

**Board of Selectmen Minutes-Regular Session
November 27, 2006**

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

Call to Order

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

Announcements

Parade Street closures were announced for First Night event.

Citizen's Forum

Chm. Woods opened Citizen's Forum at 7:03 p.m.

- Fire Chief Peter Ostroskey presented Anthony DeQuattro to the Board. Anthony's Eagle Scout Project was building five replacement Ice Ladders for the Town. The Board thanked Anthony for his service to the Town.
- Steve Griff, 620 Quaker Highway, asked for the opportunity to address the Board during the Access to Counsel policy on tonight's agenda. The Board indicated that it is within their policy to allow this.

Chm. Woods closed Citizen's Forum at 7:06 p.m.

Public Hearings/Appointments

Tax Classification Hearing

Chm. Woods opened the Tax Classification hearing at 7:07 p.m. Town Assessor David Utakis reviewed a memo that was distributed to the Board. Mr. Utakis advised the Board that they are being asked to vote to continue the practice of using a single tax rate.

- **MSDV by Sel. Dwyer, seconded Sel. DuBois to maintain the use of a single tax rate. The motion passed unanimously.**

Common Victualler's License Request-Dynasty Café

Sel. DuBois offered the applicant the opportunity to discuss the restaurant with the viewing audience. The new owners expect to take over the former Eric's on or around November 29, 2006.

- **MSDV by Sel. DuBois, seconded by Sel. Stack to approve the Common Victualler's License request for the Dynasty Café. The motion passed unanimously.**

Propane Storage Permit-Jim Farrar

The Board reviewed the request by Jim Farrar to increase the propane storage on his property from 2,000 gallons to 2,400 gallons. The additional 400 gallons is going to be used to store and sell canisters of propane gas for a cylinder exchange program.

- **MSDV by Sel. Dwyer, seconded by Sel. Stack to delay approval on the application in order to investigate the cylinder exchange component of the request with the applicant. The motion passed unanimously.**

**Board of Selectmen Minutes-Regular Session
November 27, 2006**

- **MSDV by Sel. Dwyer, seconded by Sel. Kuros to recess the BOS meeting and call to order a meeting of the Water & Sewer Commission. The motion passed unanimously.**

Water & Sewer Commission Meeting

At 7:24 p.m. Chm. Woods opened the meeting of the Water & Sewer Commissioners. Mr. Genereux addressed the Board regarding the memo that was provided by Town Counsel regarding their options for setting a new sewer privilege fee. Discussion followed regarding the purpose of the new fee and the option of setting up a sewer betterment charge versus a privilege fee. Chm. Woods asked the Board to give their approval to staff going forward. They agreed by consensus to allow the Town Manager, Finance Director, and the DPW Superintendent to move forward with a plan for coming up with a new fee. The Board directed the team to pay attention to the financial needs of the system and the individuals that will be impacted by any new fees.

At 7:55 p.m. the meeting of the Water & Sewer Commissioners adjourned and the BOS resumed the rest of their agenda.

- **MSDV by Sel. Kuros, seconded by Sel. Stack for the Board to come out of recess. The motion passed unanimously.**

Town Manager Report

During a recent sting operation, eight local businesses failed to follow the proper legal statutes against selling alcohol to a minor. On 12/11 the Board will hold a public hearing for the business that violated the law. Each of the business licenses are up for their annual renewal.

The Habitat for Sports

Sel. Dwyer noted that Massachusetts State Law requires that the Board is required to send a letter of response to an individual who files a complaint, notifying the complainant of the Board's decision in the matter. Chm. Woods noted that a letter will be drafted from the Board and sent to Mr. Griff through his attorney.

ACTION ITEM: Draft a copy of the Board's decision on the Zoning complaint from 10/23/06 to Attorney Gordon.

Access to Counsel

Sel. Dwyer reviewed the draft of his recommended changes to the Board's policy on Access to Town Counsel. Mr. Griff was recognized to address the Board and asked if it was the Board's policy to place a lien on a resident's property and if the Board voted to do so in his case. Chm. Woods noted that if such a vote had occurred it would have been done in Executive Session and cannot be disclosed in open session until the case is made public. Sel. DuBois added that with the extended timeline of some legal cases it is more difficult for the Board to actively monitor all of the aspects of a case. Chm. Woods summarized that controlling costs, creating efficiencies, and ensuring accuracy should all be components in the new policy.

Gravel Permit Renewal #32

The Board reviewed the request to renew a gravel permit operation located at 155 Laurel Street.

**Board of Selectmen Minutes-Regular Session
November 27, 2006**

- **MSDV by Sel. DuBois, seconded by Sel. Dwyer to approve the renewal of Gravel Pit #32 as submitted. The motion passed [3-0-2]. Sel. Kuros and Sel. Stack abstained.**

Wind Turbine Power

Chm. Woods is looking for Board support to examine the possibility of wind power being explored at a site on Sutton Street. After discussion the Board agreed by consensus to allow Chm. Woods to go forward with this project.

Special Town Meeting

Warrant opening for January 9, 2007 Special Town Meeting. Warrant closes on 12/8/06 at 4 p.m.

- **MS by Sel. Dwyer, seconded by Sel. Kuros, to include on the STM warrant an Article for the Summerfield Development and an Article to be supplied by the Town Planner regarding a change in the Residence "B" By-law. Discussion followed regarding the timing of the meeting and potential dates. The motion passed unanimously.**
- **MSDV by Sel. DuBois, seconded by Sel. Dwyer to set the date of STM for January 9, 2007, at 7 p.m. in the Uxbridge High School. The Articles will be due for the STM by 12/8/06 at 4p.m. The motion passed unanimously.**

Veteran's Agency Meeting

- Sel. Stack and Chm. Woods will be reaching out to the Veterans agency in an effort to recognize returning veterans. The meeting was supported by consensus from the Board.

Other Business

- Sel. Kuros inquired as to whether or not a FT Veteran's Agent should be considered as is required for the Towns the size of Uxbridge.
- MMA Annual Meeting attendance: Sel. Kuros asked if there is a budget item available for the Selectmen to attend the MMA meeting. Ms. Myers responded that funds have been budgeted in anticipation of some of the Board members attending.

Meeting Minutes

The Board reviewed the meeting minutes from the 10/23/06 regular session and the 9/20/06 special meeting with the School Committee.

- MSDV by Sel. Dwyer, second from Sel. Stack to approve the minutes from 10/23/06 as submitted, adding in Sel. Dwyer's comments. The motion passed [4-0-1]. Chm. Woods abstained.
- MSDV by Sel. Dwyer, seconded by Sel. Stack, to approve the minutes from 9/20/06 as submitted. The motion passed unanimously.

Adjournment

At 9:20 p.m. with no further business before them the Board moved to go into Executive Session and adjourn upon completion.

Executive Session

**Board of Selectmen Minutes-Regular Session
November 27, 2006**

At 9:20 p.m. the Board moved into Executive Session:

- MSDV by Sel. DuBois, seconded by Sel. Stack to enter into Executive #3-To discuss strategy with respect to collective bargaining, non-contractual employee negotiations, or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the governmental body; and #6-Consider the purchase, exchange, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body. RCV: DuBois-aye, Stack-aye, Woods -aye, Kuros-aye, Dwyer-aye.

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

Minutes approved by Board of Selectmen:

Chairman Julie A. Woods

Sel. James F. Dwyer

V. Chairman Arthur O. DuBois

Sel. Kevin J. Kuros

Clerk Daniel P. Stack

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