

**BOARD OF SELECTMEN  
REGULAR SESSION MEETING MINUTES  
April 9, 2007**

**CALL TO ORDER:** Chm. Woods called the meeting to order at 7:03 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**

Cable channel difficulties, Senator Moore office hours, Four Town Selectmen meeting, Veteran's Day parade meeting, Council on Aging training, National Public Safety Telecommunicator week, Uxbridge Police Department partnering with MADD.

**CITIZEN'S FORUM**

Ms. Rachel Macgillivray addressed the Board in hopes to appeal a decision made by the ZBA. Chairman Woods informed Ms. Macgillivray she would need to follow proper procedure and she could contact the Town Manager's office during regular business to obtain more information.

**PUBLIC HEARINGS/APPOINTMENTS**

**Board of Health: Presentation of initiatives**

**Mosquito Abatement:** Mr. Tim DeChamps provided the Board with an informational packet entitled "Central Mass Mosquito Control Project". Mr. DeChamps of Central Massachusetts Mosquito Control Project began his presentation by providing the Board with background information of the CMMCP. He then explained the biology of mosquitoes, where they can usually be found, what types of illness they carry, and how to protect ourselves. CMMCP offers a full program of mosquito control with six main areas: larval control, adult control, wetland restoration/ditch maintenance, mosquito surveillance, public education and research and efficacy. Mr. DeChamps stated that over the years, CMMCP has made great efforts to reduce the dependency on spraying by using the above methods. Road-side spraying will only be done if requested by a property owner or when mosquito-borne viruses are identified and local/state officials have been notified. The cost of membership is determined by the Department of Revenue a charge off the "cherry sheet" and is a factor of the equalized evaluations and the total land area of each town. He informed the Board that if they were to adopt this program, it is done voluntarily by request of the property owner. Mr. DeChamps believes that just educating the public will have an impact on reducing the mosquito population.

Ms. Mary Anne Bentley of Uxbridge addressed the Board briefly to support membership in the CMMCP. She stated that her home on Hecla Street is located near 30 acres of wetlands and for many years they have been unable to enjoy their yard without being surrounded by mosquitoes. Ms. Bentley is also concerned with the mosquito's presence at the DPW athletic fields.

**Pay as you Throw:** Ms. Irene Congdon of the DEP provided the Board with a slide show presentation/handouts on Pay as you Throw. Ms. Congdon explained that PAYT is an incentive based program that uses no tax money, is voluntary and the users pay a flat fee to cover collection/administration cost and a bag fee to cover disposal costs. PAYT is a waste reduction program which allows households/communities more control over trash bills. "Households that recycle more and produce less trash *pay less*." Ms. Congdon stated that if the Town was to adopt this program residents on whole could save close to a \$200,000 a year and maybe even more by contracting with one vendor. She offered a few others reasons to consider more recycling opportunities, save the wear and tear of our streets, saving of natural resources and residents coming together to support an efficient program. Sel. Dwyer asked Ms. Congdon if the grant program could be used to improve our general administration of the enterprise funds. Ms. Congdon stated that funds are restricted in that way but she could provide us with helpful information.

Mr. Bill Walsh, Director of Blackstone Recycling Center-Chairman of Blackstone Board of Health, stated that when Blackstone first began the recycling center, it promised to compensate all involved once they began to make money. Uxbridge was a founding partner and Mr. Walsh offered the Town of Uxbridge for Blackstone to be its regional recycling center at a cost of \$3500 per year for FY08 compared to \$7500. This would include two white good days (April/ December) and it would be run on a sticker program. The stickers would be provided by the Town of Blackstone and be available in the Town of Uxbridge with a cost of \$10-\$30. If Uxbridge were to adopt the PAYT program and set-up a transfer station, Blackstone would transport all materials to their facility then bale and sell them. After the sale, Uxbridge would receive 30% of the money from the total sale back. Mr. Walsh extended an invitation to the BOS to explore the Blackstone facility. Chm. Woods congratulated Blackstone on their success. Sel. Kuros asked if the transfer station could be built with grant money. Mr. Walsh stated Uxbridge may have the space available at the treatment facility and Blackstone has a vendor to supply the containers. All Uxbridge would need to do is staff the facility.

Mr. Tim Rice of the Board of Health feels if the Board of Selectmen adopts PAYT and CMMCP, they would be bringing two very good user-friendly programs to the Town of Uxbridge. Chm. Woods stated the BOS will vote recommendations when they renew the warrant, and both items will be voted at the Annual Town Meeting on May 8, 2007.

Metacomet Land Trust: Conservation Restriction on West Street near Laurel Street: Ms. Lisa Moczynski introduced Mr. Whitney Belas of New England Forestry Foundation. Mr. Belas informed the Board that back in 2005 the NEFF was the recipient of a gift of land: the land located at West Street near Laurel Street in Uxbridge. Mr. Belas explained that the Laurel Brook Club sold the land to Ms. Helen Cairns and now the land would be sold back to the Laurel Brook Club for future use as active forest land. Ms. Moczynski explained that property, with a conservation restriction, is protected in perpetuity from development. Ms. Moczynski provided the Board with a visual presentation showing the actual property. Ms. Moczynski stated that the house is separate and the two parcels total 18.22 acres. Ms. Moczynski informed the Board that Metacomet provided a similar presentation to the Conservation Committee and they approved for it to come before the BOS. Ms. Moczynski told the Board that the application before them has also been sent to the State and is currently being reviewed by the Office of Conservations Services. The application will need to be signed off by the Secretary of Environmental Affairs and the BOS. Metacomet asked the Board for a motion to approve the eventual signing of the document. Sel. Kuros asked whether the restrictions apply only to the land the Laurel Brook Club will acquire or all the land even though subdivided. Mr. Belas stated the restriction is only on the land the Laurel Brook Club will acquire. Sel. Dwyer asked if the property is protected under Chapter 61. Mr. Belas stated the club does intend to protect this land under Chapter 61 once it acquires it subject to the conservation restriction. Ms. Susan Spears of Metacomet suggested that if no further changes are requested from the State that Metacomet will notify the BOS and request signatures and a vote. Metcomet will come before the Board only if subsequent changes are requested from the State; otherwise the documents provided in the packet tonight will be the final documents for action.

Request for a new Common Victualler License: North Uxbridge Italian – American Club

**MSDV by Sel. DuBois, seconded by Sel. Kuros, to approve the common victualler license. The motion passed unanimously.**

### **TOWN MANAGER REPORT**

Ms. Myers reviewed sections of her written report. A copy of the report is attached to these minutes.

### **OLD BUSINESS**

Board of Registrar appointment: Democratic Town Committee: The Town Manger reviewed the list of candidates provide by the DTC. The term is three years and will be from 04/01/07-03/31/10.

**MSDV by Sel. DuBois, seconded by Sel. Stack that we appoint Cecilia Boatman to the position of Registrar in the terms just specified. The motion passed unanimously.**

***ACTION ITEM: Send a letter to Ms. Boatman and the Democratic Town Committee.***

Review of Sign Placement Procedure: Chief Ostroskey reviewed the recommendation of the Public Safety Committee for the revision to the sign placement procedure. He stated that the major change is the addition of regulatory/warning signs. Chief Ostroskey stated the PSC makes a recommendation to the BOS and if the BOS adopts the recommendation they would then issue a warrant for the specific signage to be put in place to the DPW for them to take action, on some occasion's approval is required by Mass Highway. Chm. Woods expressed her concerns with lack of signs at dark intersections. The Public Safety Committee believes the signs are appropriate and if we place too many signs operators will begin to ignore all signs. Chm. Woods asked to go on record stating, "I see when I drive around the town at night plenty of places where it is so dark you cannot tell where the street ends and there is no other signage." The PSC asked the Board to support their recommendation.

**MSDV by Sel. Dwyer, seconded by Sel. DuBois to approve the recommendations as outlined in the document. The motion passed 4-0-1. Chm. Woods opposed.**

Review of Town Counsel RFP: The Board reviewed the draft RFP. Sel. Kuros asked if it is possible to combine legal services with the school department. The Town Manager said the BOS appoints Town Counsel and to her knowledge the School Committee contracts for Labor Counsel services. Chm. Woods stated that over the years there have been many good reasons to remain separate. Sel. Dwyer felt we should not solicit another RFP until we thoroughly review the current one.

***ACTION ITEM: Board of Selectmen to review and provide comments on the draft RFP.***

Lavallee Acquisition: Old Skull Rock road (Town Manger): Ms. Myers explained to the Board that the seller of the property (Lavallee's) is required to deliver a clean marketable title. According to a recent title examination, the title to the property is subject to the right of others (Old Skull Rock Road). This material, according to Town Counsel, interferes with the use of the property for the purpose of constructing the school. As a way to alleviate any potential rights to Old Skull Rock Road, Town Counsel asked us to do a friendly taking. If the Board agrees, the damages of \$717,640.00 could not be contested by the seller. The seller would then have to deliver the deed of the property and an eminent domain waiver. Ms. Myers then informed the Board that after many unsuccessful attempts to contact Mr. Zygmuntowicz, it appears we will have to do a formal taking. Ms. Myers was requested to contact Bond Counsel to confirm her comments that Town Counsel noted a taking was allowable in the vote of 11/05 at the Fall Annual Town Meeting.

***ACTION ITEM: Continue discussion to 4/23 meeting.***

FY08 Budget: Discussion on Core Services: Sel. Dwyer provided the Board with a handout entitled "Core Service Groupings & Overhead." (A copy is attached to these minutes.) Chm. Woods began the discussion by stating we need to have a conversation that really illuminates what it means when we cut a dollar amount from the line item. We need to work towards a vision of what type of community we want to be. Sel. DuBois stated that being out in the community he realized that people scrutinize government more than they do any other business transaction. He feels we should present a "package" to the voters. Sel. Stack feels as though eliminating employees will not solve our budget deficit. He also stated that override support is a "yes" or "no" question to so many people. Sel. Stack does not want to take money out of stabilization/free cash. Sel. Dwyer reviewed his handout. Spending one time revenue creates a shortfall the following year which could be disastrous. Sel. Kuros asked "Are we at a Core Service level now?" Sel. Kuros feels if we ask citizens for an override, we need to provide them with a two-three year projection to assure them we will not ask again soon. Sel. Kuros is not in favor of an override but feels the town should get the opportunity to vote it. Chm. Woods complimented Sel. Dwyer on his report. Chm. Woods then stated she understands this is not a temporary

problem, it is systemic. We need to discuss all options and educate the public. Superintendent of Schools Dan Stefanilo addressed the Board and stated he appreciates the discussion but feels it is a little too late to begin now. Mr. Stefanilo believes we missed our opportunity and are now just looking for a quick fix. He feels as though we need to look at this problem realistically and come together at an open meeting. Superintendent of Public Works Larry Bombara feels we need to have more coverage in the newspaper. Mr. Bombara feels because of the little coverage we receive in the newspaper most citizens do not know we have such a problem with the budget. Chm. Woods commented that she has tried to encourage many newspapers to cover us and inform them that they are missing stories.

***ACTION ITEM: Continue discussion to 4/23 meeting.***

### **NEW BUSINESS**

**Appointment/Reappointment of Poll Workers:** The Town Clerk addressed the Board regarding the need for Poll Workers. Mr. Kaplan stated that we are ahead of the curve; however we still need eight more workers. He is waiting to hear back from eight candidates. He informed the Board that the requirement is to have six poll workers per precinct (total of 24) and also have some on stand-by. Mr. Kaplan stated that the appointments are usually done on a June to June basis but someone can be appointed in between two of the new registrars are former poll workers. Mr. Kaplan stated that the pay is \$7.50 hour, depending on your shift, and three meals are provided as well as training. There is a call for poll workers on the website as well as cable television.

**MSDV by Sel. Dwyer, seconded by Sel. DuBois, to provide the names of Elizabeth Pasichny and Jennie Berghuis to the Town Clerk as poll workers. The motion passed unanimously.**

***ACTION ITEM: Continue appointment/reappointment of poll workers to 4/23 agenda***

**Athena's by Amanda, Residence C: Consider zoning enforcement action:** The Board reviewed an e-mail sent by Ms. Amanda Bishop stating her intentions to relocate the trailer in question and ask for her Certificate of Trade license to be relinquished effective April 9, 2007.

**MSDV by Sel. DuBois, seconded by Sel. Dwyer to send a letter to Ms. Bishop informing her that we are not taking enforcement action but, memorializing through this letter, our understanding that the business is making the appropriate adjustments. The motion passed unanimously.**

***ACTION ITEM: Send a letter to Ms. Bishop.***

**Municipal Building Assessment and Planning Committee:** Chm. Woods informed the Board that she feels we should form a committee to take a more comprehensive look at the future of the buildings the Town of Uxbridge own. Sel. Dwyer feels as though the Blanchard Committee has exhausted their Charter. He suggested the possibility to sell/lease the Blanchard School, retain the basement for cable television and record storage. This option would have a minimal cost on the Town while making money from the rest of the building. Sel. Stack feels as though we cannot just disregard the work of the Blanchard Committee. He supports doing the renovations over a period of time. Sel. Stack feels that the citizens would agree to pay a little more each year and see progress rather than pay a lot upfront and hope something gets done. The Board agreed more discussion needs to take place. Chm. Woods said the Town is not short on are great ideas: the only problem with that is lack of agreement.

### **CONSENT ITEMS**

The Board agreed to postpone the acceptance of meeting minutes because of the time.

### **CORRESPONDENCE/OTHER BUSINESS**

Sel. Dwyer reminded the Board that two vacancies for the Bylaw Review committee still need to be added to cable.

**ADJOURNMENT:** At 10:38 p.m.,

**MSDV by Sel. Dwyer, 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:

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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*