

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
MARCH 26, 2007**

CALL TO ORDER: Chm. Woods called the meeting to order at 7:00 p.m. The following persons were present: Chair Julie Woods, Vice Chair Arthur DuBois*, Clerk Dan Stack, Sel. Kevin Kuros, Sel. Jim Dwyer, Town Manager Jill Myers, and BOS Assistant Tracy Leavitt.

ANNOUNCEMENTS: DPW secured a recycling company for scrap metal and white goods beginning April 1, 2007; Ireland special day – signed protocols for the governing of Northern Ireland; 3rd annual Superintendent’s Gala; Veterans Open House; recognition of Uxbridge Soldiers; first Open Government meeting (BOS office hours) to be held 3/30/07 at 1 p.m. with Chairman Woods and Clerk Dan Stack.

ACTION ITEM: a letter will be sent to the soldiers.

**Vice Chair Arthur DuBois arrived at 7:17 p.m.*

CITIZEN’S FORUM: Mr. Peter Baghdasarian provided the Board of Selectmen with a copy of the letter he wrote to the Office of the Inspector General, Office of the Attorney General and the Assistant District Attorney Patricia Smith. Mr. Baghdasarian’s letter spoke of the land for sale in Uxbridge and allegations of collusion. Mr. Baghdasarian claims the “Selectmen and Town Manager knew they were spending the funds appropriated for the Town Counsel at a rate that would exhaust the funds by February 07 and that the Town Manager and the Board of Selectmen have been desperately seeking ways to cover Legal expenses by “creative” means.” A copy of the letter is attached to these minutes. Chm. Woods ended by saying she is absolutely certain that neither she nor any member of the Board or the Town Manager colluded.

PUBLIC HEARINGS/APPOINTMENTS

Blanchard School Reuse Committee Feasibility project presentation: Mrs. Sheryl Romasco of the Blanchard Reuse Committee introduced their architect Mr. Charlie Van Voorhis of Durland Van Voorhis. Mr. Van Voorhis provided the Board with a quick overview of the last nine months. The Blanchard committee hired Durland Van Voorhis to establish the feasibility of renovating the Blanchard School. Mr. Van Voorhis explained that the mechanical, electrical and plumbing systems will all need to be replaced to bring them up to current codes/standards; structurally the building is in good condition. He then explained that the committee has determined that the building would best be utilized as the following: first floor municipal space, second floor office space for school department, third floor auditorium, and the ground floor as record/file storage and cable television. The Blanchard committee would like to leave the existing school finish and fabric intact as much as possible. They would also like to leave the exterior untouched as much as possible while making it handicap accessible. Mr. Van Voorhis informed the Board the total renovation cost would be around \$7.7 million. The Board was provided with a presentation that showed four different options to complete the renovations with the price ranging from \$5.66 million to \$7.76 million. Mr. Van Voorhis noted that regardless of the renovation there are immediate building needs to be addressed and he would I.D. them for us. Mrs. Romasco addressed the Board and asked them to provide the Committee with the power to write grants. Mrs. Romasco feels as though there are many grants out there that would help

cut down the cost. Finally, Mrs. Romasco asked the Board to make a decision on the future of this building. A draft study was provided to the Town manager.

Chm. Woods asked the Committee to provide the Board or the Town Manager with any paperwork/information they may have about grants so that the Board may review them and decide on the next steps to be taken.

Approval for the sale of BAN's – David Genereux: \$1,313,550.00: Ms. Myers briefly addressed the Board on the solicited notes for the borrowing for the school land acquisition cost for a total of \$1,313,550.00. Eastern Bank won the bid with a net interest cost of 3.8890%. They will BAN this borrowing into a permanent debt in the fall of 2007. The initial debt payment will be in the FY08 budget. Ms. Myers stated right now no formal action is required from the Board, the Selectmen just need to sign the original notes because this is a State House Note.

Request for a new Common Victualler License: Colleen's Catering and Deli:

MSDV by Sel. Kuros, seconded by Sel. DuBois to approve Common Vic license for Colleen Pendleton for Colleen's Catering and Deli. The motion passed unanimously.

Motorcycle Safety Awareness Program: authorization to participate/proclamation: Sgt. Timothy Burke stated that the MMA contacted the Uxbridge Police Department and that March 26 – April 26 is Massachusetts Motorcycle Safety Awareness Month. The MMA's main objective is to minimize motorcycle injuries and fatalities. Sgt. Burke announced that hopefully by 3/30, 2- 3'x8' banners will be displayed in Town. Sgt. Burke introduced Mr. Joe Prior who is an active member of the MMA. He spoke briefly on the MMA program and the goal to put at least one banner in every town in MA. He then thanked Sgt. Burke and the Uxbridge Police Department for their support and help. Chm. Woods asked for a motion to support the following: (1) declare, proclaim and /or resolve to participate in the State's Motorcycle Safety and Awareness Period, the last week of March through the last week of April, 2007; (2) grant authorization for the association to place a 2'x8' framed yellow/black plastic 'Check Twice' sign at a location to be determined; (3) appoint a public safety official to work with us in coordinating this effort (Sgt. Burke).

MSDV by Sel. Dwyer, seconded by Sel. Stack, to support those three recommendations of the Massachusetts Motorcycle Association. The motion passed unanimously.

Update on Norden Cemetery: request for additional correspondence: Mrs. Shelly Merriam reviewed a letter she wrote on behalf of the Uxbridge Historic Cemetery Committee asking the Board of Selectmen for help with obtaining copies of records of the Norden Cemetery Corporation. Mrs. Merriam explained to the Board that the records are needed in order to properly continue and account for the corporation's activities and any outstanding deposits, deeds and liabilities.

MSDV by Sel. Stack, seconded by Sel. Kuros, that a letter be sent out by the Town Manager indicating we were updated on this situation this evening and we unanimously support the efforts to get assistance. The motion passed unanimously.

ACTION ITEMS: a letter will be sent by the Town Manager supporting the information request efforts of the Historic Cemetery Committee.

TOWN MANAGER REPORT: Ms. Myers spoke briefly about the Worcester Regional Research Bureau Workshop. Ms. Myers stated that she and the City Manager provided a presentation on the

impacts of local aid. Ms. Myers stated that Worcester is facing the same issues we are and they to are seeking approaches to figure out our financial options. Ms Myers informed the Selectmen of a Board meeting she attended with Municipalities Organization for Regional Effectiveness. She explained that through this group she is trying for small towns (like us) to extend management capacity, have shared services, also build a regional identity so economic development stays in our region.

OLD BUSINESS:

Gravel operations and occupancy permits: continued discussion from 3/12/07: The Board discussed the process of obtaining a permit in the Town of Uxbridge. The Selectmen accept the fact that the Zoning Bylaws may not have always been followed to the full extent. The Board realizes that ultimately the individual/business applying for the permit is responsible for making sure all the requirements are met. Mr. Frank Dorr asked to address the Board and in doing so he asked who is at fault for not following the rules: the Selectmen for not enforcing the bylaws or the business for not reminding the BOS to enforce the bylaws. Chm. Woods stated that no decision has been made and more thought/discussion is needed. The Board also took the recommendation of Ms. Myers to have the Conservation Administrator attend the next meeting on 4/9/07 to provide the Board with a recommended outline of a letter/form on what is expected for an individual who wishes to obtain a permit.

ACTION ITEM: Ask the Conservation Administrator, Rachel Landry to attend the BOS meeting on April 9, 2007.

FY08 Budget: continued discussion form 3/12/07: Ms. Myers reviewed the new growth rate memo from the Assessor and told the Selectmen that no action is expected from the Board. Ms. Myers explained the single family home sale was “off” 20% in 2006 and the new growth benefit we received was mostly due in part to the early completion of the new BJ’s complex on Quaker Highway and that is why the FY07 new growth rate exceeded FY06. Ms. Myers provided the Board with a copy of the Finance Committee’s meeting schedule. Ms. Myers informed the Board that letters did go out to the Unions to begin health care negotiations. Finally, Ms. Myers said she is seeking input to determine if the community would approve an operational override knowing that there are rainy day funds (stabilization). However, she does not believe now is the time to use the rainy day funds; Ms. Myers feels FY09 will be that time. Sel. Kuros asked about a semi-freeze to look at what individual departments are spending. Ms. Myers agreed and assured Sel. Kuros that staff is tracking the spending trends, but a freeze may be in order.

Acceptance of Deed: Lavallee Property: Ms. Myers told the Board that David Lavallee and his family had already signed the purchase and sales agreement. She informed the Board that the only item in question is who the deed lists as having rights to Old Skull Rock Road. The Board took the recommendation of Town Counsel and made the following motion.

MSDV by Sel. Stack, seconded by Sel. Kuros, for the Board approve the deed contingent upon final approval by Town Counsel of the title examination and form of deed. The motion passed 4-0-1. Sel. Dwyer abstained.

Stanley Woolen Mill: Chm. Woods made a brief statement regarding the Stanley Woolen Mill. She informed the Board that Mr. Nick Deane made a presentation at the meeting of the Blackstone Canal Commissioners. Mr. Dean stated he spent an additional \$180,000 toward lead paint removal for the interior of the building. Mr. Dean is hopeful to be back in the building by the first week in April, and

all are hopeful the project will get back on track. The Board of Selectmen requested inviting Mr. Deane to a future meeting

NEW BUSINESS

Consider solicitation of a RFP for Town Counsel services: Ms. Myers reviewed the contract for legal services FY07 from Kopleman and Paige. Ms. Myers is satisfied with the contract and after a minor revision relating to cable tv review for FY07 the Board made the following motion.

MSDV by Sel. DuBois, seconded by Sel. Stack, to authorize the chairman to sign the appropriately revised copy. The motion passed 4:0 Sel. Dwyer was not present for the vote.

ACTION ITEM: The Board will review the Town Counsel RFP at their meeting on 4/9/07.

AAA Haul Away, Residence C: Consider zoning enforcement action: Ms. Myers updated the Board on a conversation that the Zoning Enforcement Officer had with the property owner, Mr. Esters, regarding a complaint received from Mr. Henschel. Mr. Esters stated that he plans to shut down the business and sell all unregistered vehicles but asks for two –three months to do so. The Board then deliberated until reaching the following consensus:

MSDV by Sel. Stack, seconded by Sel. Kuros, to authorize the Chairman to draft a letter to the property owner that we are going to authorize the Building Inspector to visit the site and if he does not feel compliance is going to be fairly immediate, he has the right authority to issue a cease and assist order. The motion passed unanimously.

ACTION ITEM: Chairman Wood will draft a letter to Mr. Esters with copies to the Building Inspector. Send a letter to Mr. Henschel to thank him for bringing this matter to our attention and inform him of our intentions signed by the Chairman.

Board of Registrars term expiration (Cecilia Boatman, 3/31/07): notification to Democratic Town Committee: Ms. Myers referred to an e-mail from Karen Pascucci who informed her of the Democratic Town Committee's meeting scheduled for April 4, 2007, where they plan to address this issue. Sel. DuBois noted that the Board is following the procedures under MA General Law and not reflecting on the performance of this registrar or the appointment future of any other Registrar when addressing the vacancy.

MSDV by Sel. Kuros, seconded by Sel. DuBois, to send correspondence to the Democratic Town Committee requesting the list of candidate names for the position of registrar. The motion passed unanimously.

Bylaw Review Committee resignation: Daniel Baker: Chm. Woods requested a letter of thanks be sent to Mr. Baker for his dedicated service to the Bylaw Review Committee. Sel. Dwyer noted that two openings need to be advertised and posted.

CONSENT ITEMS: The Board agreed to postpone the acceptance of regular session meeting minutes from 3/12/07.

CORRESPONDENCE/OTHER BUSINESS: Sel. Stack made a brief comment referring to the Veterans Agent's request for additional FY07 funds. Sel. Stack asked that we hopefully find the money to fulfill the request.

EXECUTIVE SESSION: At 9:58 p.m., motion by Sel. Stack, seconded by Sel. Dwyer, to enter into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigation position. Also, an executive session now may be convened to conduct strategy sessions in preparation for negotiations with non-union personnel. RCV: Woods – aye, Stack – aye, DuBois – aye, Kuros – aye, Dwyer – aye.

ADJOURNMENT: At 10:35 p.m., with no other business before them, the Board adjourned.

MSDV by Sel. Kuros, seconded by Sel. DuBois, to adjourn. The motion passed unanimously.

*Minutes respectfully submitted by,
Tracy Leavitt, 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*