

UXBRIDGE BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
JANUARY 12, 2009

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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 Finance Director David Genereux and Inspector of Buildings/Zoning Enforcement Officer Glenn Hand.

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.** Chairman Kuros called the meeting to order at 7:00p.m., with a pledge of allegiance to the flag.
 - A. Announcements: Mr. Desilets noted his tour of BV Vocational Technical School and components of the "green" building. He noted negative calls relating to the PAYT, as did other BOS members. Mr. Potaski noted his (volunteer) work to submit a grant for records management/retention.
 - B. Citizens Forum: No one wished to address the BOS

II. **PUBLIC HEARINGS/ SCHEDULED APPOINTMENTS**

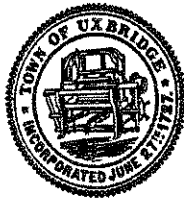
- III. **TOWN MANAGER REPORT:** Attached to the minutes. Mr. Baghdasarian questioned the BOS intent on the request to the Legislature for general or special legislation and appropriation mechanism for cable access revenues. Discussion of the BOS submitting an article for the next Town Meeting seeking a Home Rule Petition (Special Act) to account for cable license revenues in the same manner as an enterprise fund for utilities. Discussion of zoning enforcement of trailers off of 146A with Inspector of Buildings/ZEO Hand. Discussion of calling a Special Town Meeting to address any potential FY09 budget deficits (prior to the SATM) depending on the extent of the Governor's 9C cuts to State Aid and pacing of Local Receipts.

Follow-up: Schedule consideration of a Special Town Meeting for the BOS meeting of 1/26/09 if warranted

IV. **OLD BUSINESS**

A. **Douglas Street Property; Consider deed restriction**

Discussion ensued about the deed restriction language and the assurance that the land will be developed consistent with the Town Meeting vote and RFP. **MOTION by Mr. Potaski to include "only" in the deed restriction, and for the buyer to notify its acceptance of that language by 1/26/09 (the next BOS meeting). Seconded by Mr. Desilets. Vote taken – 3 (Desilets, Potaski, Kuros):1 (Robertson opposed); 1 (Baghdasarian abstained). Motion PASSED.**



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B. Discuss Town Manager Candidates / Feedback from Department Heads

Chairman Kuros noted the participating Departments Heads were 3:2 in verbal feed back to him. He then read his notes from reference checks on the two candidates. **MOTION by Mr. Potaski to enter into negotiations with Michael Szlosek. Seconded by Mr. Potaski. Vote taken – 4 (Desilets, Robertson, Potaski, Kuros):1 (Baghdasarian opposed). Motion PASSED.** Mr. Baghdasarian noted that the BOS needs to better understand its role before hiring a Town Manager, and noted he favored an Interim Town Manager. By consensus of the four, if Mr. Szlosek declines, then offer the position to the other candidate, Mr. Fratto.

C. Winter Maintenance on Private Roads – Status

Town Manager Myers provided an update on residents by street name who have not returned the waiver as of 1/12/09. The BOS had previously directed the Town Manager to discontinue winter maintenance services by the Town on those streets if we did not receive 100% compliance with the waiver submittal. Such deadline by consensus was extended to 1/16/09. She noted that staff will call the residents. Ms. Robertson and Mr. Desilets volunteered to canvass certain streets. .

D. Pay As You Throw (PAYT) proposal; Committee charge

Discussion ensued about unfavorable comments received by the BOS. BOH Chairman Smith and Cay Dederher spoke in favor of having the Committee research and present options to the BOS. **MOTION by Mr. Desilets that the Town NOT appoint a committee to investigate PAYT. Seconded by Mr. Potaski. Motion PASSED unanimously.**

E. Facility Use/Town Hall Use Policy – Third reading and adoption

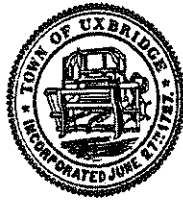
The BOS discussed removing and consolidating certain items in the policy. **MOTION by Ms. Robertson to approve the policy as amended. Seconded by Mr. Potaski. Vote taken – 4 (Desilets, Robertson, Potaski, Kuros):1 (Baghdasarian opposed). Motion PASSED.**

F. 2009 Class II Auto License Renewals: Vision Auto Group LLC and Cote's Collision and Customs. Ms. Robertson noted that there was an inconsistency in the address for the Vision auto licensee as noted on its application. It was suggested that the applicant resubmit a corrected application for the next meeting. *No action on Vision Auto Group.* **MOTION by Mr. Potaski to grant the Class II license to Cote's Collision and Customs. Seconded by Ms. Robertson. Motion PASSED unanimously.**

V. NEW BUSINESS

A. Consideration of MGL Chapter 41 (requested by H. Romasco)

Mr. Romasco presented the details of the Trustees of Soldiers' Memorial Fund Board as provided in MGL, Chapter 41, §105. He noted volunteers to serve on the Temporary Board until the next Annual Town election of the membership. **MOTION by Mr. Baghdasarian,**



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pursuant to MGL Ch 41, Section 105 to establish the Temporary Trustees of Soldiers' Memorial Fund Board, with membership to include BOS Chairman Kuros, three veterans – Donald Letourneau, Dennis Seeley, Louis Bagaglio; Non-veterans David Moriarty and Harry Romasco, and Pat Fettucia to serve as an Ad-hoc member. Chairman Kuros asked staff to inquire if such required a Charter amendment. Seconded by Mr. Desilets. Motion PASSED unanimously.

B. Historic District Commission Appointment: Gregory Dubell
Appointment delayed pending verification if residency in the Historic District is required or satisfied with other members. *No action.*

C. Consideration of request from Estate of Gladys A. D. Magnuson
MOTION by Mr. Potaski to respectfully decline the bequeath of \$2,000 by the Estate, and suggested donating it to the Cemetery Fund. Seconded by Ms. Robertson. Motion PASSED unanimously.

VI. CONSENT ITEMS

A. Acceptance of regular session minutes from 12/08/08 and 12/29/08; 12/15/08 special session

Minutes of 12/08/08 Regular BOS Session: MOTION by Mr. Potaski to accept the minutes of 12/08/08 as written. Seconded by Ms. Robertson. Vote taken; 4 (Desilets, Robertson, Potaski, Kuros): 0:1 (Baghdasarian abstained). Motion PASSED.

Minutes of 12/15/08 Special BOS Session: Mr. Desilets noted he arrived at approximately 6:10 p.m MOTION by Mr. Potaski to accept the minutes of 12/15/08 as amended. Seconded by Ms. Robertson. Vote taken; motion PASSED unanimously.

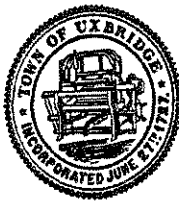
Minutes of 12/29/09 Regular BOS Session: Ms. Myers noted a correction under "Old Item A." MOTION by Mr. Potaski to accept the minutes of 12/15/08 as amended. Seconded by Ms. Robertson. Vote taken; motion PASSED unanimously.

Reminder that the Charter requires votes to be recorded as roll-call if not unanimous.

VII. CORRESPONDENCE/ OTHER BUSINESS

VIII. EXECUTIVE SESSION (MGL c.39, §23B)

At 10:55 PM, MOTION by Mr. Potaski to enter into executive session under exemption #3 - 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, to conduct strategy sessions in preparation for negotiations with non-union



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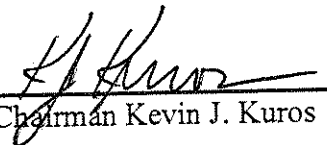
personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel (Town Manager recruitment/negotiation preparation), with no further business to follow in open session. Seconded by Mr. Baghdasarian. Vote taken; by roll call vote (Kuros-aye, Potaski-aye, Robertson-aye, Baghdasarian-aye, Desilets-aye), Motion PASSED unanimously.

IX. ADJOURNMENT: At 11:20 PM


MOTION by Mr. Potaski to adjourn. Seconded by Mr. Desilets. Vote taken; by roll call vote (Kuros-aye, Potaski-aye, Robertson-aye, Baghdasarian-aye, Desilets-aye), Motion PASSED unanimously.

*Minutes respectfully submitted by,
Jill R. Myers, 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

February 9, 2009
Date Approved

Attachments