

**Town of Uxbridge Board of Selectmen
Meeting Minutes-Regular Session**

August 14, 2006

Roll call

The following persons were present: Chairman Julie Woods, Vice Chair Arthur DuBois, Sel. Jim Dwyer, Sel. Kevin Kuros, Town Manager Jill Myers, and BOS Assistant Joseph Smith. Absent from the meeting: Sel. Daniel Stack.

Call to order

Chm. Woods called the meeting to order at 7:00 p.m.

• **Announcements**

- o Recent volunteer and Committee resignations were noted.
- o The BOS is recruiting for the following committee openings: Two (2) positions for the Council on Aging, Two (2) positions (one designate and one alternate) for the CMRPC.
- o Sgt. Emerick from the Uxbridge Police Department introduced his Emergency response team to the Board and the Community. The roster is made a part of these minutes.

ACTION ITEM: Send a letter of thanks to Mae Wrona.

• **Citizens Forum**

- o Chm. Woods opened Citizens' Forum at 7:06 p.m.
 - Rachel MacGillivray of 395 West Street addressed the Board regarding the continuing noise problem regarding the Habitat. She noted that she received a letter regarding her complaint but it did not address her specific concerns as follows:
 - Is there a standard for noise control in town
 - If so, who is in charge of enforcement
 - Would the standard be enforced in the area surrounding the Habitat

Chm. Woods noted that the investigation into this matter is continuing through the Town Manager's office and the Board will respond to her questions when the investigation is concluded.

- Tracey Ante of 156 Hunter Road addressed the Board regarding the upcoming Parish Fair at St. Mary's Church. The fair is being held on September 10, 2006.

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- Steve Griff of 9 Ironstone Road addressed the Board regarding his pending court case with the Town. Mr. Griff submitted a copy of one of the judge's rulings regarding his case. A copy of this document is made a part of these minutes. Mr. Griff reported that there are allegedly over 400 businesses operating in Uxbridge that are not properly zoned.
- o Having no one else requesting to come before the Board, Chm. Woods closed Citizens' Forum at 7:27 p.m.

Public Hearings/Appointments

Lavallee Gravel Permit request:

- Jill Myers reported to the Board that Mr. Lavallee has withdrawn his request for a gravel permit citing the reasons noted in the letter from his Attorney, Mr. Cove in his letter to the BOS on August 10, 2006. A copy of the letter is made a part of these minutes.
- Chm. Woods solicited a motion to open the Public Hearing on the Lavallee Gravel Permit at 7:28 p.m.
 - **MSDV by Sel. DuBois, seconded by Sel. Dwyer, to open the Public Hearing. The motion passed unanimously.**
 - **MSDV by Sel. Dwyer, seconded by Sel. DuBois, close the Public Hearing and acknowledge receipt of the letter from Attorney Cove on 8/10/06. The motion passed unanimously.**

ACTION ITEM: Send a thank you letter to Mr. Lavallee.

Osterman Gas Permit request:

- Bob Whaley of Osterman Gas Services, Inc. addressed the Board regarding their request for a permit to install three propane storage tanks underground in the Peter Street Condominium project. Chief Ostroskey cited M.G.L. 148 and the Code of Massachusetts Regulations 527 CMR §6 regarding the approval process denoted by the State concerning such installations. Chm. Woods asked for comments from the abutters that were notified as part of the Public Hearing process. Deb Kalousdian addressed the Board regarding the locations of each of the three tanks and questioned why oil was not considered as a fuel source for the project. Priscilla Romasco-Kryer appeared and asked who will be responsible for testing for corrosion in the future. Jane Tabor addressed the Board noting that she feels unsafe in her property knowing that the tanks will be installed nearby and inquired as to why oil was not considered for this property development.
- The Board discussed the questions raised by the abutters and asked Osterman Gas to respond to the concerns, in writing, before the next meeting. Mr. Whaley indicated that a representative from Osterman Gas would respond to these concerns prior to the 8/28 meeting. The Board tabled action on the permit request pending the response from Osterman Gas.

Consent Items

Minutes from July 10, 2006

- **MSDV by Sel. Dwyer, seconded by Sel. Kuros, to approve the minutes as amended. The motion passed unanimously.**

Minutes from July 24, 2006

- **MSDV by Sel. Dwyer, seconded by Sel. Kuros, to approve the minutes as submitted. The motion passed unanimously.**

ACTION ITEM: Make minor changes to the minutes and submit to BOS for signatures.

Old Business

- Appointment of Town Counsel- Finance Director, David Genereux provided a memo to the Town Manager in the BOS agenda packet addressing questions posed by the BOS on 7/24.
 - **MSDV by Sel. Dwyer, to appoint Merrick, Louis, & Costello as Town Counsel. There was no second to the motion.**
 - **MSDV by Sel. Kuros, seconded by Sel. DuBois to reappoint Kopelman & Paige as Town Counsel noting that since there is a new administration that it may be better to wait another year before making a change to Town Counsel. The motion passed (3-1-0). Dwyer neigh.**

The Board thanked staff for the hard work that was done during the negotiations and noted that both firms would do a good job for the Town. In the end the Board was not convinced that there would be a significant savings achieved by switching to new counsel.

ACTION ITEM: Town Manager to set up a meeting with Town Counsel and put the new agreement in writing regarding reappointment.

- Access to Town Counsel:
 - **MSDV by Sel. DuBois, seconded by Sel. Kuros to allow the Town Manager, the Chairman of the Board, and the Vice-Chairman of the Board, in the absence of the Chairman, to contact Town Counsel. The Motion passed unanimously.**

ACTION ITEM: Policy drafted for next BOS meeting to be signed by the BOS regarding access to counsel.

- Election Worker Appointment:
 - **MSDV by Sel. Dubois, seconded by Sel. Dwyer to appoint the following Democrats as Election Workers for the Town of Uxbridge: Joseph Baer, Herve Gazaille, John Karagosian, Aline Knapik, Walter Knapik, Raymond**

LeBlanc, Carol Masiello, Joseph McCue, Pauline McCue, Genevieve McMurray, Margaret Paul, Robert Paul, Thomas Rice, and Shirley Shugrue. The motion passed unanimously.

- **MSDV by Sel. Kuros, seconded by Sel. DuBois to appoint the following Republicans as Election Workers for the Town of Uxbridge: Dixie Andrews, Thomas Bellacqua, Peter DeMers, Beverly Drover, Alan Keeler, Deborah Nydam, Michael Potaski, Lanny Remillard, Jo-Ann Rosol-Donoghue, Phyllis Smyth, Donna Leclair, and Jennifer Nealon. The motion passed unanimously.**
- **MSDV by Sel. DuBois, seconded by Sel. Kuros to appoint the following Unenrolled as Election workers for the Town of Uxbridge: Robert Ambrosino, Barbara Bellacqua, William Dark, Barbara Emerick, Holly Gallerani, Barbara Harris, Marceline Kurzon, Joyce Letourneau, Anne Pleau, Doris Saucier, Marla Zeneski, and Rita LaBonte. The motion passed unanimously.**

ACTION ITEM: Send a letter to the Registrars on behalf of Chm. Woods notifying them of the appointments made.

New Business

- Blanchard Committee appointments:
 - **MSDV by Sel. Dwyer, seconded by Sel. DuBois to appoint Carol Masiello and Daniel Baker to the Blanchard School Committee until the end of their charge. The motion passed unanimously.**
- Policy update from Police Department: Chief Scott Freitas summarized the Department policy on the Dissemination of Public Information and suggested that the BOS schedule a work shop to review policies and animal control.

ACTION ITEM: Date for a workshop on Animal Control and Policy discussions with the Police Department.

- Enforcement request on 320 Quaker Highway from Building Inspector Gazerro: The Board discussed the information presented by Mr. Gazerro and decided that they required more information to proceed.
- Surplus Equipment designation: Jill Myers recommended to the Board that the vehicle submitted by Building Inspector Nicholas Gazerro be designated by the Board as surplus equipment and auctioned off. Mr. Gazerro is currently using his personal vehicle until he receives a replacement from the Police Department.

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- **MSDV by Sel. Dwyer, seconded by Sel. DuBois to designate the 1997 Ford Crown Victoria, VIN # 2FALP71W8VX189323, as surplus equipment. The motion passed unanimously.**
- Street name requests: The Board reviewed the street name requests submitted by Heritage Design group and the recommendations offered by the Public Safety Committee.
 - **MSDV by Sel. DuBois, seconded by Sel. Dwyer to accept the Street names of LaChapelle Lane and Ricca Way as submitted by the Heritage Design Group. The motion passed unanimously.**
- By Law Codification project: Daniel Baker, the new chair of the By Law Review Committee, addressed the Board on the status of the project. Committees and Staff are reviewing the document at this time for changes. Mr. Baker noted 8/31 as the deadline to receive comments, so it can be addressed at the Fall Town Meeting. The Board of Selectmen will submit their comments to the clerk.
- Agenda Development: Chm. Woods asked the Board to think about dates for a workshop session or work on issues the Board would like to see addressed. Chm. Woods also asked for guidance on attendance at town committee meetings by her or other Board members.

Discussion followed on the mailing of the Town Warrant, which is not funded in the budget for this year. A post-card mailing is being considered and the Town Manager was asked to try and find a way to pay for such a mailing.

Town Manager Report

- The Town Manager presented a written report to the Board of Selectmen. A copy of this report is added to these minutes.

Correspondence/Other Business

- The Schnorr gravel permit reissues for permits # 35 & #36 need to go on the next BOS agenda for formal approval.
- Sel. DuBois expressed that he would like to see the Town Managers report occur earlier in the meeting agenda and should drive the flow of the meetings.

Executive Session

- There was no executive session held this evening.

Adjournment

- With no other business before them, at 10:25 p.m., Chm. Woods adjourned the meeting.
 - **MSDV by Sel. Kuros, seconded by Sel. Dwyer, to adjourn. The motion passed unanimously.**

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Minutes respectfully submitted by Joseph Smith, Assistant to the Board of Selectmen

Minutes approved by Board of Selectmen:

Chairman Julie A. Woods

Selectmen Jim Dwyer

V. Chairman Arthur O. DuBois

Selectmen Kevin Kuros

Clerk Daniel Stack

MSDV: Moved, Seconded, Discussed & Voted
RCV: Roll Call Vote