

Received by  
Uxbridge  
Town Clerk



**TOWN OF UXBRIDGE  
BOARD OF SELECTMEN MEETING MINUTES  
BOARD OF SELECTMEN MEETING ROOM  
21 S. MAIN STREET, UXBRIDGE, MASS  
TUESDAY, OCTOBER 17, 2017 – 7:30AM**

*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 ~~Jeffery~~ <sup>Jeffrey</sup> Shaw and Jim Hogan. Also present: Town Manager David Genereux.

Absent: Selectmen Jennifer Modica and Peter Baghdasarian.

**I. CALL TO ORDER**

1. Announcements

- i. **The Fall Annual Town Meeting will be held at 7:00PM, Tuesday, October 24<sup>th</sup>. The Town Meeting will be held at the Valley Chapel, located at 17 Hunter Road, Uxbridge.**
- ii. Volunteers needed: Affordable Housing Committee, Cable Advisory Committee, Cultural Council, Housing Authority, Parade Committee, Planning Board, Open Space Committee, Town Common Committee, Zoning Board of Appeals, and *Water / Sewer Advisory Committee*

**II. NEW BUSINESS**

1. Approve interim borrowing notes for the Wastewater Treatment plant  
*\* Taken after New Old Business #1*

Town Treasurer, Mr. Federico, appeared before the Board to provide details relative to last segments of borrowing for the Waste Water Treatment plant. The total borrowing (\$42,800,000), was broken into three segments: \$13,600,000 at 2% APR, \$26,076,000 at 0% APR and \$3,124,000 at 0% APR. Discussion was held regarding the specific terms and conditions of the borrowing.

**MOTION: I, Justin Piccirillo, the Clerk of the Board of Selectmen of the Town of Uxbridge, Massachusetts, certify that at a meeting of the board held October 17, 2017, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:**

**VOTED:**

(1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$42,800,000 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed April 2, 2016 (Article 1), which authorized a total borrowing of \$44,800,000 for the construction of sewers and other water pollution control facilities identified in such vote (the "Project");

(2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue interim loan notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$42,800,000;

(3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the applicable Financing Agreements;

(4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute Financing Agreements with the Trust with respect to the sale of the Bonds and Notes, such dates, forms and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;

(5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreements by the Treasurer, are hereby ratified, approved and confirmed; and

(6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreements and the Project Regulatory Agreements relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.30A, §§18-25, as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Dated: October 17, 2017

Seconded by Mr. Hogan. The motion carried, 3-0-0.

2. Review request for one-day beer and wine license – October 21, 2017, from 6:30 – 9:00, St. Mary’s Parish Hall, for the benefit of the OLV School

**MOTION: Mr. Hogan made a motion for to grant a 1-day beer and wine license for Our Lady of the Valley Parents’ Guild, October 21, 2017 from 6:30 to 9:00PM. Seconded by Mr. Shaw. The motion carried, 3-0-0.**

3. Discuss Town Manager screening committee - take any actions related thereto, or make any appointments thereto

Mr. Piccirillo informed the Board of recent calls with attorneys on staff with the Division of Public Records and Division of Open Government, discussion relating preliminary screening committees for selection of Town Manager candidates. Mr. Hogan and Mr. Genereux provided additional discussion, with Mr. Hogan discussing parameters by which a preliminary screening committee might be created.

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

### **III. OLD BUSINESS**

1. Discussion for Fall Annual Town Meeting warrant articles, make recommendations, and/or take any actions related thereto  
*\*taken out of order, ahead of New Business items*

Discussion was held regarding amended contents in Article #3, Table C. Mr. Shaw requested a review of the basis of calculations used to calculate Table Item C5, an amount to cover contractual obligations for the Town Manager. Mr. Piccirillo and the Town Treasurer, Mr. Federico, provided the basis for said calculation. Mr. Piccirillo provided details relative to the other line items in Table C. Mr. Patrick Hannon, spoke from the public, providing additional commentary on the timeliness of the calculation.

**MOTION: Mr. Hogan made a motion for favorable action on Article 3, Table C, Items 1,2, 3, 4, and 6. Seconded by Mr. Shaw. The motion carried, 3-0-0.**

**No motion was made on Table C, Items #5 or #7.**

2. Endorse Fall Annual Town Meeting warrant

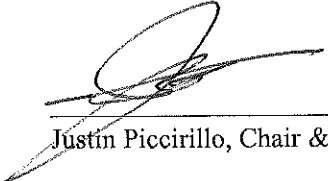
The Fall Annual Town Meeting Warrant is attached to these minutes.

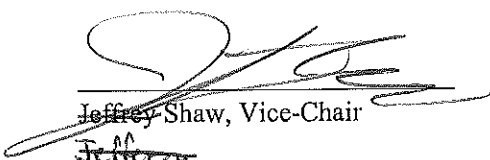
**MOTION: Mr. Hogan made a motion to endorse the Fall Annual Town Meeting Warrant as written. Seconded by Mr. Shaw. The motion carried, 3-0-0.**

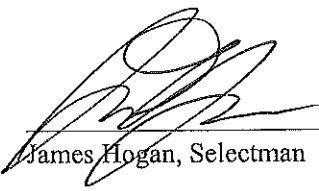
### **IV. ADJOURNMENT: NEXT REGULAR BOARD OF SELECTMEN’S MEETING: 10/23/17**

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

Minutes approved by the Board of Selectmen:

  
Justin Piccirillo, Chair & Clerk

  
Jeffrey Shaw, Vice-Chair  
Jeffrey  
Jeffrey.

  
James Hogan, Selectman

Date 11/27/17



TOWN MEETING  
THE CONDUCT OF THE MEETING

- A. Voting
- i. Only registered voters with a clicker can vote.
  - ii. Votes will be taken electronically.
- B. Warrant Articles
- i. Articles will be acted upon in the order they appear on the warrant unless the meeting votes otherwise.
  - ii. All main motions must be in writing, with copies given to the Town Clerk and Moderator
  - iii. All motions and amendments dealing with the expenditure of money must be in writing, again with copies given to the Town Clerk and Moderator.
  - iv. No person shall address a town meeting without leave of the moderator.[MGL Ch. 39, Sec. 17]
  - v. The sponsor of the article will be recognized to place a motion before the meeting.
  - vi. The sponsor will be asked speak to the merits of the motion
  - vii. An opponent to the article, if there is one, will then be recognized to speak.
  - viii. The Finance Committee, Planning Board (for zoning articles) and Board of Selectmen will be recognized for their recommendations
  - ix. Following the recommendations, the article will be open for debate.
- C. Open Debate
- i. Voters wishing to speak should proceed to the speaker seats to be recognized
  - ii. Non-voters, other than department heads, must request and be granted permission by the meeting before they can speak.
  - iii. Each speaker has a total of 10 minutes to speak.
  - iv. A speaker cannot move the question after concluding his remarks
  - v. A motion to move the question requires a 2/3 majority vote to shut off debate
- D. Town Meeting will be run in accordance to the following four rules:
- i. All debate will be conducted in a respectful and courteous manner.
  - ii. Comments will be limited to the subject being debated.
  - iii. No comments of a personal nature are to be made.
  - iv. Anyone unwilling or unable to comply with these rules will be removed
- E. Following the vote on the last article, the Moderator will entertain a motion to "Dissolve" the meeting

SAFETY ANNOUNCEMENT FROM THE FIRE CHIEF

There are seven exits to the auditorium. Please take a moment to locate the exits nearest you in case there is a need to evacuate the building. Once outside the auditorium, follow the exit signs to leave the building. Please do not block any aisles with chairs or other items.

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Fall Annual Town Meeting Warrant

Final



**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 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: (If Free Cash is certified by October 24)

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

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable action (6-0-0):

This is an annual transfer done in accordance with the Town's Financial Management Policy.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable action (4-0-0)

VOTE REQUIRED FOR PASSAGE: Requires a simple majority 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

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Fall Annual Town Meeting Warrant

Final

*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 Technology budget, is to fund cloud-based searchable storage for email.*  
**RECOMMENDATION OF THE FINANCE COMMITTEE:** Favorable action (6-0-0) This article supports the cost of living adjustments.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Favorable action (4-0-0)  
**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote.

**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 \$77,000 from and to the budget lines listed in the table, each item being considered a separate appropriation for FY18.

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Fall Annual Town Meeting Warrant Final



Table B	Budget Line Source	Available Appropriation	Budget Line use of Funding	Additional Appropriation
1	Stabilization Fund	\$3,386,390	Board of Selectmen Expense	\$20,000
2	Stabilization Fund	\$3,366,390	Town Counsel Expense	\$40,000
3	Stabilization Fund	\$3,326,390	Public Works Expenses	\$17,000
<b>Total Reallocated Appropriations</b>				<b>\$77,000</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.) Funds raised in B-1, which would be used to hire a search firm, will only be utilized if the current recruitment process fails to produce an acceptable candidate.
- 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 Hecla 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:** Favorable action (6-0-0)

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Favorable action (4-0-0)

**VOTE REQUIRED FOR PASSAGE:** A transfer from the Stabilization Fund requires a 2/3 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 May vote of FY2018 budget. Additional requested appropriations are as follows:*

**TABLE C – FY 2018 Additional Appropriation**

**MOTION:** Move that the Town vote to raise and appropriate the amounts as stated in Table C in the Fall Annual Town Meeting warrant, totaling \$258,563 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	BOS Administrative Salaries	\$12,694
2	Town Manager Administrative Salaries	\$12,694
3	Town Manager Professional Salaries	\$40,000
4	Town Manager Professional Salaries	\$86,538
5	Town Manager Professional Salaries	\$46,637
6	Uxbridge Public Schools	\$60,000
Total		\$258,563

**Commentary:**

Passage of this motion will raise funds to offset the transfers that were approved via substitute motion at the Spring Annual Town Meeting, and make additional adjustments to other budgets as explained below:

- 1.) The Assistant to the Town Manager is restored to full time, at a reduced annual wage. Total annual salary, based on the new hourly rate is \$45,493.
- 2.) Same as above apportioned equally to the Town Manager budget.
- 3.) This line seeks funding for a partial salary of a Town Planner/Economic Development coordinator. Based out of the Manager's Office, the emphasis of this position, will 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.
- 4.) This line seeks funding for the salary of a new Town Manager, at the maximum range of \$150,000. The calculation is based on a potential December 1 hiring. Advertised funding range is \$110,000 - \$130,000, with an additional \$20,000 in the case an exceptional candidate comes forward.
- 5.) This line seeks funding for the payout that was part of the outgoing Town Manager's employment agreement, based on leave time accrued during the contract period.
- 6.) 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: Motion broken down by line:**

C-1: Favorable action (5-1-0)

C-2: Favorable action (5-1-0)

C-3: Favorable action (5-0-1)

C-4: Favorable action (6-0-0): This funding will allow for the hiring of an experienced Town Manager at a competitive rate

C-5: Favorable action (6-0-0): This payout is a contractual obligation that must be paid. If this motion does not pass the money will come from a reduction in another budget line.

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C-6: Favorable action (5-1-0): The committee believes that a shared IT function will provide municipal departments with improved services at a reduced cost.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action on Table C, items C-1, C-2, C-3, C-4, and C-6. Recommendation on C-5 will be given at Town meeting. (3-0-0).

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 D of the Fall Annual Town Meeting warrant, totaling \$482,638 for the purposes as listed on said table, to be carried until said appropriation is moved via town meeting action and/or exhausted.

Table D	Source of Funding	Available Appropriation	Use of Funding	New Appropriation Amount
1	Stabilization	\$3,309,390	Taft Boiler Replacement (Phase 2)	\$130,000
2	Stabilization	\$3,179,390	School Flooring	\$100,000
3	Stabilization	\$3,079,390	Library Skylight	\$20,000
4	Stabilization	\$3,059,390	Library Walkway	\$20,000
5	Stabilization	\$3,039,390	DPW Truck Replacement	\$65,000
6	Stabilization	\$2,974,390	Replacement Van for Senior Center	\$60,000
7	Stabilization	\$2,914,390	Police Communications	\$87,638
Total Appropriations				\$482,638

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 Unitarian 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, DPW has no confidence that it will pass the annual inspection. This vehicle is over 5 years beyond its useful life.*
- 6.) *Senior Center Replacement Van – Funding sought to replace a 2008 Ford E350 wheelchair van that has completed its useful life.*
- 7.) *Police Communications – The Town approved a \$300,000 transfer from the Stabilization Fund to improve police radio communications throughout the Town by eliminating "dead zones" where the existing radios could not function, and replacing aging equipment. This amount was bolstered by a \$25,000 grant obtained by Representative Kuros. However, additional funds are needed to address this issue, as well as to move the Police radio/server room, which has to be moved elsewhere in the Police Station due to mold issues. The funding amount required is as follows currently:*

*Fiber: (Communications) - \$38,000  
 Buildout (Computer/Radio room) - \$8,480  
 Configuration of room (Computer/Radio Room) - \$9,950  
 Sprinkler System (Computer/Radio Room) - \$23,300  
 Movement of Radio equipment - \$7,908  
 Current Total: \$87,638*

*This amount is still subject to change. It will be partially offset by insurance monies received due to the mold remediation claim. Final Stabilization balance, if all items listed in the warrant as transfers are approved, excluding Free Cash is \$2,826,752.*

**RECOMMENDATION OF THE FINANCE COMMITTEE: Motion broken down by line:**

- D-1: Favorable action (6-0-0): Funds needed to replace aging boiler and associated circulation devices with modern, energy-efficient system.
- D-2: Favorable action (6-0-0)
- D-3: Favorable action (6-0-0)
- D-4: Favorable action (6-0-0)
- D-5: Favorable action (6-0-0)
- D-6: Favorable action (6-0-0)
- D-7: Recommendation to be provided at Town Meeting

**RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable action, items D-1 through D-6. (4-0-0) Recommendation on D-7 to be provided at Town Meeting.**

**VOTE REQUIRED FOR PASSAGE:** Transfers 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 E of the Fall Annual Town Meeting warrant, totaling \$400,000 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
I	Raise & appropriate	\$400,000	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 a large portion of that 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.*

*Use of these funds for this purpose will cost 25 cents on the existing tax rate, or \$76.80 per year on a \$300,000 home.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** Favorable action (6-0-0)

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Favorable action (4-0-0)

**VOTE REQUIRED FOR PASSAGE:** Requires a simple majority vote.

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

To see if the Town will vote to increase the annual limitation of the following revolving funds, pursuant G.L.c.44, §53E ½, 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 fund limitations 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:** Favorable action (5-1-0): The donations for these funds are larger than the revolving funds. This change allows the groups to accept these donations. The new bylaw voted at the last Town Meeting is

changing the process of revolving funds so this article is for the remaining part of the fiscal year.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Favorable action (4-0-0)

**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:** No recommendation without prejudice (6-0-0); There are no financial implications to the Town from this article.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** No recommendation without prejudice (4-0-0)

**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:** No recommendation needed

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** No recommendation needed

**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

§ 2-2. Expenditure Limitations

§ 2-4. Procedure and Reports

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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:** No recommendation without prejudice (6-0-0); This is just a housekeeping issue to add a table of contents to the article.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Favorable action (4-0-0)

**VOTE REQUIRED FOR PASSAGE:** Requires a 2/3 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. Definition**

"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."

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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 PLANNING BOARD:** No recommendation, without prejudice (3-0-1)

**RECOMMENDATION OF THE FINANCE COMMITTEE:** Unfavorable action (4-2-0):

Majority vote believes that it is in the best interest of the Town to have clarity regarding the deadline for town planning and for businesses who may be looking to establish in the Town. Minority vote believes the moratorium will provide the necessary time to review final State legislation and craft meaningful bylaws.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** No Recommendation (4-0-0)

**VOTE REQUIRED FOR PASSAGE:** Requires a 2/3 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, "Plat 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:** Favorable action (6-0-0): The DPW Director stated that there was no issues with the easement.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Favorable action (4-0-0)

**VOTE REQUIRED FOR PASSAGE:** Requires a 2/3 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: Favorable action (3-0-1)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable action (6-0-0); This standard road acceptance has met all the requirements.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Recommendation will be provided at town meeting.

VOTE REQUIRED FOR PASSAGE: Requires a 2/3 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: *Passover*

RECOMMENDATION OF THE PLANNING BOARD: No recommendation

RECOMMENDATION OF THE FINANCE COMMITTEE: No recommendation

RECOMMENDATION OF THE BOARD OF SELECTMEN: No recommendation

VOTE REQUIRED FOR PASSAGE: Requires a 2/3 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

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

**RECOMMENDATION OF THE FINANCE COMMITTEE:** Unfavorable action (3-2-0):

Majority vote believes that it is not the right time for additional taxation and that this act represents a backdoor tax increase. Minority vote believes that today's investments are not working and that this act will bring in more dollars to the town.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Unfavorable action (3-0-1)

**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 1, 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:** Favorable action (4-1-0): Public service requires time and focus and we are not benefitting our community when those serving are spread among multiple boards and committees. The current state may present a conflict of interest or the perceptions of a conflict of interest.

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Unfavorable action (3-1-0)

**VOTE REQUIRED FOR PASSAGE:** Changes to Town Bylaws require a 2/3 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:** Favorable action (4-1-0): Public service requires time and focus and we are not benefitting our community when those serving are spread among multiple boards and committees. The current state may present a conflict of interest or the perceptions of a conflict of interest.

**RECOMMENDATION OF THE FINANCE COMMITTEE:**

**RECOMMENDATION OF THE BOARD OF SELECTMEN:** Unfavorable action (3-1-0)

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


\* \* \* \* \*

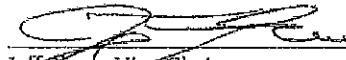
And you are directed to serve this warrant by posting up attested copies thereof, one at the Town Hall, one at DPW, one at the Uxbridge Post Office, one at the North Uxbridge Post Office and one at the Linwood Post Office, at least Seven (7) days before the time of holding said meeting, in accordance 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.

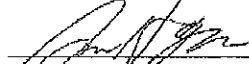
Given under our hands this 17<sup>th</sup> day of October in the year 2017.

Uxbridge Board of Selectmen:

  
Justin Piccirillo, Chair-Clerk

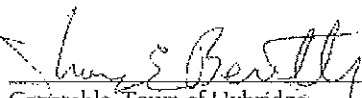
  
Jeff Shaw, Vice Chair

Jenn Modica, Selectman

  
Jim Hogan, Selectman

Peter Baghdasarian, Selectman

A True Copy - Attest:

  
Constable, Town of Uxbridge

10/17/2017  
Date

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