

**UXBRIDGE BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
JUNE 23, 2008**

Present: Chairman Kevin Kuros, Vice Chairman Michael Potaski, Clerk Peter Baghdasarian, Assistant to the Town Manager Kimberly Hood. Also present were Finance Director David Genereux and Acting Town Manager Scott Freitas. Town Manager Myers was not present.

NOTE: Some matters may have been taken out of agenda order but are presented below based on agenda order for ease of locating information.

I. CALL TO ORDER AT 7:00 P.M. Vice Chairman Potaski called the meeting to order.

- A. Announcements: Energy Information Forum
- B. Citizens Forum: Selectman Potaski recognized Howard Fortner who stated he intended to express his opinion regarding the renewal of the Town Manager's contract; however, due to the Town Manager's absence, he would defer his remarks until such time as the Manager is present.

II. CONSENT ITEMS

- A. Acceptance of Meeting Minutes from 6/9/08
MOTION by Selectman Baghdasarian to approve the June 9, 2008 meeting minutes as written; seconded by Selectman Potaski. Motion passed 2-0 (Chairman Kuros not present for vote).¹

III. PUBLIC HEARINGS/ SCHEDULED APPOINTMENTS

- A. Presentation of Bernat Mill Paintings: Pastor Robert Howard, Church of the Nazarene and Lynne Randolph: Six paintings by Lynne Randolph depicting firefighters' efforts during the Bernat Mill fire were presented to Chief Ostroskey in appreciation of the Department's efforts to protect the Town. The paintings will be on display in the lobby of Town Hall for the next few weeks.
- B. Appointments to the Cable Advisory Committee: Christine Karter and Joseph Ney, Jr.:
MOTION by Sel. Potaski to appoint Christine Krater of 26 Maple Street and Joseph Ney, Jr of 26 Andrews Drive to the Cable Advisory Committee. Sel. Baghdasarian requested postponing the vote until the Board was aware of the Committee's charge. Motion seconded by Chm. Kuros. Motion approved 2-0-1 (Sel. Baghdasarian abstained)

IV. TOWN MANAGER REPORT (Report is attached to these minutes).

Ms. Hood reported that Mr. Louis Tusino delivered a check for \$50,000 on June 20, 2008 with a request to extend closing date on the Douglas Street land purchase by 90 days pursuant to the provisions of Article 1.7 of the Purchase and Sale Agreement dated June 4, 2007.

¹ Chairman Kuros arrived at 7:10 PM.

Action Item: Chm. Kuros to send a letter to Mr. Tusino acknowledging receipt of funds and request to extend closing date; Chairman to request Mr. Tusino provide the Board with an update on permitting progress to date and a proposed timetable for further permitting activities.

Action Item: Chm. Kuros requested that a letter of thanks be sent to Gretchen Duffield for her years of service to the Town.

V. OLD BUSINESS

- A. Blackstone Valley Angel of Hope: Proposal to build a children's memorial garden on Town-owned land at Peaceful Pond (Brett Pomeroy)- Continued from 6/9/08: Ms. Hood reported that Town Counsel and Counsel for the Pomeroy's have agreed that the rights to use/occupy the property should be granted by license, and the parties were working to draft an agreement. **No action taken; item continued to 7/14 for review of license agreement.**
- B. BOS Board and Committee Appointments/Re-appointments – Continued from 6/9/08: **MOTION by Sel. Potaski to re-appoint the following: Faye McCloskey to the Council on Aging, Sheryl Romasco and Jane Snyder to the Historic Cemetery Committee, William Leland and Faye McCloskey to the Historic District Commission, and Chris Hanson and Normand Roy to the Recreation Commission. Motion seconded by Sel. Baghdasarian. Motion passed unanimously.**
- C. Consideration and adoption of proposed snow plowing/road maintenance policy and associated developer fees - Continued from 5/27/08, 6/9/08: **MOTION by Sel. Baghdasarian accept the policy upon modification the language in point number 9 to clarify that the Town can draw on these funds in order to reimburse the Town when emergency service is provided; seconded by Sel. Potaski. Motion approved unanimously.**

Action item: Town to develop a standard "Hold Harmless Agreement" referred to in point 7 of the policy.

MOTION by Sel. Baghdasarian to accept the fees noted on the May 27, 2008 document titled *Estimated Reimbursement Rate Winter Maintenance 2008-2009*, seconded by Sel. Potaski. Motion approved unanimously.

VI. NEW BUSINESS

- A. North Uxbridge Fire Station Replacement; Request to designate the Town-owned property on Hartford Avenue East (formerly known as Gray Rock) for this purpose; and consider establishing a North Uxbridge Fire Station Building Committee with mission/charge. (Fire Chief Ostroskey): Chief Ostroskey requested that the Board vote to designate Town-owned land located on Hartford Avenue East (the site formerly known as Gray Rock) as the location for a future North Uxbridge Fire Station. He also requested that the Board develop a charge for and appoint a North Uxbridge Fire Station building committee. The Chief reviewed concept and illustrative plans (attached to these minutes) showing a proposed station on the site. Discussion ensued.

MOTION by Sel. Baghdasarian that the BOS considers Town-owned land at the former Gray Rock Estate off of Hartford Avenue East the site for a new North Uxbridge fire station at such time that they chose to build it; seconded by Sel. Potaski. A friendly amendment was proposed

by Chm. Kuros that it be considered a preferred site for a new station. The motion passed unanimously.

- B. Consider request for the BOS to set up a Committee to determine a plan for the Town Park and Duck Pond and develop a plan for general recreation use. (Alan Keeler):

Mr. Alan Keeler addressed the Board, seeking to bring attention to the Town Park that has fallen into disrepair. He indicated the park's Board of Trustees would like to upgrade and make the park more functional for everyone, and to that end, he asked the Board to establish a committee to work with the Trustees to develop conceptual plans to enhance the park's beauty. Discussion ensued, with Sel. Baghdasarian indicating a reluctance to form another committee and suggesting that perhaps there is a need to formalize thinking regarding parks and recreation as broad functions. Chm. Kuros proposed that Mr. Keeler and the Trustees first get notice out on public access to solicit response from parties interested in serving on a committee. If sufficient interest were expressed, the Board could then consider the establishment of a Town Park and Duck Pond committee; by consensus, the Board supported this proposal.

- C. DOR Financial Management Audit Report – Review report and management responses (Finance Director Genereux):

Finance Director Genereux indicated that the report represented the culmination of a project undertaken last November by staff at the Department of Revenue (DOR). He stated that while not required, the Town compiled a list of management responses to the DOR's findings and recommendations. Overall, the DOR staff found that the Town's revenue situation is severely strained. Discussion ensued, including a suggestion from the Board to consider extended office hours to provide better customer service. **No action taken.**

- D. Ambulance Billing (Selectman Baghdasarian): Sel. Baghdasarian requested to continue the item to the next meeting, by which time he expects to have met with a representative from the billing company. **No action taken.**

- E. Discussion with Police Chief re: motorcycle/bicycle patrols in lieu of cars; and costs associated with police details at DPW work sites and at polls (Selectman Potaski):

Sel. Potaski stated that he was seeking information on whether police motorcycle patrols (in lieu of cruiser patrols) might be a way to cut back on fuel and maintenance costs. Police Chief Scott Freitas addressed the Board, responding that he has been exploring the matter, and to date, his assessment is that motorcycles are of limited use (depending on weather, time of year), and that there are other considerations beside better gas mileage, e.g. the inability to transport prisoners on motorcycles, officer training requirements, the potential for serious injury were an accident to occur, the investment in radio systems, sufficient staffing to provide back-up, etc. The Chief also stated that the Department has been forward thinking and has identified ways to save on fuel costs, and cited the example of the Department switching to 6-cylinder vehicles that are more economical, and that this practice occurred before the current gas crisis.

The Chief indicated that Police details are not mandatory on side and back roads, and that when details are required for Town projects, the Police Department does not charge DPW an administrative fee.

Sel. Potaski inquired whether police details at the polls duplicated what the Warden should be doing. The Chief indicated that per Ch 54 Section 72 of MGL, he assigns detail officers based on what the

Town Clerk asks for, and that the Police Department does not charge the Clerk's Office the administrative fee.

F. Discussions with COA on reduced services in FY09 (Selectman Potaski):

Sel. Potaski indicated that he was unaware that the budget passed at Town Meeting would reduce the Senior Center's service hours. Mr. Daniel Baker addressed the Board, stating that the Council on Aging (COA) wished to restore Friday service using funding from the donations account. Finance Director Genereux stated that the current operating budget funded four days of service, and if the COA was to restore service out of the donations account, it would need to pay all associated costs from that fund.

No action taken, item continued to the next meeting to allow the Town Manager an opportunity to respond.

G. Centralize procurement/purchasing plan for FY09 (Selectman Baghdasarian):

Sel. Baghdasarian stated that he would like to see clear guidelines and expectations as to what we hope to accomplish with centralized purchasing.

No action taken.

VII. CORRESPONDENCE/ OTHER BUSINESS

Request by Sel. Baghdasarian to discuss the June 16, 2008 memo from the Finance Director to the Town Manager regarding cable fees that was in BOS reading file. Sel. Baghdasarian stated that per MGL, as a general rule, monies deposited in the Town cannot be further expended without specific appropriation by Town Meeting. He noted three specific exceptions to this rule, one of which was the use of Cable PEG Access funds. He further contended that the money that Charter is contractually-obligated to pay to the Town is in lieu of Charter's responsibility to directly provide PEG access. He stated that so far, he has not been provided any evidence to substantiate the Manager and Finance Director's claim that the money received from Charter can only be used for PEG access. Discussion ensued; Mr. Genereux indicated he had sought DOR guidance and we are in compliance, but he would continue to seek additional information from Charter Communications.

Request by Sel. Baghdasarian for follow-up discussion on the Zoning Bylaw Recodification passed at Town Meeting on May 14, 2008. He cited several examples in the recodified bylaws that he believed to be substantive in nature. Discussion ensued. Sel. Potaski expressed his concern about the substantive nature of the changes, but requested that the discussion be continued to the next meeting with an invitation to Megan DiPrete, Steve O'Connell, and Mark Wickstrom to be present to participate in the discussion. **No action; discussion tabled until 7/14/08.**

VIII. EXECUTIVE SESSION (MGL c.39, §23B): At 10:19 p.m. (Separate meeting minutes will be provided)

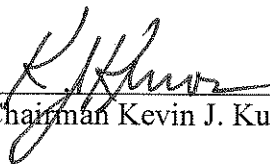
MOTION by Chm Kuros, seconded by Sel. Potaski, to enter into executive session A. #6 To consider the purchase, exchange, lease, or value of real property if such discussion may have detrimental effect on the negotiating position of the governmental body (Hutnak well land) and C. #3 To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effort on the government's bargaining or litigation position. Also, an executive session may now be convened to conduct strategy sessions in preparation for negotiations with non-union personnel (Collective bargaining update: Police Union), with no business to follow. By roll call vote the motion passed unanimously.

IX. **ADJOURNMENT:** At 10:45 PM

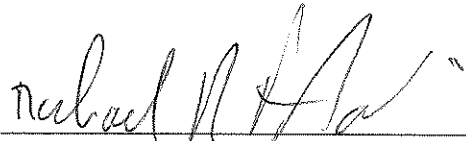
MOTION by Sel. Baghdasarian, seconded by Sel. Potaski, to adjourn. By roll call vote, the motion passed unanimously.

*Minutes respectfully submitted by,
Kimberly Hood, Assistant to the Town Manager*

Minutes Approved by the Board of Selectmen:



Chairman Kevin J. Kuros



Vice Chairman Michael Potaski

Clerk Peter Baghdasarian

July 14, 2008

Date Approved