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**UXBRIDGE BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
NOVEMBER 24, 2008**

Present: Chairman Kevin Kuros, Vice Chairman Michael Potaski, Clerk Cari Kay Robertson, Selectman Peter Baghdasarian, Selectman Bruce Desilets, and Town Manager Jill Myers. Also present were Assistant to the Town Manager Kimberly Hood, Finance Director David Genereux, and Assessor David Utakis.

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. Chm. Kuros called the meeting to order at 7:00PM.

A. Announcements

Chm. Kuros noted the passing of Doris Ostroskey, long-time resident, former Town Clerk, and mother of Fire Chief Ostroskey.

Mr. Potaski reported that he attended the Central Massachusetts Regional Planning Commission's quarterly meeting last week; good discussion of shared services and regionalization (report distributed to the Board).

Mr. Baghdasarian stated that he found the action of the Town Moderator on Article 29 at last week's Town Meeting was an uncalled for abuse of power.

B. Citizens Forum

Howard Fortner requested that the Board be proactive regarding any potential power plant coming to Town. Mr. Fortner also suggested that the Selectmen adopt a policy that all communications between the Town and Town Counsel be in writing

Michael Baril asked the Board to re-open its investigation of his complaint against the Police Chief.

Daniel Chauvin requested that the Board re-open its investigation of his complaint against the Police Chief.

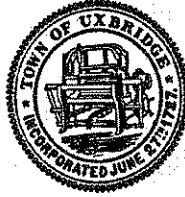
II. PUBLIC HEARINGS/ SCHEDULED APPOINTMENTS

A. Gravel Permit Renewal Application for 155 Laurel Street, Permit # 32 (Hathaway)

Mr. Hathaway told the Board that there has been little activity in the past year due to economic conditions; he has done some reclaiming at the site.

**MOTION by Mr. Baghdasarian to grant the license; seconded by Mr. Potaski.
Motion approved unanimously.**

B. 7:15 PM Public Hearing: To consider an application for a license to store flammable and combustible liquids, flammable solids, or flammable gasses submitted by Calvin Weigers for 72 Commerce Drive



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Chm. Kuros opened the public hearing at 7:27 by reading the public hearing notice: Mr Weigers was present and indicated he is involved with a Class 3B liquid. Chm. Kuros reported that the Selectmen grant the license, then the Fire Chief grants the permit. The license stays with the land, still working through some of the issues with the permit, but no concerns about issuing the license at this time.

Chm. Kuros closed hearing at 7:29

**MOTION by Peter Baghdasarian to grant the license, seconded by Mr. Potaski.
Motion approved unanimously.**

C. 7:15 PM Public Hearing: Tax Classification for Fiscal Year 2009

Chm. Kuros opened the hearing at 7:30 by reading the hearing notice, dually posted and advertised. Assessor David Utakis recommended that the Board maintain a single tax rate.

Chm. Kuros indicated that the current distribution of the property tax is 87% residential, 13% commercial/industrial.

Mr. Utakis reported that at the tax bill for the average single family household would increase by \$151 under the recommended rate of \$11.53 per \$1,000 of assessed value.

Chm. Kuros closed the hearing at 7:38 PM.

**MOTION by Mr. Baghdasarian to set a single tax rate of \$11.53/1,000 of value;
seconded by Ms. Robertson. Motion approved unanimously.**

III. TOWN MANAGER REPORT

Town Manager Myers reviewed the Town Manager's Report for the BOS Meeting of November 24, 2008 (report is posted on the Town's website at www.uxbridge-ma.gov)

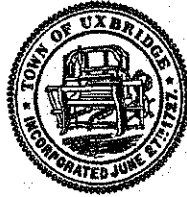
Mr. Baghdasarian requested that the Board be provided with an outline/the parameters of a pay-as-you-throw (PAYT) program before the Board of Health comes to a meeting. He indicated that his preference would be for a program where people have to opt in. CR: Ms. Robertson asked for clarification of what the intent was in looking into the program in the first place (green or economic?).

No action taken.

IV. OLD BUSINESS

A. Winter Maintenance Policy review

Chm. Kuros reported that in the summer of 2007, DPW Supt Bombara brought a list of private ways to the Board and asked it to weigh in on whether the Town should continue to plow private ways.



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When the Board took action in the May/June time frame, did so anticipating that there would be more roads accepted at Fall Town Meeting than were.

Chm. Kuros asking Board to consider the following:

- The Town accepted state statute allowing it to plow private ways; upon doing so, the Town would typically provide funding for such activity. Historically, the Town has not appropriated funding for this purpose.
- To consider delaying the effective date of the policy until October 15, 2009.
- To consider striking "emergency" as a requirement for the Town to plow in situations in which the developer has not stepped up to the plate to plow, but to then allow Town to charge the developer for services provided.
- To break out plowing expenses into two separate line items so it becomes Town Meeting action to fund or not to provide service in future years.

Discussion ensued; the Chairman recognized a number of citizens who addressed the Board and expressed concern about the implementation of the policy.

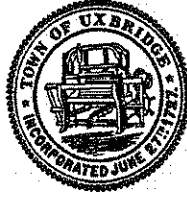
MOTION by Mr. Potaski to amend policy 2008-04, *Winter Maintenance Policy on Unaccepted Subdivision Streets and Private Ways* by removing the word *emergency* from paragraphs 7 & 8 and allowing winter maintenance on unaccepted subdivision streets and ways that were previously plowed by the Town, subject to receipt by the Town, within 30 days, of a properly signed waiver of liability by abutters to those private ways; seconded by Ms. Robertson. Motion passed unanimously.

Action item: Future budget cycles will include separate line items for plowing of public and private ways.

B. Cable TV: Discussion of current contract with Charter and planning for negotiations (Current license agreement with Charter Communications expires on 10/06/10); Update from Cable Advisory Committee (R. Nedder, Chair)

Rick Nedder, Chair of the Cable Advisory Committee reported that the committee has begun to gather information in advance of negotiations with Charter. Town Meeting approved use of cable funds to conduct a survey of cable subscribers and residents who don't have cable to understand issues.

Mr. Potaski inquired about what's negotiable within the scope of the contract with Charter. Discussion ensued regarding the upcoming contract negotiations and cable access funding issues.



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MOTION by Mr. Potaski, seconded by Ms. Robertson, to petition the state for general legislation or special (home rule) petition legislation to resolve the dilemma of accounting for cable access funds. Motion approved 4-1 (Mr. Baghdasarian opposed).

The Board discussed hosting a joint meeting on this matter with the Department of Revenue. No action taken.

C. SEIU MOU Ratification

MOTION by Mr. Potaski to ratify the MOU and incorporate its provisions into a one year successor contract; seconded by Mr. Baghdasarian. Motion approved unanimously.

D. Findings from survey of employees regarding GIC plan offerings (D. Genereux)

Chm. Kuros noted the history and reasoning for the survey which employees were asked to return last Thursday (survey was distributed to all Town and school employees as well as retirees). The response rate was 39% (out of 450 surveys distributed). And 68% of respondents were unable to determine what plans they would choose under the GIC options.

No action taken.

V. NEW BUSINESS

A. Discussion on when to hold Public Hearings

No action taken, continue to future agenda.

B. Discussion of Recreation Commission member affiliation; 2 vacancies

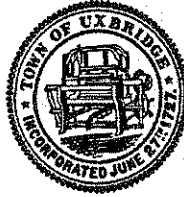
No action taken, continue to 12/8/08 agenda.

VI. CONSENT ITEMS

A. Acceptance of meeting minutes from 11/10 Regular Session; Acceptance of 10/14/08, 10/27 & 11/17 Executive Session minutes

MOTION by Ms. Robertson, seconded by Chm. Kuros to accept the meeting minutes of 11/10/08. Motion approved unanimously.

MOTION by Mr. Baghdasarian, seconded by Mr. Desilets, to approve the minutes of the 10/14/08 executive session. Roll call vote: Potaski-aye, Kuros- aye, Robertson-aye, Desilets-aye, Baghdasarian- aye.



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MOTION by Mr. Desilets, seconded by Ms. Robertson, to release the minutes of the 10/14/08 executive session. Roll call vote: Potaski-aye, Kuros- aye, Robertson- aye, Desilets-aye, Baghdasarian- aye.

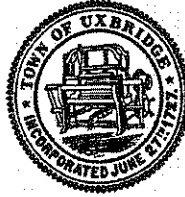
MOTION by Ms. Robertson, seconded by Mr. Desilets, to approve the minutes of the 10/27/08 & 11/17/08 executive sessions, subject to correction of type (11/11 to be changed to 11/17). Roll call vote: Potaski-aye, Kuros- aye, Robertson- aye, Desilets-aye, Baghdasarian- aye for minutes of 10/27, abstain for 11/17/08 (not present at meeting).

MOTION by Mr. Desilets, seconded by Ms. Robertson, to release the minutes of the 10/17/08 and 11/17/08 executive sessions. Roll call vote: Potaski-aye, Kuros- aye, Robertson- aye, Desilets-aye, Baghdasarian- aye.

VII. CORRESPONDENCE/ OTHER BUSINESS

Action item: Mr. Desilets requested that access to Town Counsel be placed on the 12/8/08 agenda.

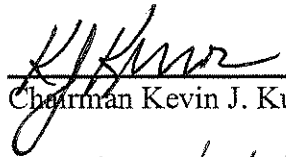
At 10:55, **MOTION** by Mr. Baghdasarian to adjourn; seconded by Mr. Desilets. Motion passed unanimously.



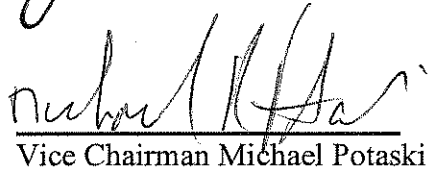
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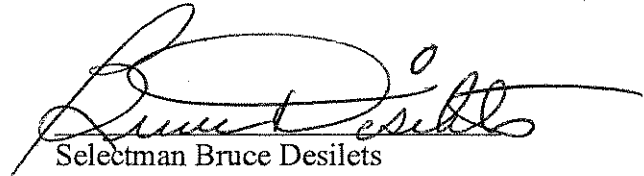
*Minutes respectfully submitted by,
Kimberly Hood, Assistant to the Town Manager*

Minutes approved by Board of Selectmen:

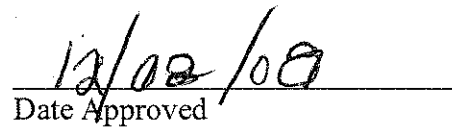

Chairman Kevin J. Kuros


Selectman Peter Baghdasarian


Vice Chairman Michael Potaski


Selectman Bruce Desilets


Clerk Cari Kay Robertson


Date Approved

Attachments