



MINUTES
SPRING ANNUAL TOWN MEETING
TUESDAY, MAY 10, 2011 – 7:00 P.M.
UXBRIDGE HIGH SCHOOL AUDITORIUM
62 CAPRON STREET, UXBRIDGE, MASSACHUSETTS

Pursuant to the foregoing Warrant, the inhabitants of the Town of Uxbridge, qualified to vote in the Town elections and in Town affairs, met at the High School Gymnasium, in Precinct 2, in said Uxbridge, and transacted the following business on May 10, 2011:

Moderator Harold Klei called the Annual Fall Town Meeting to order at 7:02pm declaring the presence of a quorum (50 required, 121 voters present). Rules for conducting business and taking votes of the meeting were announced.

* * *

ARTICLE 1: REPORTS

To hear the report of any outstanding committee and act thereon

SPONSOR: Board of Selectmen

RECOMMENDATION OF THE BOARD OF SELECTMEN: No Action

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation (6-0-0)

VOTE NEEDED: N/A

Harry Romasco, Chairman of the Charter review Committee gave an update of the process and where the committee stands. He encourages citizen participation.

ARTICLE 2: FY11 INTER/INTRA DEPARTMENTAL TRANSFERS

To see if the Town will vote to transfer from available funds a sum of money to balance certain line items within the FY11 budget approved under Article 5 of the May 11, 2010 Annual Town Meeting or its continued date, or take any other action related thereto.

SPONSOR: Board of Selectmen (Finance Director)

General Commentary: Transfers from miscellaneous Town department line items to others which are needed to fund FY11 anticipated budget deficiencies. Net total of all movements under heading A:

\$206,842; under heading B: \$211,271. The balance in the Stabilization Fund, if these recommendations are approved, at the close of Town Meeting will be \$1,147,037.

MOTION: *Move that the Town vote to transfer and appropriate the amounts as stated in the following charts for any purpose for which funds may be expended from the latter accounts, each item being considered a separate appropriation for FY11: Exclude the quote "or take any other action related thereto"*

A.) Transfers between departments (Requires simple majority vote)

A1.	FROM:	Amount	TO:	Amount
	Police Salaries (0100-210-5110-0000-0000-0000-1-0000-	\$18,000	Capital Police Fleet Replacement (0100-210-	\$18,000

	0-0)		5870-0000-0000-0000-2-0000-0-0)	
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COMMENTARY: This transfer, recommended by the Police Chief, is from salaries to expense to cover the cost of replacing Car 406, which was in an accident and is beyond repair. Total cost of the replacement cruiser is \$26,449. The balance for the purchase will come from the proceeds of the insurance claim. Funds are available in the salary account due to the eleven month deployment of a police officer.

A2.	FROM:	Amount	TO:	Amount
	Police Salaries (0100-210-5110-0000-0000-0000-1-0000-0-0)	\$8,000	Police Expenses (0100-210-5240-0000-0000-0000-2-0000-0-0)	\$8,000

COMMENTARY: This transfer, recommended by the Police Chief, is from salaries to expenses of \$4,000 to fund replacement of worn equipment, and to pay medical costs for an uncovered IOD claim. An additional \$4,000 is requested for small capital expenses associated with upgrades of the Police Station's HVAC system as recommended by National Grid in its whole building assessment last fall. Funds are available in the salary account due to the eleven month deployment of a police officer.

A3.	FROM:	Amount	TO:	Amount
	Police Salaries (0100-210-5110-0000-0000-0000-1-0000-0-0)	\$2,892	Planning Board Expenses (0100-175-5307-0000-0000-0000-2-0000-0-0)	\$2,892

COMMENTARY: This transfer, supported by the Police Chief, is from Police Salaries to Planning Board expenses to fund an insufficiency due to unforeseen advertising expenses. Funds are available in the salary account due to the eleven month deployment of a police officer.

A4.	FROM:	Amount	TO:	Amount
	Police Salaries (0100-210-5110-0000-0000-0000-1-0000-0-0)	\$450	Conservation Commission Expenses (0100-171-5307-0000-0000-0000-2-0000-0-0)	\$450

COMMENTARY: This transfer, supported by the Police Chief, is from police salaries to fund unanticipated departmental expenses. Funds are available in the salary account due to the eleven month deployment of a police officer.

A5.	FROM:	Amount	TO:	Amount
	Ambulance Retained Earnings (6520-231-3590)	\$5,000	Reserve Fund (0100-132-5782-0000-0000-0000-2-0000-0)	\$5,000

COMMENTARY: This transfer, requested by the Fire Chief, is a repayment to the Reserve Fund for a transfer that was authorized in February for engine repairs to Ambulance #2. Funds are available in the Ambulance Enterprise account, but cannot be accessed without a town meeting vote.

A6.	FROM:	Amount	TO:	Amount
	Street Lighting (0100-430-5210-0000-0000-0000-2-0000-	\$4,500	Election Expenses (0100-162-5314-0000-0000-0000-2-	\$4,500

	0-0)		0000-0)	
	Tax Title (0100-159-5306-0000-0000-0000-2-0000-0-0)	\$1,500	Election Expenses (0100-162-5314-0000-0000-0000-2-0000-0)	\$1,500

COMMENTARY: This transfer, requested by the Town Clerk, is for expenses associated with increased costs of certification and maintenance of the voting machines and with correcting inactive voter's lists. Approximately half of the confirmation cards sent to voters who failed to return their census were returned due to forwarding issues. Additional funding will assist in addressing these issues.

A7.	FROM:	Amount	TO:	Amount
	Worker's Compensation (0100-912-5171-0000-0000-0000-2-0000-0-0)	\$42,368	Health Insurance (0100-912-5172-0000-0000-0000-2-0000-0-0)	\$42,368
	Medicare (0100-916-5180-0000-0000-0000-2-0000-0-0)	\$27,325	Health Insurance (0100-912-5172-0000-0000-0000-2-0000-0-0)	\$27,325
	Unemployment (0100-5962-0000-0000-0000-0-0000-0-0)	\$15,307	Health Insurance (0100-912-5172-0000-0000-0000-2-0000-0-0)	\$15,307
	Short Term Debt (0100-700-5926-0000-0000-0000-9-0000-0-0)	\$10,000	Health Insurance (0100-912-5172-0000-0000-0000-2-0000-0-0)	\$10,000
	Totals	\$95,000		\$95,000

COMMENTARY: The health insurance budget needs additional funding due to an increased number of new enrollees. The health insurance budget is fully funded before revenue is shared per the revenue share agreement. The municipal and school administrations have agreed to revisit the health insurance budget after the open enrollment period closes each spring in advance of the Fall Annual Town Meeting in order to keep this budget adequately funded in the future.

A8.	FROM:	Amount	TO:	Amount
	Street Lighting (0100-430-5210-0000-0000-0000-2-0000-0-0)	\$5,500	Veteran's Services (0100-543-5770-0000-0000-0000-2-0000-0-0)	\$5,500
	Town Counsel (0100-159-5306-0000-0000-0000-2-0000-0-0)	\$15,000	Veteran's Services (0100-543-5770-0000-0000-0000-2-0000-0-0)	\$15,000
	Town Manager Expense (0100-123-5731-0000-0000-2-0000-0-0)	\$4,800	Veteran's Services (0100-543-5770-0000-0000-0000-2-0000-0-0)	\$4,800
	Town Hall Expense (0100-192-5210-0000-0000-2-0000-0-0)	\$3,000	Veteran's Services (0100-543-5770-0000-0000-0000-2-0000-0-0)	\$3,000
	Assessor Expenses (0100-141-5346-0000-0000-2-0000-0-0)	\$2,000	Veteran's Services (0100-543-5770-0000-0000-0000-2-0000-0-0)	\$2,000
	Board of Health Salaries (0100-512-5130-0000-0000-1-0000-0-0)	\$1,200	Veteran's Services (0100-543-5770-0000-0000-0000-2-0000-0-0)	\$1,200
	Totals	\$31,500		\$31,500

COMMENTARY: *This transfer is required due to the increasing number of veteran's receiving services from the Town. The Town budgeted \$65,000 in FY 2009 and served an average of 10 veterans and/or their spouses. This transfer will bring the FY 2011 appropriation to \$121,500. The Town is currently serving 22 veterans and/or their spouses. The Commonwealth refunds the Town 75% of these expenses over time.*

A9.	FROM:	Amount	TO:	Amount
	Overlay Surplus (0100-3220)	\$25,000	Property Revaluation (0200-142-5311-0000-0000-0000-2-0000-0)	\$25,000

COMMENTARY: *This transfer, requested by the Assessor, is for funding property inspections associated with the tri-annual revaluation*

A10.	FROM:	Amount	TO:	Amount
	Ambulance Retained Earnings (6520-231-3590)	\$10,000	Ambulance Salaries (6520-231-5110-0000-0000-0000-1-0000-3-0)	\$10,000
	Ambulance Retained Earnings (6520-231-3590)	\$5,000	Ambulance Expenses (6520-231-5880-0000-0000-0000-2-0000-8-0)	\$5,000

COMMENTARY: *The Fire Department needs additional funding in salaries, as unanticipated sick leave resulted in a shortfall in the amount budgeted for overtime. The expense transfer will allow the purchase of a CO-Oximeter monitoring unit and associated equipment, which is used to measure levels of carbon monoxide and oxygen in patients receiving treatment by emergency service personnel. The Fire Department received one of these units through a grant that is currently in service. Affirmative action on this request would allow the second ambulance to be similarly outfitted.*

B.) Transfers from Stabilization (Requires 2/3rd's Vote)

B1.	FROM:	Amount	TO:	Amount
	Stabilization Fund (2500-000-3580-0000-0000-0000-0-0000-0-0)	\$211,271	Highway Snow and Ice Removal (0100-423-5291-0000-0000-0000-2-0000-0-0)	\$211,271

COMMENTARY: *The Town budgeted \$255,109 for snow and ice removal in FY 2011. M.G.L. Chapter 44, Section 31D allows the Town to incur liability and make expenditures in excess of available appropriations for snow and ice removal, upon the approval by the Town Manager and the Finance Committee. The excess liability can be either raised on the Recapitulation Sheet when the tax rate is set, or paid for via transfer. A chart showing the annual snow/ice deficits for the past four years is listed below:*

Year	Amount	Method used to pay deficit
FY 2007	\$57,882.00	Recap Sheet
FY 2008	\$340,528.89	Stabilization Transfer
FY 2009	\$321,537.30	Stabilization Transfer
FY 2010	\$82,415.00	Stabilization Transfer

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0) A1 - A9 and B1.

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0) Items A1 – A10 represent transfers to align the budget to expense, plus the purchase of a new police cruiser. Item B1 funds the overdraft in the Snow and Ice account.

VOTE NEEDED: Requires a simple majority provided none of the money is coming from Stabilization. A transfer from Stabilization requires a 2/3rds majority vote.

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 3: PRIOR YEAR BILLS

To see if the Town will vote to raise and appropriate, or transfer from available funds such sums as required to pay prior fiscal year's bill(s); or take any other action related thereto.

SPONSOR: Board of Selectmen (Finance Director)

MOTION: Pass Over

Commentary: This article was placed on the warrant as a placeholder in the case that any FY 10 invoices that had not been processed or paid were discovered. There are no prior year bills.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Pass Over (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation (6-0-0)

VOTE NEEDED: Requires a 4/5ths majority vote

No Motion, No action taken on Article 3.

ARTICLE 4: TOWN BUDGET

To see if the Town will vote to fix compensation of all officials of the Town, provide for a reserve fund, determine sums to be raised and appropriated, including those from available funds, in order to defray expenses including debt and interest for fiscal year 2012 (FY12) – approve the budget, or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: Please see the revenue and expenditure details in the FY 2012 Budget document that is attached at the back of this warrant. Exhibit 1 details the Town's revenue projections; Exhibit 2 is a single page budget summary; Exhibit 3 shows the budget detail. Budgeted FY 2012 salaries and expenses total \$36,086,285, an increase of \$2,585,060, or 7.72% from FY 2011.

Budget Change by Category (See Exhibits 2 and 3 for expanded detail)

	FY 2011 Budget	FY 2012 TM Budget	Diff From FY 2011	% Change
General Government	\$1,007,240	\$1,000,038	-\$7,202	-0.72%
Public Safety	\$2,310,331	\$2,223,607	-\$86,724	-3.75%
Education *	\$19,674,944	\$20,037,347	\$362,403	1.84%
Public Works	\$1,009,585	\$992,051	-\$17,534	-1.74%
Health Human Services	\$295,482	\$332,176	\$36,694	12.42%
Culture & Recreation	\$465,970	\$455,805	-\$10,165	-2.18%
Unclassified	\$8,737,673	\$11,045,261	\$2,307,588	26.41%
Total	\$33,501,225	\$36,086,285	\$2,585,060	7.72%

* Education totals include Uxbridge Public Schools, Good Shepherd, BVT, & Student Transportation

MOTION: Move that \$36,086,285 be appropriated, as set forth in line items under the column "FY12 Town Manager Recommended Budget", on the sheet entitled "Exhibit 3 – FY 2012 Budget Detail - Town Meeting" in the budget prepared by the Town Manager, included at the back of this warrant, for

recommendation at the Annual Town Meeting on May 10, 2011, as most recently revised; and as funding therefore, to transfer from revenue funds, and raise and appropriate the total sum of \$36,086,285 as set forth the column entitled FY12 revised revenues on the sheet entitled, "Exhibit 1 - FY 2012 Revenue Projections - Town Meeting", each item considered a separate appropriation. Exclude the quote "or take any other action related thereto"

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-1-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-1-0), The budget is balanced and includes some positives for the schools and capital replacement. However, municipal operating budgets are smaller than in FY 11, and there are no municipal salary increases outside of union steps.

VOTE NEEDED: Requires a simple majority provided none of the money is coming from Stabilization. A transfer from Stabilization requires a 2/3rds majority vote.

This article was broken into individual sections and voted as listed below:

General Government - Moderator declares a Simple Majority, Motion passes
Public Safety – Moderator declares a Simple Majority, Motion passes
Education - Moderator declares a Simple Majority, Motion passes
Public Works - Moderator declares a Simple Majority, Motion passes
Health Human Services - Moderator declares a Simple Majority, Motion passes
Culture & Recreation - Moderator declares a Simple Majority, Motion passes
Unclassified - Moderator declares a Simple Majority, Motion passes

ARTICLE 5: REVOLVING FUND ACCOUNTS

To see if the Town will vote to establish and authorize GLc.44, §53E ½ revolving funds for the continuation of: Library book repairs, not to exceed \$12,000, derived from late fines and fees, under the Library Trustees; recreation program costs, not to exceed \$10,000, to be derived from program fees, under the Recreation Committee; compost bin costs, not to exceed \$2,000, derived from compost bin sales, under the Board of Health; or take any other action related thereto.

SPONSOR: Board of Selectmen (Finance Director)

Commentary: Annual re-establishment of revolving funds as required by MGL. No appropriation is required; funded by fees charged.

MOTION: *Move that the Town accept the article as written removing only the statement or take any other action related thereto.*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0) Standard article required annually of town meeting.

VOTE NEEDED: Requires a simple majority.

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 6: WASTEWATER DEPARTMENT BUDGET (ENTERPRISE FUND)

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, or otherwise provide a sum or sums of money for the salaries, expenses and debt service of the Sewer Department (Wastewater) Enterprise Fund for the ensuing fiscal year, such sums of money to be offset by revenues of the Sewer Department Enterprise Fund received during fiscal year 2012, or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Wastewater Enterprise Fund is based upon the collection of sewer charges to over 3,200 billing units and is entirely self-supporting. Debt, fuel and benefit charges for departmental employees are paid from the general fund, and reimbursed by a charge against wastewater departmental revenue. The FY 2012 Wastewater Enterprise budget shows a reduction of \$1,492, or -.18% from FY 2011. Expanded budget information for the Enterprise and Cable Access funds are presented as Exhibit 4 at the back of this warrant.

MOTION: Move that the sum of \$811,782 as set forth in the column below (“FY12 Budget Town Manager Recommendation”), up to and including the line entitled “Total Budget Appropriation” be appropriated to the FY12 Wastewater Department Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation. Exclude the quote “or take any other action related thereto”

Wastewater Department Enterprise Fund			FY 10 Budget	FY11 Budget	FY 12 Budget Town Manager Recommendation
650-440-5100	Wastewater	Salaries	\$379,385	\$305,224	\$314,932
650-440-5200	Wastewater	Expenses	\$567,318	\$508,050	\$496,850
650-440-5800	Wastewater	Debt	\$140,183	\$0	\$0
		Subtotal Expenses	\$707,501	\$508,050	\$496,850
		Total Budget Appropriation	\$1,086,886	\$813,874	\$811,782
		Deductions from Gross Revenues	0	\$226,967	\$229,929
		Total Departmental Expense	\$1,086,886	\$1,040,841	\$1,041,711

\$1,041,711 anticipated to be charged to Wastewater Enterprise revenues.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0)

VOTE NEEDED: Requires a simple majority.

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 7: WATER DEPARTMENT BUDGET (ENTERPRISE FUND)

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, or otherwise provide a sum or sums of money for the salaries, expenses and debt service of the Water Department Enterprise Fund for the ensuing fiscal year, such sums of money to be offset by revenues of the Water Department Enterprise Fund received during fiscal year 2012, or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Water Enterprise Fund is based upon the collection of water charges to over 4,000 billing units and is entirely self-supporting. Debt, fuel and benefit charges for departmental employees are paid from the general fund, and reimbursed by a charge against water departmental revenue. The FY 2012 water enterprise budget shows a reduction of \$6,343, or -.83% from FY 2011. Deductions from gross revenue are expected to increase by \$296,295, due to the addition of debt service for the development of the Rosenfeld well field.

MOTION: Move that the sum of \$761,907 as set forth in the column below (“FY12 Budget Town Manager Recommendation”), up to and including the line entitled “Total Budget Appropriation” be appropriated to the FY12 Water Department Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation. Exclude the quote “or take any other action related thereto”

Water Department Enterprise Fund			FY 10 Budget	FY11 Budget	FY12 Budget Town Manager Recommendation
650-450-5100	Water	Salaries	\$423,847	\$313,900	\$323,607
650-450-5200	Water	Expenses	\$485,167	\$454,350	\$438,300
650-450-5800	Water	Debt	\$425,722	\$0	\$0
		Subtotal Expenses	\$910,889	\$454,350	\$438,300
		Total Budget Appropriation	\$1,3334,736	\$768,250	\$761,907
		Deductions from Gross Revenues	0	\$556,213	\$852,508
		Total Departmental Expenses	\$1,334,736	\$1,324,463	\$1,614,415

\$1,614,415 anticipated to be charged to Water Enterprise revenues.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0)

VOTE NEEDED: Requires a simple majority.

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 8: AMBULANCE DIVISION BUDGET (ENTERPRISE FUND)

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, or otherwise provide a sum or sums of money for the salaries and expenses of the Ambulance Division Enterprise Fund for the ensuing fiscal year, such sums of money to be offset by revenues of the Ambulance Division received during fiscal year 2012, or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Ambulance Enterprise Fund is based upon the collection of ambulance charges is entirely self-supporting. Debt, fuel and benefit charges for departmental employees are paid from the general fund, and reimbursed by a charge against Ambulance departmental revenue. The FY 2012 ambulance enterprise budget shows an increase of \$42,858, or 8.62% from FY 2011. The reason for the increase is due to a change in the emergency room policy, effective July 1 that eliminates one-for-one exchange of supplies, which will increase the cost of ambulance services. A new \$10,000 ambulance reserve fund budget line has been added as well.

MOTION: Move that the sum of \$540,019 as set forth in the column below (“FY12 Budget Town Manager Recommendation”), up to and including the line entitled “Total Budget Appropriation” be appropriated to the FY12 Ambulance Enterprise Fund Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation. Exclude the quote “or take any other action related thereto”

Ambulance Division Enterprise Fund			FY 10 Budget	FY11 Budget	FY12 Budget Town Manager Recommendation
602-231-5100	Ambulance	Salaries	\$563,604	\$424,586	\$424,586
602-231-5200	Ambulance	Expenses	\$87,512	\$72,575	\$115,433
602-231-5900	Ambulance	Special Outlay	\$0	\$0	\$0
		Subtotal Expenses	\$87,512	\$72,575	\$115,433
		Total Budget Appropriation	\$651,116	\$497,161	\$540,019
		Deductions from Gross	\$112,917	\$119,932	\$115,171

		Revenues			
		Total Departmental Expense	\$764,033	\$617,093	\$655,190

\$655,190 anticipated to be charged to Ambulance Enterprise revenues.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0)

VOTE NEEDED: Requires a simple majority

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 9: COMMUNITY ACCESS TELEVISION BUDGET

To see if the Town will vote to transfer a sum or sums of money for the salaries and expenses of the Community Access Television budget for the ensuing fiscal year, such sums of money to be offset by Cable PEG Access "Receipts Reserved for Appropriation Account," or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Community Access Television budget is based upon the collection of cable charges from subscribers and is entirely self-supporting. Benefit charges for departmental employees are paid from the general fund, and reimbursed by a charge against departmental revenue. The FY 2012 Cable PEG access operating budget shows a reduction of \$2,933 or -2.07% from FY 2011.

MOTION: *Move that the sum of \$138,739, as set forth in the column below ("FY12 Budget Town Manager Recommendation"), up to and including the line entitled "Total Budget Appropriation" be appropriated to Community Access Television Account to be expended for the respective purposes set forth, with each item being considered a separate appropriation. Exclude the quote "or take any other action related thereto"*

Community Access Television			FY 10 Budget	FY11 Budget	FY12 Budget Town Manager Recommendation
240-645-5100	Cable	Salaries	\$88,268	\$82,872	\$82,872
240-645-5200	Cable	Expenses	\$40,752	\$21,800	\$20,908
240-645-5900	Cable	Capital Outlay	\$137,355	\$37,000	\$34,959
		Subtotal Expenses	\$178,107	\$58,800	\$55,867
		Total Budget Appropriation	\$266,376	\$141,672	\$138,739
		Deductions from Gross Revenues	\$16,396	\$18,188	\$33,557
		Total Departmental Expense	\$282,772	\$159,860	\$172,296

\$172,296 anticipated to be charged to the Cable PEG Access Receipts Reserved for Appropriation account.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-1-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-0-1)

VOTE NEEDED: Requires a simple majority.

The motion is seconded

Moderator declares a simple majority. Motion passes.

ARTICLE 10: BORROWING AUTHORIZATION - NEW FRONT END LOADER

To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money for the purpose of purchasing and equipping a new Front End Loader, for the Department of Public Works; and further, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow under Chapter 44 of Massachusetts General Laws or any other enabling authority; that the Board of Selectmen is authorized to apply for and accept any federal or state funds or grants and/or gifts of any kind for the purpose of this acquisition; or take any other action related thereto.

SPONSOR: DPW Director

Commentary: This article was seeking to a borrowing authorization to replace a 1986 John Deere Loader, but the DPW Director has requested that this article be passed over while he prioritizes repairs to and replacement of the DPW fleet. There is also no funding available to pay the debt service at this time.

MOTION: *Pass Over*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Pass Over (4-0-0) No Borrowing Capacity

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation (6-0-0) The BOS is recommending Pass Over

VOTE NEEDED: Requires a simple majority vote provided none of the money is coming from Stabilization. A transfer from Stabilization or a borrowing authorization requires a 2/3rds vote.

No Motion, No action taken on Article 10.

ARTICLE 11: BORROWING AUTHORIZATION - NEW COMBINATION DUMP TRUCK

To see if the Town will vote to appropriate, borrow or transfer from available funds a sum of money for the purpose of purchasing and equipping a new Combination Dump Truck for the Department of Public Works; and further, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow under Chapter 44 of Massachusetts General Laws or any other enabling authority; that the Board of Selectmen is authorized to apply for and accept any federal or state funds or grants and/or gifts of any kind for the purpose of this acquisition; or take any other action related thereto.

SPONSOR: DPW Director

Commentary: This article seeks authorization to borrow up to \$190,000 to replace a 1990 International Combination Dump Truck that can no longer pass Massachusetts state inspections due to electrical, body and emissions issues. This is anticipated to be a ten year borrowing at of a cost of \$26,175 for the first year. Total cost over 10 years forecast at \$222,662.

MOTION: *Move that the Town will vote to borrow and appropriate the sum \$190,000 for the purpose of purchasing and equipping a new Combination Dump Truck for the Department of Public Works; and further, to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow under Chapter 44 of Massachusetts General Laws or any other enabling authority; that the Board of Selectmen is authorized to apply for and accept any federal or state funds or grants and/or gifts of any kind for the purpose of this acquisition. Exclude the quote "or take any other action related thereto"*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (6-0-0) New dump truck for DPW replacing 1990 vehicle

VOTE NEEDED: Requires a simple majority vote provided none of the money is coming from Stabilization. A transfer from Stabilization or a borrowing authorization requires a 2/3rds vote.

The motion is seconded

Moderator declares a 2/3rds majority, motion carries.

ARTICLE 12: FUNDING A NEW WATER ENTERPRISE CAPITAL ACCOUNT FROM SURPLUS WATER ENTERPRISE CAPITAL FUNDS

To see if the Town will vote to appropriate or transfer from the Improvements to Municipal Water Account to a new account to be designated the Water Capital Improvements Account a sum of money for the purpose of water systems capital improvement and/or replacement projects, or take any other action related thereto.

SPONSOR: Board of Selectmen

Commentary: There are leftover funds available in the water tank replacement borrowing that was authorized by Town Meeting under Article 18 of the June 13, 2007 Town Meeting. Per MGL, borrowed capital funds can only be expended on capital projects that would be borrowed over the same period of time or greater. Reauthorization into a new fund will allow for the use of these funds for other purposes. If the article is approved, the majority of the funds will be expended on repairs to a failing water connection by the Hecla Street Bridge.

MOTION: Move that the sum of \$224,092.34 be transferred from Capital Project Fund #4002, Improvements to Municipal Water ATM June 2007 Article 18 to Capital Project Fund #4005, Municipal Water Capital Improvements May 2011 Article 12 for water systems capital improvement and/or replacement projects. Exclude the quote "or take any other action related thereto"

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-0-1)

VOTE NEEDED: Requires a simple majority vote provided none of the money is coming from Stabilization. A transfer from Stabilization or a borrowing authorization requires a 2/3rds vote.

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 13: FUNDING APPROPRIATION FOR THE PURCHASE OF CABLE PEG ACCESS EQUIPMENT

To see if the Town will vote to transfer a sum or sums of money for the purchase of Cable PEG access equipment for the current fiscal year, such sums of money to be offset by Cable PEG Access "Receipts Reserved for Appropriation Account," or take any other action related thereto.

SPONSOR: Board of Selectmen

Commentary: This article seeks to appropriate the amount need to equip a cable studio at the new high school from the Cable PEG access fund. The School Administration is committed to retaining the current PEG educational programs that are in place at the current high school, which makes outfitting a new studio a priority. The existing space will be maintained as a PEG satellite facility, with existing recording equipment. The balance in the cable PEG Access account is \$437,152.

MOTION: Move that the Town vote to transfer and appropriate \$111,000 from Community Access Receipts Reserved (2030-645-3580) to Community Access Capital Construction in Progress (2030-645-5890-2011-0000-0000-8-0000-0-0) for the purpose of constructing and equipping a cable access studio at the new Uxbridge High School. Exclude the quote "or take any other action related thereto"

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-1-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-1-0) Funds will be used to equip a cable studio at the new high school

VOTE NEEDED: Requires a simple majority

The motion is seconded

Moderator declares a simple majority, motion carries.

ARTICLE 14: ACCEPTANCE OF MASSACHUSETTS GENERAL LAW CHAPTER 59, SECTION 5, CLAUSE 56 RELATIVE TO NATIONAL GUARD MEMBERS AND MILITARY RESERVISTS DEPLOYED OUTSIDE THE U.S.

To see if the Town will vote to accept the provisions of G.L. Chapter 59, Section 5, Clause 56, which will allow members of the Massachusetts National Guard, or military reservists who are on active duty to obtain a reduction for all or part of their real and personal property taxes for any fiscal year that they are serving in a foreign country, to be effective July 1, 2011, or take any other action related thereto.

SPONSOR: Finance Director

Commentary: This new local option statute allows for a partial to complete exemption of property taxes to members of the National Guard or other military reservists who are on active duty and serving in a foreign county for a portion of the fiscal year. It is the Town's responsibility to set funding and abatement limit. It is anticipated that the program will grant abatements up to \$500.00, and be limited to a total outlay of \$2,000, which will be funded by the Assessor's overlay account.

MOTION: *Move that Town vote to accept the provisions of G.L. Chapter 59, Section 5, Clause 56, which will allow members of the Massachusetts National Guard, or military reservists who are on active duty to obtain a reduction for all or part of their real and personal property taxes for any fiscal year that they are serving in a foreign country, said exemption amount and funding to be determined by the Assessor, to be effective July 1, 2011. Exclude the quote "or take any other action related thereto"*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (5-0-1)

VOTE NEEDED: Requires a simple majority

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 15: ACCEPTANCE OF MASSACHUSETTS GENERAL LAW CHAPTER 59, SECTION 5, CLAUSE 57 RELATIVE TO SENIORS ELIGIBLE FOR STATE CIRCUIT BREAKER TAX CREDIT

To see if the Town will vote to accept the provisions of G.L. Chapter 59, Section 5, Clause 57, which will allow senior citizens who receive "circuit breaker" tax credits on their Massachusetts state income taxes to obtain a reduction of their real estate taxes up to the amount of their credits, to be effective July 1, 2011, or take any other action related thereto.

SPONSOR: Finance Director

Commentary: Taxpayers who are age 65 and older and meet certain income conditions may claim a credit against their state income taxes for a portion of the real estate taxes that they paid during the tax year. This credit, known as the Circuit Breaker, is the amount of taxes paid that exceeds 10% of the taxpayer's average annual income, up to a maximum tax credit which is adjusted annually to reflect changes in the cost of living index. For FY 2010, the maximum tax credit is \$970.00. This new local option statute, if accepted, will allow the Town to offer an abatement program to taxpayers who qualified for the state circuit breaker program. The statute allows the Town to set funding and abatement limits. It is anticipated that the program will grant abatements up to \$250.00, and be limited to a total outlay of \$10,000, which will be funded by the Assessor's overlay account.

MOTION: *Move that the Town vote to accept the provisions of G.L. Chapter 59, Section 5, Clause 57, to allow senior citizens who receive "circuit breaker" tax credits on their Massachusetts state income taxes to obtain a reduction of their real estate taxes, said reimbursement amount and funding to be determined by the Assessor, to be effective July 1, 2011. Exclude the quote "or take any other action related thereto"*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (3-2-1)

VOTE NEEDED: Requires a simple majority

The motion is seconded

Moderator declares a simple majority, motion carries.

ARTICLE 16: AMEND THE FLOODPLAIN OVERLAY DISTRICT OF THE ZONING

BYLAWS ARTICLE VIII, SECTION 400-37

To see if the Town will Amend the Zoning Bylaws Article VIII Section 400-37 Flood Plain Overlay District by adding the following. The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Uxbridge designated as Zone A and AE on the Worcester County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Worcester County FIRM that are wholly or partially within the Town of Uxbridge are panel numbers 25027C1002E, 25027C1004E, 25027C1006E, 25027C1007E, 25027C1008E, 25027C1009E, 25027C1020E, 25027C1026E, 25027C1028E, 25027C1030E, 25027C1036E, 25027C1037E, 25027C1038E and 25027C1039E dated July 4, 2011. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Worcester County Flood Insurance Study (FIS) report dated July 4, 2011. The FIRM and FIS report are incorporated herein by reference and are on file with the Assessor's Office and Town Clerk.

Permitted Uses

The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:

- 1) Agricultural uses such as farming, grazing, truck farming, horticulture, etc.
- 2) Forestry and nursery uses.
- 3) Outdoor recreational uses, including fishing, boating, play areas, etc.
- 4) Conservation of water, plants, wildlife.
- 5) Wildlife management areas, foot, bicycle, and/or horse paths.
- 6) Temporary non-residential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
- 7) Buildings lawfully existing prior to the adoption of these provisions.

BASE FLOOD ELEVATION AND FLOODWAY DATA

1. **Floodway Data.** In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. **Base Flood Elevation Data.** Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

NOTIFICATION OF WATERCOURSE ALTERATION

In a riverine situation, (appropriate official in community) shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- Bordering States
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

REFERENCE TO EXISTING REGULATIONS

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

OTHER USE REGULATIONS

In Zones AE, along watercourses that have a regulatory floodway designated within the Town of Uxbridge on the Worcester County FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

- 1) All subdivision proposals must be designed to assure that:
 - a) such proposals minimize flood damage;
 - b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c) adequate drainage is provided to reduce exposure to flood hazard. Or take any action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The National Flood Insurance Program (NFIP) is a Federal Program enabling property owners to purchase flood insurance based on acceptance of state and community floodplain management regulations. The Town has received updated Flood Insurance Rate Maps (FIRM) with an effective date of July 4, 2011. Adoption of these new regulations and flood maps are required to maintain participation. The updated motion below identifies the designee that was missing from the original article. The addresses for the NFIP Offices have been deleted in the case that offices are relocated in the future.

MOTION: Move that the Town delete the existing Flood Plain Bylaw Article VIII, Section 400-37 and replace it with a new section as printed in the Annual Town Meeting Warrant of Tuesday, May 10, 2011 with the following exception in Section 2 titled Base Flood Elevation Data replace the phrase "(appropriate official in the community)" with "Local Emergency Management Director or his Designee", delete the reference to "251 Causeway Street, Suite 600-700, Boston, MA 02114-2104", delete the reference to "99 High Street, 6th Floor, Boston, MA 02110" and in the Section titled OTHER USE REGULATIONS 1 c) delete the reference "Or take any action related thereto."

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation without prejudice (5-1-0)

RECOMMENDATION OF THE PLANNING BOARD: Favorable Action 5-0-0.

VOTE NEEDED: Requires a 2/3rds majority

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 17: AMEND THE ZONING BYLAWS APPENDIX A TABLE OF USE REGULATIONS

To see if the Town will vote to amend Appendix A Table of Use Regulations of the Zoning Bylaws as follows:

- (a) Section "D. Commercial Uses" in the use category entitled "Business or professional office, including medical" change the designation of "N" under R-A to "ZBA"
- (b) Section "D. Commercial Uses" in the use category entitled "Restaurant; Diner" change the designation of "N" under R-A to "ZBA"
- (c) Section "D. Commercial Uses" in the use category entitled "Retail stores and/or services" change the designation of "N" under R-A to "ZBA"
- (d) Section "F. Accessory Uses" in the use category entitled "Retail trade or shop for manufacturing articles incidental to and as an accessory use to a retail business" change the designation of "N" under R-A to "ZBA"
- (e) Under "Key:" add "The allowance of Restaurant/Diner, Retail stores and/or services, Business or professional office, including medical, and Retail trade or shop for manufacturing articles incidental and as an accessory use to a retail business, as may be permitted by the ZBA, is hereby limited to structures with a total finished area in excess of 4,000 square feet, built prior to 1930, and listed on the national and state register of historic places."
or take any other action related thereto

SPONSOR: Board of Selectmen

Commentary: Commentary: This amendment to the Zoning by-laws is designed to allow for the reuse of large antique structures, by special permit, for other purposes. These types of properties are losing their appeal as private residences, as smaller, more energy efficient housing becomes popular. Without other options, these structures are more likely to be at risk for neglect and abandonment. Allowing property owners to utilize these buildings for retail applications, by special permit, may allow them to be preserved. There are six structures in Residence A, including the former Blanchard School, that meet these criteria.

MOTION: Move that the Town accept the article as written removing only the statement or take any other action related thereto.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-0-1)

RECOMMENDATION OF THE FINANCE COMMITTEE: Favorable Action (3-2-1) The article is directed to help with the sale of the Blanchard School

RECOMMENDATION OF THE PLANNING BOARD: Favorable Action (3-2-0)

VOTE NEEDED: Requires 2/3rds majority

The motion is seconded

Moderator declares a 2/3rds majority, motion carries.

ARTICLE 18: STREET ACCEPTANCE – GLEN STREET AND LEE STREET

To see if the Town will vote (a) to accept Glen Street and Lee Street as public ways, as laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk; (b) authorize the Board of Selectmen, in the name and behalf of the Town, to acquire by gift, purchase or eminent domain the necessary fee interests or easements and appurtenant rights in and for said ways for the purposes for which public ways are used in the Town; and (c) to see what sums the Town will raise and appropriate or transfer from available funds for such purposes; or take any other action related thereto.

SPONSOR: Citizen's Petition

MOTION: Move the Town vote to accept Glen and Lee Street as public ways, as laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and to authorize the Board of Selectmen, in the name and on behalf of the Town, to acquire by gift, purchase, or eminent domain the necessary easements and appurtenant rights in and for said ways for the purposes for which public ways are used in the Town. Exclude the quote "or take any other action related thereto"

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (4-0-0)
RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation, without prejudice (6-0-0) The Finance Committee feels street acceptances are outside the field of its expertise
RECOMMENDATION OF THE PLANNING BOARD: Favorable Action (5-0-0)
VOTE NEEDED: Requires simple majority (M.G.L. c. 82 § 23)

The motion is seconded

Moderator declares motion carried in the affirmative by a unanimous vote.

ARTICLE 19: STREET ACCEPTANCE – ANTHONY’S WAY

To see of the Town of Uxbridge will vote to accept as a public way, Anthony’s Way, as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and on behalf of the Town of Uxbridge, to acquire by purchase, eminent domain, gift or otherwise, easements in said way for the purpose for which public ways are used in the Town, or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

MOTION: *Move that the Town of Uxbridge vote to accept as a public way, Anthony’s Way, as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and on behalf of the Town of Uxbridge, to acquire by purchase, eminent domain, gift or otherwise, easements in said way for the purpose for which public ways are used in the Town. Exclude the quote “or take any other action related thereto”*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-1-0)
RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation, without prejudice (6-0-0) The Finance Committee feels street acceptances are outside the field of its expertise
RECOMMENDATION OF THE PLANNING BOARD: Favorable Acton (5-0-0)
VOTE NEEDED: Requires simple majority (M.G.L. c. 82 § 23)

The motion is seconded

Moderator declares a simple majority, motion carries.

ARTICLE 20: STREET ACCEPTANCE – GIACAMO WAY

To see of the Town of Uxbridge will vote to accept as a public way, Giacamo Way, as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and on behalf of the Town of Uxbridge, to acquire by purchase, eminent domain, gift or otherwise, easements in said way for the purpose for which public ways are used in the Town, or take any other action related thereto.

SPONSOR: Board of Selectmen (Town Manager)

MOTION: *Move that the Town of Uxbridge vote to accept as a public way, Giacamo Way, as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and on behalf of the Town of Uxbridge, to acquire by purchase, eminent domain, gift or otherwise, easements in said way for the purpose for which public ways are used in the Town. Exclude the quote “or take any other action related thereto”*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-1-0)
RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation, without prejudice (6-0-0) The Finance Committee feels street acceptances are outside the field of its expertise
RECOMMENDATION OF THE PLANNING BOARD: Favorable Action (5-0-0)
VOTE NEEDED: Requires simple majority (M.G.L. c. 82 § 23)

The motion is seconded

Moderator declares a simple majority, motion carries.

ARTICLE 21: STREET ACCEPTANCE ANTHONY'S WAY AND GIACAMO WAY

To see of the Town of Uxbridge will vote to accept as public ways, Anthony's Way and Giacomo Way, as heretofore laid out by the Board of Selectmen, a copy of which layout is on file with the Town Clerk, and further authorize the Board of Selectmen, in the name and on behalf of the Town of Uxbridge, to acquire by purchase, eminent domain, gift or otherwise, easements in said way for the purpose for which public ways are used in the Town, or take any other action relative thereto.

SPONSOR: Citizen's Petition

MOTION: *Motion, if any, to be provided by the petitioner*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Pass Over (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation, without prejudice (6-0-0) The Finance Committee feels street acceptances are outside the field of its expertise

RECOMMENDATION OF THE PLANNING BOARD: Favorable Action (5-0-0)

VOTE NEEDED: Requires simple majority (M.G.L. c. 82 § 23)

No Motion, No action taken on Article 21.

ARTICLE 22: AMEND SECTION 6: THE BUDGET OF THE UXBRIDGE HOME RULE CHARTER

Amend Section 6: The Budget of the Uxbridge Home Rule Charter by adding sub section (e) as follows: (e) only rate payers, voters that pay for services from the water enterprise system and the sewer enterprise system, be allowed to vote in the annual budgets and/or any amendments to those budgets at any Town Meeting. In addition any capital improvements or repairs to the water or sewer systems may only be voted upon by rate payers for any articles on the warrant at any Town Meeting.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: The Board of Selectmen voted to sponsor this article as a courtesy after a citizen's petition turned in before the warrant was opened was not resubmitted. However, Town Counsel is of the opinion that the article, as written, would preclude duly registered voters of the Town from casting a vote relative to a municipal appropriation article in contravention of their rights under the Constitution of the Commonwealth and G.L. c. 39, §18, and as such, would not be approved by the Attorney General's Office.

MOTION: To amend section 6: The Budget of the Uxbridge Home Rule Charter by adding subsection (e) as follows: (e) Only rate payers, voters that pay for services from the Water Enterprise system and the Sewer Enterprise system, be allowed to vote for the annual budgets and/or any amendments to those budgets at any Town Meeting. In addition any capital improvements or repairs to the water or sewer systems may only be voted upon by rate payers for any articles on the warrant at any Town Meeting.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Pass Over (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: Unfavorable action (5-1-1) The BOS is recommending Pass Over

VOTE NEEDED: Requires 2/3rds majority

Motion Seconded

Motion Fails

ARTICLE 23: AMEND THE GENERAL BY-LAWS TO REDUCE THE COUNCIL ON AGING BOARD FROM ELEVEN (11) TO SEVEN (7) MEMBERS

Replace Chapter 7, section A of the Town By-Laws to read: "There is hereby established a Council on Aging consisting of seven (7) citizens of this town, appointed by the Board of Selectmen for terms not to exceed four years for any member. Said terms shall be staggered so that not more than three appointments shall be made in any calendar year. Members can be reappointed for consecutive terms." or take any action related thereto

SPONSOR: Council on Aging

Commentary: The Council on Aging has put forward this warrant article to reduce membership on the Council from 11 to 7 members in order to resolve ongoing quorum issues. In order to reach quorum for any meeting, the Counsel currently requires the attendance of six members. The Counsel often has difficulty reaching this threshold. Reducing the Board to seven, members will allow the Counsel to reach quorum with four members, which will enhance its ability to meet and conduct business.

MOTION: *Move that the Town accept the article as written removing only the statement or take any other action related thereto.*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Favorable Action (3-0-1)

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation (4-1-1) The article changes the By-law but not the Charter

VOTE NEEDED: Requires 2/3rds majority

The motion is seconded

Moderator declares a 2/3rds majority, motion carries.

ARTICLE 24: HIGH SCHOOL ENTRY SLOPE/GRADE/CONSTRUCTION EASEMENT

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift or eminent domain, an easement for slope, grading and related construction purposes in and over a portion of the property located off of Quaker Highway, described in the Deed recorded at the Worcester County Registry of Deeds at Book 7695, Page 62, said easement area containing 1,300 square feet, more or less, and shown as "Off Grading on Private Property" on a document entitled "Off Grading Exhibit, Uxbridge High School, Quaker Highway, Uxbridge, MA", dated November 2, 2010, prepared by BSC Group, which is on file with the Office of the Town Clerk; and to authorize the Selectmen to execute any documents or instruments necessary to effect said easement upon such terms as they deem to be in the best interest of the Town, or take any other action relating thereto.

SPONSOR: Board of Selectmen (Town Manager)

Commentary: This article sought an easement on property across from the new high school site to allow for easier access to the site for large construction vehicles. The owner of the property has granted the Town a license that will accomplish the same action, rendering this article unnecessary.

MOTION: *Pass Over*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Pass Over (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation (6-0-0) The BOS is recommending Pass Over

VOTE NEEDED: Eminent domain taking authorizations without an appropriation of funds for damages require a majority vote; with a damages appropriation, a 2/3rds vote is required.

No Motion, No action taken on Article 24.

ARTICLE 25: AMEND THE UXBRIDGE ZONING BYLAWS CHAPTER 400 ARTICLE VI SECTION 400-20. B. 5.

To see if the Town of Uxbridge will vote to amend the zoning bylaws, chapter 400 Article VI Section 400-20. B. 5., and appendix A, the Table of Use Regulations, respectively, to read as follows: Electrical generating facilities with a capacity of 350 megawatts or less using natural gas, renewable and ultra low sulfur fuels, wind and solar energy, provided, however, that the Planning Board shall not issue special permits for more than two electrical generating facilities in the Town or for combined production of more than 500 megawatts in total. This above limitation does not apply to solar electrical generating facilities. Electrical generating facilities with a capacity of 350 megawatts or less on a minimum site size of 15 acres, excepting solar energy which shall have a minimum site size of 5 acres, using natural gas, renewable and ultra low sulfur fuels, wind and solar energy.

SPONSOR: Citizen's Petition

Commentary:

MOTION: *Motion, if any, to be provided by the petitioner*

RECOMMENDATION OF THE BOARD OF SELECTMEN: Unfavorable Action (4-0-0)

RECOMMENDATION OF THE FINANCE COMMITTEE: No Recommendation (6-0-0) The intent of the article is good but there are problems with the language

RECOMMENDATION OF THE PLANNING BOARD: Favorable Action (5-0-0)

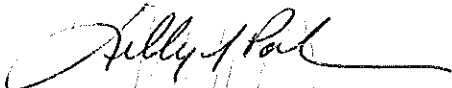
VOTE NEEDED: Requires 2/3rds majority

No Motion, No action taken on Article 25.

* * *

A motion was made and seconded to dissolve the 2011 Spring Annual Town meeting. The motion carried unanimously and town meeting was adjourned at 8:56pm.

A true copy attest,



Kelly J. Poulin
Uxbridge Town Clerk

