Annual Town Meeting;

Or take any action relating thereto.

**SPONSOR:** Town Manager

*Commentary:* The purpose of this article is to transfer funds within department budgets or from one department to another. Per MGL, transfers between individual municipal budgets require Town Meeting action.

**TABLE A: COST OF LIVING/UNION CONTRACT SETTLEMENT TRANSFERS**

**MOTION:** Move that the Town vote to transfer and appropriate the amounts as stated in Table A in the Fall Annual Town Meeting warrant, totaling \$17,770 from and to the budget lines listed in the table, each item being considered a separate appropriation for FY18.

Table A	Budget Line Source	Available Appropriation	Budget Line use of Funding	New Appropriation Amount
1	Town Hall Salaries	\$17,770	Town Clerk Salaries	\$4,192
2	Town Hall Salaries	\$13,578	Land Use Salaries	\$1,162
3	Town Hall Salaries	\$12,416	Conservation Salaries	\$454
4	Town Hall Salaries	\$11,962	Inspectional Services Salaries	\$3,130
6	Town Hall Salaries	\$8,832	ACO Salaries	\$791
7	Town Hall Salaries	\$8,041	Board of Health Salaries	\$1,156
8	Town Hall Salaries	\$6,885	Council on Aging Salaries	\$656
9	Town Hall Salaries	\$6,229	Veteran's Agent Salaries	\$1,603
10	Town Hall Salaries	\$4,626	IT Expenses	\$4,626
<b>Total Reallocated Appropriations</b>				<b>\$17,770</b>

*Commentary: The transfers listed in Table A request movement necessary within the budget to fund for cost of living adjustments for most of the smaller town departments, based on the settlement of the SEIU contract. The final transfer request, for the IT budget, is to fund cloud-based searchable storage for email.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote, unless funds are transferred to or from the Stabilization Fund. A transfer to/from the Stabilization Fund requires a 2/3<sup>rd</sup> vote per MGL Ch. 40, §5B

**TABLE B: STABILIZATION FUND TRANSFERS**

**MOTION:** Move that the Town vote to transfer and appropriate the amounts as stated in Table B in the Fall Annual Town Meeting warrant, totaling \$57,000 from and to the budget lines listed in the table, each item being considered a separate appropriation for FY18.

Table #	Budget Line Source	Available Appropriation	Budget Line use of Funding	New Appropriation Amount
1	Stabilization Fund	\$3,386,390	Board of Selectmen Expense	TBD
2	Stabilization Fund	\$3,386,390	Town Counsel Expense	\$40,000
3	Stabilization Fund	\$3,346,390	Public Works Expenses	\$17,000
<b>Total Reallocated Appropriations</b>				<b>\$57,000</b>

*Commentary: These three transfers from the Stabilization Fund to the operating budget are to fund one-time costs in the FY 2018 budget.*

1.) *Commentary to be added*

2.) *Town Counsel – Additional funding sought for the cost of litigation and the expense of counsel review of certain public records requests.*

3.) *Public Works expense – Funding sought to perform a survey and topographical analysis on the Heela Street DPW property. Mass DEP has contacted the Town with concerns that the historical storage of materials onsite (Sweepings, construction debris, granite curbing, tires etc.) on the site has resulted in losses to the 100-year flood plain. A consent order from the DEP will be forthcoming. Funding of this study will allow the Town to determine the amount of flood plain capacity that must be regained, as well as to establish a new methodology/location for storage of materials.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote, unless funds are transferred to or from the Stabilization Fund. A transfer to/from the Stabilization Fund requires a 2/3<sup>rd</sup> vote per MGL Ch. 40, §5B

**ARTICLE 3: FY18 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 2018 Town Budget approved under Article 4 of the May 9, 2017 Spring Annual Town Meeting;

Or take any other action relating thereto.

**SPONSOR:** Town Manager

*Commentary: We have determined that the following accounts are in need of additional funding, based on specific issues that have occurred since the FY2018 budget was voted in May. Additional requested appropriations are as follows:*

**TABLE C – FY 2018 BUDGET RESTORATION**

**MOTION:** *Mova that the Town vote to transfer and appropriate the amounts as stated in Table C in the Fall Annual Town Meeting warrant, totaling \$113,115 from and to the budget lines listed in the table, each item being considered a separate appropriation for FY18.*



Table C	Budget Line Use	Requested Appropriation
1	Town Manager Professional Salaries	27,727
2	Town Manager Administrative Salaries	\$12,694
3	BOS Administrative Salaries	\$12,694
4	School Salaries	\$60,000
<b>Total</b>		<b>\$113,115</b>

*Commentary: Passage of this motion will restore the reductions in budgets that were made via substitute motion at the Spring Annual Town Meeting. This topic was discussed at Selectmen's meetings on several occasions.*

- 1.) *Manager's salary is restored*
- 2.) *The Assistant to the Manager restored to full time, at a reduced annual wage. Total annual salary, based on the new hourly rate is \$45,493.*
- 3.) *As the Assistant serves the BOS and Manager, the additional appropriation is split equally.*
- 4.) *The School Administration and Town Manager have agreed in principal to have a shared IT function that would task the School IT Department with the care and maintenance of the Town's main IT systems and users. The Police Department would continue being serviced by our long time consultant due to the complexity of the systems and the specialized training required to attend to them. The appropriation to school salaries represents the estimated costs of hiring additional technicians and making salary adjustments to appropriate staff for the added responsibility.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote, unless funds are transferred to or from the Stabilization Fund. A transfer to/from the Stabilization Fund requires a 2/3<sup>rd</sup> vote per MGL Ch. 40, §5B

**TABLE D – Additional Appropriation**

**MOTION:** *Move that the Town vote to raise and appropriate the amounts as stated in Table D in the Fall Annual Town Meeting warrant, totaling \$46,000 from and to the budget lines listed in the table, each item being considered a separate appropriation for FY18.*

Table D	Budget Line Use	Requested Appropriation
1	Town Manager Professional Salaries	40,000
<b>Total</b>		<b>\$40,000</b>

*Commentary: Passage of this motion would fund partial salary of a Town Planner/Economic Development coordinator. Based out of the Manager's Office, the emphasis of this position would be economic development, grant writing and planning/siting of larger commercial projects. Based on the timing of Town Meeting and the hiring process, we expect to fill the position around the first of the year.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote, unless funds are transferred to or from the Stabilization Fund. A transfer to/from the Stabilization Fund requires a 2/3<sup>rd</sup> vote per MGL Ch. 40, §5B

**ARTICLE 4: CAPITAL PURCHASES/PROJECTS** To see if the Town will vote to appropriate a sum or sums of money for capital purchases and/or projects as recommended by the Town Manager in conjunction with the Capital Planning Committee;

Or take any other action relating thereto.

**SPONSOR:** Town Manager

*Commentary: The Town, upon recommendation of the Capital Committee, has started a practice of using transfers from stabilization to fund one-time capital purchases.*

**TABLE D – Capital Purchases (Stabilization)**

**MOTION:** Move that the Town vote to transfer and appropriate the amounts as stated in the Table E of the Fall Annual Town Meeting warrant, totaling \$335,000 for the purposes as listed on said table, to be carried until said appropriation is moved via town meeting action and/or exhausted.

Table E	Source of Funding	Available Appropriation	Use of Funding	New Appropriation Amount
1	Stabilization	\$3,329,390	Taft Boiler Replacement (Phase 2)	\$130,000
2	Stabilization	\$3,199,390	School Flooring	\$100,000
3	Stabilization	\$3,099,390	Library Skylight	\$20,000
4	Stabilization	\$3,079,390	Library Walkway	\$20,000
5	Stabilization	\$3,059,390	DPW Truck Replacement	\$65,000
6	Stabilization	\$2,994,390	Police Communications	TBD
<b>Total Appropriations</b>				<b>\$335,000</b>

**Commentary:**

- 1.) *Taft Boiler Replacement (Phase 2): This capital project entails the replacement of the second Taft School steam boiler system with a Weil McLain 178888 Series 2 Boiler Commercial Steam Boiler. The scope of the project also includes repairs and upgrade of the boiler feed tank, accompanying steam traps and classroom unit ventilators.*
- 2.) *School Flooring: This capital project entails the replacement of approximately 20 classroom carpets with VCT tiling in the two elementary schools. Worn carpets have created health and safety concerns as tears and odors are common in many classrooms.*
- 3.) *Library Skylight: The Town appropriated \$40,000 in the spring for replacement of the skylight. We have paid out approximately \$10,000 for engineering and design. Cost estimate of the project is \$41,000. We are*

requesting an additional \$20,000 in the case of bids coming in above estimate, or additional work on the slate roof of the Library is required.

- 4.) *Library Walkway* – These funds are required to install a walkway and ease accessibility from the Cove parking lot to the Library. The Library is leasing the lot, as the Lutheran Church property and its parking lot are now privately-owned.
- 5.) *DPW Truck Replacement* – Truck H-4 is a 2000 Ford F350 dump body pickup with over 105,000 miles. This vehicle has been an issue for a number of years for a variety of reasons. Most notable is the severe body rot, which includes the frame and bumpers as well as transmission issues. Based on its current condition and the recommendation of the vehicle inspector, we don't have much confidence it will pass the annual inspection. This vehicle is over 5 years beyond its useful life.
- 6.) *Police Communications* - Additional funding for the police communications project may be required. Amount unknown as of this writing.

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote, unless funds are transferred to or from Stabilization. A transfer to/from the Stabilization Fund requires a 2/3<sup>rd</sup> vote per MGL Ch. 40, §5B

**TABLE E – Road Improvements (Raise and Appropriate)**

**MOTION:** Move that the Town vote to raise and appropriate the amounts as stated in the Table F of the Fall Annual Town Meeting warrant, totalling \$500,000 for the purposes as listed on said table, to be carried until said appropriation is moved via town meeting action and/or exhausted.

Table F	Source of Funding	Available Appropriation	Use of Funding
1	Raise & Appropriate	\$500,000	Road Reconstruction

*Commentary: The Town has over \$500,000 in excess levy capacity from last year, due to new growth from personal property upgrades by National Grid. That capacity was NOT used when creating the FY 2018 budget. This request is a proposal to begin using the capacity to expend funds annually via warrant article, for the care and reconditioning of Town roads. This request is for the FY 2018 allotment of funds. If Town Meeting supports this request, the FY 2019 allotment will be presented at the Spring Annual Town Meeting.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote, unless funds are transferred to or from Stabilization. A transfer to/from the Stabilization Fund requires a 2/3<sup>rd</sup> vote per MGL Ch. 40, §5B

**ARTICLE 5: INCREASE FUNDING LIMITS OF COMMUNITY GARDENS, DOG PARK, AND POND RECREATION COMMITTEE REVOLVING FUNDS**

To see if the Town will vote to increase the annual limitation of the following revolving funds, pursuant GLc.44, §53B 1/2, that were reauthorized as the May 9, 2017 Spring Annual Town Meeting: For the continuation of: operational and restoration costs associated with the Uxbridge Community Garden, change from "...not to exceed \$12,000", to not to exceed \$20,000, to be derived from user fees and donations, under the Community Garden Committee; Uxbridge Dog Park Activities, for construction related and operational costs associated with the Uxbridge Dog Park; under the Dog Park Committee, change from "...not to exceed \$12,000", to not to

exceed 25,000, derived from user fees, donations, sponsorships, and/or purchases of memorial bricks; Operation and restoration costs associated with Pout Pond; under the Pout Pond Recreation Committee, Change from "...not to exceed \$12,000," to not to exceed \$25,000," derived from user and activity fees and concession sales; Or take any other action relating thereto.

SPONSOR: Town Manager

*Commentary: If the limits on are not raised via this article, any balance in excess of the current limit will be transferred to the general fund at the end of the fiscal year. The new bylaw, voted at the May 2017 Spring Annual Town Meeting, and is effective July 1, 2018, removes fund balance limitations, as allowed by the Municipal Modernization Act.*

MOTION: Move that the article be accepted as written.

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote

#### ARTICLE 6: AUTHORIZATION FOR MUNICIPAL ELECTRICITY AGGREGATION

To see if the Town will vote to grant the Board of Selectmen authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation, or take any other action relative thereto.

SPONSOR: Town Manager

*Commentary: Passage of this article will allow the Town to work with a consultant to formulate an aggregation plan to purchase electricity for individual and business use in order to reduce the cost. On average municipal aggregation plans save consumers and business 5 to 10 percent annually on electricity costs.*

MOTION: Move that the article be accepted as written.

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote

#### ARTICLE 7: AUTHORIZATION FOR MUNICIPAL CHARGES LIENS VIA M.G.L. CHAPTER 40, SECTION 58

To see if the Town will vote to authorize, pursuant to M.G.L. Chapter 40, Section 58, the creation of municipal charge liens for the purpose of collection of local charges and fees that have not been paid by their due dates.

Or take any other action relative thereto.

SPONSOR: Town Manager

MOTION: *Passover*

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

VOTE REQUIRED FOR PASSAGE: Requires a simple majority vote

#### ARTICLE 8: AMENDMENT TO CHAPTER 2 OF THE TOWN'S GENERAL BYLAWS

To see if the Town will vote to amend Chapter 2 of the General Bylaws of the Town, approved at the May 9, 2017 Spring Annual Town Meeting by adding the following at the beginning of said chapter:

#### Chapter 2

DEPARTMENT REVOLVING FUNDS

§ 2-1. Purpose

§ 2-3. Interest

§ 2-1. Expenditure Limitations

§ 2-4. Procedure and Reports

Or take any other action relative thereto.

SPONSOR: Town Manager

*Commentary: This housekeeping article seeks to add a table to the bylaw that was voted at the Spring Annual Town Meeting that was omitted.*

MOTION: Move that the article be accepted as written.

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

VOTE REQUIRED FOR PASSAGE: Requires a 2/3<sup>rd</sup> majority vote

**ARTICLE 9: AMMENDMENT TO THE ZONING BYLAWS; ADDITION OF §400-23 TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS,

1. Zoning Bylaws Special Nonresidential Regulations, insert the following new section 400-23 entitled Temporary Moratorium on Recreational Marijuana Establishments as follows:

**§400-23 Temporary Moratorium on Recreational Marijuana Establishments**

**A. Purpose**

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes. The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and as amended by the State Legislature in December 2016 requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018, and to begin accepting applications for licenses on April 1, 2018.

Currently under the Zoning Bylaw, a non-medical Marijuana Establishments hereinafter, "Recreational Marijuana Establishments"), as defined in G.L. c. 94G; section 1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of

Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

**B. Définition**

"Recreational Marijuana Establishments" shall mean "non-medical marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

**C. Temporary Moratorium**

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through May 10, 2018 or until the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

**SPONSOR:** Board of Selectmen

*Commentary: Passage of this article will set a temporary moratorium on recreational marijuana establishments until the Spring Annual Town Meeting.*

**MOTION:** Move that the article be accepted as written.

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a 2/3<sup>rd</sup> majority vote

**ARTICLE 10: 23 ARCH STREET-ACCEPTANCE OF EASEMENT**

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain taking an easement for purposes of the construction, reconstruction, maintenance and repair, of drainage facilities located on property at 23 Arch Street, Uxbridge, Massachusetts, owned by Kevin & Suzanne Walker of 23 Arch Street, Uxbridge, Massachusetts as shown on a plan entitled, "Plan of Land in Uxbridge, Massachusetts, prepared by \_\_\_\_\_," and to raise, transfer from available funds, and/or borrow and appropriate a sum of money for said purpose;

Or to take any other action relative thereto.

**SPONSOR:** DPW Director

*Commentary: Passage of this article will allow an easement to be recorded, which will allow the DPW to repair and maintain drainage facilities at the referenced location.*

**MOTION:** Move that the article be accepted as written.

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Requires a 2/3<sup>rd</sup> majority vote

**ARTICLE 11: CITIZEN'S PETITION - STREET ACCEPTANCE CLARK ROAD**

To see if the Town will vote to accept as a public way the street known as Clark Road as laid out by the Board of Selectmen and further authorize the Board of Selectmen, in the name and behalf of the Town, to

acquire by gift, easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town;

Or take any action relating thereto.

SPONSOR: Citizen's Petition

MOTION: *Motion, if any, to be provided by petitioner.*

RECOMMENDATION OF THE PLANNING BOARD:

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

VOTE REQUIRED FOR PASSAGE: Requires a 2/3<sup>rd</sup> majority vote

**ARTICLE 12: CITIZEN'S PETITION - STREET ACCEPTANCE BENTLEY DRIVE & KIERONSKI CT.**

To See if the Town will vote to accept as a public way the street known as Bentley Dr & Kieronski Ct as laid out by the Board of Selectmen, and further authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, easements and appurtenant rights in and for said way for the purposes for which public ways are used in the Town;

Or take any action relating thereto.

SPONSOR: Citizen's Petition

MOTION: *Motion, if any, to be provided by petitioner.*

RECOMMENDATION OF THE PLANNING BOARD:

RECOMMENDATION OF THE FINANCE COMMITTEE:

RECOMMENDATION OF THE BOARD OF SELECTMEN:

VOTE REQUIRED FOR PASSAGE: Requires a 2/3<sup>rd</sup> majority vote

**ARTICLE 13: CITIZEN'S PETITION - ACCEPTANCE OF SECTIONS 3-7 OF CHAPTER 44B - MASSACHUSETTS COMMUNITY PRESERVATION ACT**

To see if the Town will accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation, and preservation of open space, the acquisition, preservation, rehabilitation and restoration of historic resources, the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space and community housing that is acquired or created as provided under said Act; that the amount of such surcharge on real property shall be 3% of the annual real estate tax levy against real property commencing in fiscal year 2019; and the Town hereby accepts the following exemptions from such surcharge permitted under Section 3(e) of said Act:

1. Property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the Town, as defined in Section 2 of said Act;
2. \$100,000 of the value of each taxable parcel of residential real property;
3. \$100,000 of the value of each taxable parcel of Class three, commercial property, and Class four, industrial property as defined in section 2A of said Chapter 59; or take any action relative thereto.

SPONSOR: Citizen's Petition

**MOTION:** *Motion, if any, to be provided by petitioner.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Simple majority vote, followed by acceptance by the voters of a ballot question at the next regular municipal or state election.

**ARTICLE 14: CITIZEN'S PETITION – AMENDMENT TO THE GENERAL BYLAWS – MULTIPLE TOWN POSITIONS**

To see if the Town will vote to amend the General Bylaws of the town, by inserting a new bylaw under Chapter 72, Officers and Employees, Article I, Powers and Duties of Officers. "Boards and Committees: Any voters shall be eligible to hold any elective town office provided however, any person holding elective with the board of selectmen, School Committee, board of health or town moderator shall not simultaneously hold more than one elected or appointed town office."

"Or take any action related thereto"

**SPONSOR:** Citizen's Petition

**MOTION:** *Motion, if any, to be provided by petitioner.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Changes to Town Bylaws require a 2/3<sup>rd</sup> majority vote.

**ARTICLE 15: CITIZEN'S PETITION – AMENDMENT TO THE CHARTER – MULTIPLE TOWN POSITIONS**

To see if the Town will vote to amend the Uxbridge Charter by revising Article 3, Elected Officers, Section 1, In General, (c) Eligibility "Eligibility – any voter shall be eligible to hold any elective town office, provided however, any person holding elective office as defined in Section (a) shall not simultaneously hold more than one elected/appointed town office.

Or take any action related thereto"

**SPONSOR:** Citizen's Petition

**MOTION:** *Motion, if any, to be provided by petitioner.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:**

**VOTE REQUIRED FOR PASSAGE:** Changes to the Charter require a 2/3<sup>rd</sup> majority vote. Other Actions may be required, depending on the methodology selected to enact the amendment.



\* \* \* \* \*

*And you are directed to serve this warrant by posting up attested copies thereof, one at the Town Hall, one at DFW, one at the Uxbridge Post Office, one at the North Uxbridge Post Office and one at the Linwood Post Office, at least Seven (7) days before the time of holding said meeting, in accordance with M.G.L. Chapter 39, Section 10.*

*Hereof, fail not and make due return of this warrant, with your doings thereon, to the Town Clerk at the time of the meeting aforesaid.*

Given under our hands this \_\_\_\_ day of October in the year 2017.

Uxbridge Board of Selectmen:

\_\_\_\_\_  
Justin Piccirillo, Chair-Clerk

\_\_\_\_\_  
Jeff Shaw, Vice Chair

\_\_\_\_\_  
Jenn Modica, Selectman

\_\_\_\_\_  
Jim Hogan, Selectman

\_\_\_\_\_  
Peter Baghdasarian, Selectman

A True Copy -- Attest:

\_\_\_\_\_  
Constable, Town of Uxbridge

\_\_\_\_\_  
Date