

**Board of Selectmen Minutes-Regular Session  
January 22, 2007**

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**

The BOS announced that Ms. Ellen Doble of Uxbridge is being honored on the event of her 100<sup>th</sup> birthday on 2/9/07 with a celebration on 2/7/07 by the Uxbridge Senior Center. Ms. Doble will be given the Boston Post Cane and a special citation from Senator Richard Moore to celebrate this special event. Jill Myers formally introduced Mr. Joseph Kaplan, MPA as the new Town Clerk.

**Citizen's Forum**

Chm. Woods opened Citizen's Forum at 7:02 p.m.

Peter Baghdasarian, Johnson Road, expressed criticism of the RFP for the Douglas Street property.

**PUBLIC HEARINGS/APPOINTMENTS**

Chm. Woods reviewed the request from Francis Cove, Chairman of the Uxbridge Historic Commission, to appoint Roy Henry as a full-time member of the Commission and move Mr. Wheelock into the alternate position on the Commission at Mr. Wheelock's request.

- **MSDV by Sel. DuBois, seconded by Sel. Stack to appoint Roy Henry as the full-time member of the Uxbridge Historic Commission and move Phillip Wheelock into the position of alternate. The motion passed unanimously.**

**TOWN MANAGER REPORT**

The report is attached to these minutes

**OLD BUSINESS**

Immanuel Gravel Permit #44-Denis Dorr:

Chm. Woods asked Ms. Landry to address the Board regarding the draft conditions statement that was prepared as part of the permit renewal process. Ms. Landry indicated that the document is an extension of the existing conditions that were imposed by the Board in December of 2005.

***Draft***

***Conditions***

**License Number 44**

**January 1, 2007 to December 31, 2007**

1. Entrance to gravel pit to be secured when not in operation.
2. The earth removal permit will be for a maximum area of 25 acres located in Phase I, the boundaries and finish grades of which are shown on the originally submitted detail plan 2 of 2, dated November 30, 1999, and as further described in letter from Andrews Survey & Engineering, dated December 3, 1999

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3. No more than 20 acres within Phase I and inclusive of staging area shall be open excavation at any time with a minimum of 3-5 acres restored yearly, as described in letter from Andrews Survey & Engineering, dated December 3, 1999.
4. An existing conditions plan accurately reflecting conditions within the previous year, including area fully restored and area of open excavation, shall be submitted to the Board of Selectmen on a yearly basis and must be submitted with application for renewal.
5. The applicant shall post surety to the Town of Uxbridge in the amount of One hundred sixty eight thousand dollars (\$168,000.00) for the currently open area of approximately 64 acres, said bonding to be reduced or released as appropriate, upon written request of license holder and upon evidence of successful restoration of open area.
6. Applicant shall retain all native loam on the site for restoration.
7. Operating hours Monday- Saturday 7:00 am to 5:00 pm.
8. Applicant shall continue restoration efforts in all additional open area outside of the allowed 20 acres of open excavation in Phase I, said restoration amounting to 44 acres of restored area of the total currently open area of 64 acres. Successful restoration shall be defined as placement of a minimum of four inches of loam and aerial cover of herbaceous vegetation equal to or greater than 70%. Subsequent renewal of Permit #44 is contingent upon evidence of successful restoration of the additional 44 acres.
9. No additional area or phase shall be opened without formal review and approval by the Board of Selectmen as required under the Section X Earth Removal Bylaw.
10. The conditions as stated herein do not constitute approval, or otherwise relieve the license holder from obligations, under any other local, state or federal law or regulation.

Discussion followed regarding the acreage stated in condition #2, 3, and 8. Changes were suggested to conditions #5 & #8 and are made a part of the final document attached to these minutes.

Sel. Dwyer suggested the addition of a statement to condition #10 to clarify the obligations of the license holder. Sel. Dwyer submitted the statement in writing which was objected to by Mr. Dorr and his Attorney:

10. The conditions as stated herein do not constitute approval, or otherwise relieve the license holder from obligations, under any other local, state or federal law or regulation. Such obligations shall include but not be limited to obtaining a use authorization (for removal of soil, loam, sand and gravel) for the property from the Board of Appeals under the Zoning Bylaws Section 7, C, 6, g, and an Occupancy Permit under Section XIII for the use authorized by this permit under the "Earth Removal" bylaw, General Bylaws, Section X.

Sel. Kuros made a suggestion that all the owners of the operating gravel permits in Uxbridge should be invited to meet with the Board to effectively communicate any future changes to the standard gravel permit conditions. The Board discussed Sel. Dwyer's proposal for the addition of a statement to Condition # 10 that clarifies the obligations of the applicant for a gravel permit. The Board took no action.

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- **MSDV by Sel. DuBois, seconded by Sel. Stack to approve the conditions for renewal of Gravel Permit #44, amended condition #8 as noted. The motion passed unanimously.**
- **MSDV by Sel. Dwyer, seconded by Sel. Stack to approve the conditions for renewal of Gravel Permit #44, amended condition #5 as noted. The motion passed unanimously.**
- **MSDV by Sel. Dwyer, seconded by Sel. DuBois to direct the Town Manager to check the legal ramifications of adding a statement to condition #10, clarifying the obligations of the licensee. The motion passed unanimously.**

Board of Registrar Resignation

Chm. Woods read Ms. Pascucci's resignation letter into the record. The Board noted that it was a very professional and self-less act on the part of Ms. Pascucci to offer to resign. The Board moved to send a letter to the Republican Town Committee to solicit a replacement on the Board of Registrars for Ms. Pascucci (D) due to the change in Political composition of the Board with the appointment of

- **MSDV by Sel. DuBois, seconded by Sel. Dwyer to send a letter to the Republican Town Committee, per M.G.L. to request they provide a list of registrar candidates to the Board for consideration.**

**NEW BUSINESS**

Common Victualler License

Paul Smith addressed the Board regarding his request for a Common Victualler's License for *Smittys Baker Boy Donuts*.

- **MSDV by Sel. DuBois, seconded by Sel. Stack to approve the license for *Smittys Baker Boy Donuts* for the 2007 license year. The motion passed unanimously.**

Local Government Reform

Sel. Kuros continued the discussion on local government reform with *Volunteerism*. Sel. Kuros reviewed the total number of standing Town Committees and suggested that the Board consider hosting at open house forum for each standing committee to set up an information table for promoting their committee, the work they do, and any opportunities they have for volunteers. Chm. Woods reviewed the various Committee openings currently and stated that it would be a good idea to consider some kind of recognition in the Annual Town Report or by some other method, because it would be a good way to show the Board's appreciate for each of the volunteers and also would help to act as a potential recruitment tool for future volunteers.

- New Subcommittee:  
Sel. Stack and Sel. Kuros both agreed to serve on a Board Sub-Committee to explore the issue of volunteerism and how to improve the talent bank of volunteers within the Town.

The Board also discussed citizen input to local government. The Board members noted many instances when they are asked about certain issues by residents in the Town, but that these residents prefer to speak one/one to the Board members rather than coming before them on camera at a regular meeting. Sel. Stack suggested that the Board begin the process of holding an open forum for citizens to address two Board members on a weekly basis, off camera and more one/one. Chm. Woods suggested that two

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Board members be available for an a.m. session and two Board members for a p.m. session. Sel. Stack and Chm. Woods agreed to cover the first a.m. session and Sel. DuBois and Sel. Kuros agreed to cover the first p.m. session. Sel. Dwyer was not able to participate at this time.

The Board discussed holding a *Downtown Business Forum* as a means of fostering a business-friendly atmosphere in the Town. The Board brainstormed on ideas for the forum including: a Business After-Hours, revitalizing the old Industrial Development Committee, mailing to business to promote the Town. The Board agreed by consensus that Sel. Kuros and Chm. Woods could solicit feedback from business owners, schedule a meeting, and make recommendations to the Board.

Sutton Street Lease

Ms. Myers reviewed the history of the lease and the vote the Board took in May of 2006. She asked the BOS to approve the solicitation of RFP's for a lease May 2007-May 2008. By consensus the Board agreed that the existing conditions of the site needed to be established and that future leases should include more detail regarding expectations in order to more accurately measure performance.

- o **MSDV by Sel. Dwyer, seconded by Sel. Stack to re-lease the property for the next year starting in May 2007. The motion passed unanimously.**

Fiscal 2008 Budget

Ms. Myers reviewed the first of the BOS/TM department budget detail sheets with the Board. Chm. Woods asked the Town Manager to explain the budget process going forward. On 3/8/07, the Town Manager will provide the FinCom with a copy of the proposed budget after "consultation" with the BOS. Discussion followed regarding the opportunity to have budget summits as was past practice and proved to be useful to the Board and the Town. Ms. Myers indicated that a follow up meeting to the budget preview occurred on 1/19 that she was amenable to work this into the process depending on the timing of the budget submission and receipt by the various departments of their budget requests. The Board discussed the Town Counsel budget and Sel. DuBois suggested comparing the legal budget of the Town to other municipalities with similar case loads and legal expenditures to see if the Town is in line with the other municipalities.

**ACTION ITEM: Survey other Town annual legal expenses.**

Town Manager Evaluation

Ms. Myers reviewed the evaluation document and discussed the process that the Board will be going through to evaluate her performance over the past 12 months. Review documents will be distributed to the Board in early February with a self-assessment and the Chairman and Vice Chairman of the Board will review a consensus evaluation with the Town Manager in mid-March. The evaluation document will be developed using the consensus of the entire Board. Sel. DuBois asked that the materials be forwarded in an electronic format. Sel. Kuros suggested the addition of a signature and commentary page for the Town Manager to use to communicate her responses to the Board. It was agreed that the Town Manager would have the opportunity to comment on the evaluation.

**OTHER BUSINESS**

Appointment Authority with the Town Charter

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Chm. Woods asked the Board to consider having an agenda item to discuss areas of concern relative to the Charter. Sel. Dwyer added that the Board should begin to discuss these concerns as soon as possible, rather than waiting to review the Charter document as a whole. The Board will begin to review this matter at an upcoming meeting.

**AI: Add appointment authority Charter Review to Future BOS agenda items listing.**

School Committee Request

The Board agreed to take up the opening on the School Committee in a joint meeting with the School Committee on 2/12/07 during their regular BOS meeting.

Meeting Minutes

A couple of Board members had comments on the minutes for review and asked that they be allowed to submit these changes to the BOS Assistant and review the changes at the next BOS meeting.

**Adjournment**

At 9:37 p.m. with no other business before them the Board voted to adjourn the meeting.

- **MSDV by Sel. Kuros, seconded by Sel. Stack to adjourn. The motion passed unanimously.**

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

Minutes approved by Board of Selectmen:

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Chairman Julie A. Woods

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Sel. James F. Dwyer

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V. Chairman Arthur O. DuBois

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Sel. Kevin J. Kuros

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Clerk Daniel P. Stack

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