

## SPECIAL TOWN MEETING MINUTES

TUESDAY, JUNE 18, 2019 – 7:00 P.M.  
VALLEY CHAPEL AUDITORIUM  
14 HUNTER ROAD  
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 Valley Chapel Auditorium, in Precinct 1, in said Uxbridge, and transacted the following business on June 18, 2018:

Moderator Charles “Ed” Maharay called the Special Town Meeting to order at 10:13pm, declaring the presence of a quorum (50 required, 160 voters present). Rules for conducting business and taking votes of the meeting were announced. The Town has purchased an electronic voting system and all Town Meeting votes will be taken by electronic vote.

\* \* \*

### **ARTICLE 1: DISPOSITION OF SURPLUS TOWN OWNED PROPERTY – MCCLOSKEY SCHOOL**

To see if the Town will vote to:

- (a) Authorize the School Committee to transfer some or all of the parcels that comprise the McCloskey School property located at 62 Capron Street to the Board of Selectmen, said parcels being depicted on a certain plan of land on file with the Town Clerk; and to further authorize the School Department, Board of Selectmen, and Town Manager to execute any and all instruments necessary to obtain approval of said plan; and
- (b) Authorize the Town, acting by and through the Board of Selectmen, to convey any or all of the remaining parcels as shown on such plan; and to further authorize the Selectmen and Town Manager to execute any and all deeds, easements, and other instruments to effectuate such conveyances.

Or take any actions related thereto.

**SPONSOR:** Board of Selectmen

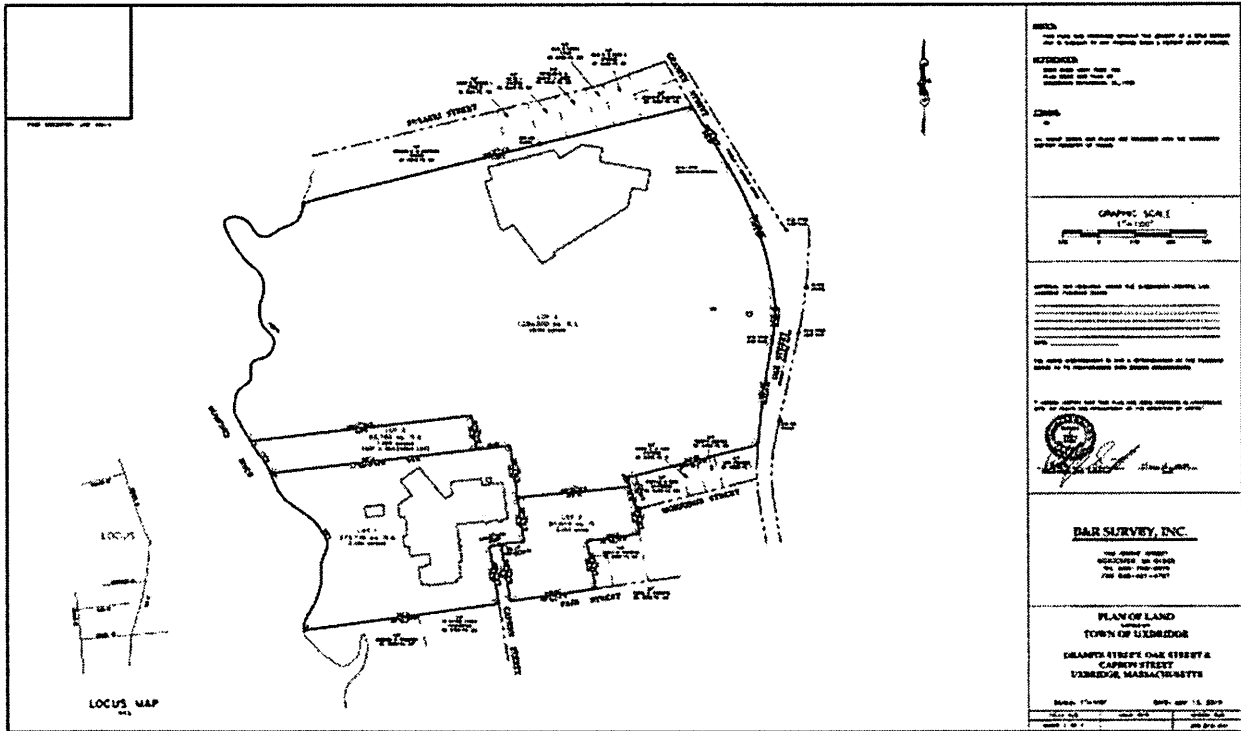
**COMMENTARY:** *The McCloskey School Building at 62 Capron Street was declared surplus and closed as an educational facility. The building is being transferred to allow it to be redeveloped or otherwise used, leased, or sold for the benefit of the Town.*

### **MOTION:**

**Move that the Town vote to allow that the so-called McCloskey parcels, which parcels are depicted as Lots 1, 2 & 3 on a certain plan of land by B&R Survey, Inc. dated May 13, 2019 on file with the Town Clerk, and/or the care, custody, management and control of such McCloskey parcels, be transferred to the Town, acting by and through the Board of Selectmen for general municipal purposes, provided that any such transfer shall be contingent upon either an easement or license agreement for the School Department’s use of Parcel Two as shown on such Plan for parking, access and related purposes, on terms that are mutually acceptable to the School Committee and Board of Selectmen, and that the remainder of the article be accepted as written, except that any conveyance of**

property by the Town shall apply only to those parcels transferred hereunder and shall require as a condition precedent an easement for the School Department's use of Parcel Two as shown on such Plan for parking, access and related purposes, on terms that are mutually acceptable to the School Committee and Board of Selectmen.

Motion was put forth by a member of the school committee.



Vote required for passage: 2/3rds majority

THE FINANCE COMMITTEE RECOMMENDATION: Favorable Action (6-0-1)  
 THE BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (4-0-0)

The motion was seconded  
 Moderator declares the motion fails, Yes-49, No-54

**ARTICLE 2: TRANSFER OF FUNDS – MCCLOSKEY SCHOOL**

To see if the Town will vote to transfer a sum of funds from the School Department FY2020 budget to the Town's General Fund for FY2020 for the maintenance of the McCloskey School Property, subject to the conveyance thereof to the Town.

Or take any actions related thereto.

Item #	Department	Budget	Adjustment	Revised FY2020 Budget	Funding Source
1	Town Hall (Town Buildings)	\$0	\$111,550	\$111,550	School Department

SPONSOR: Board of Selectmen

**COMMENTARY:** This transfers the funding for the maintenance and operating costs of the McCloskey School Building facility from the Schools to the Town.

**MOTION:** *Move that the article be accepted as written.*

*Vote required for passage: simple majority*

**THE FINANCE COMMITTEE RECOMMENDATION:** Favorable Action (6-0-1)

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

**No Motion**

**No Action**

**ARTICLE 3: HIGHWAYS SPECIAL STABILIZATION FUND CREATION**

To see if the Town will vote to accept the fourth paragraph of G.L. c. 40, §5B and create a Special Stabilization Fund under said M.G.L. c. 40 §5B and M.G.L. c. 50 21C(g) dedicated to road repairs, bridges, culverts, and related infrastructure and take any actions related thereto.

**SPONSOR:** Board of Selectmen

**COMMENTARY:** *This article allows creation of a Highways Special Stabilization Fund. The Municipal Modernization Act allows new types of special purpose special stabilization funds. A special stabilization fund may be funded through appropriations, dedicated revenue streams (with some exceptions), or through overrides.*

**MOTION:** *Move that the article be accepted as written.*

*Vote required for passage: M.G.L. c.,40 §5(b) requires a 2/3rds majority*

**THE FINANCE COMMITTEE RECOMMENDATION:** N/A

**THE BOARD OF SELECTMEN RECOMMENDATION:** N/A

**No Motion**

**No Action**

**ARTICLE 4: HIGHWAYS SPECIAL STABILIZATION FUND APPROPRIATION**

To see if the Town will vote to dedicate an amount equivalent to 25% of the annual free cash certification to the Highways Special Stabilization Fund, effective for Fiscal Year 2020, beginning on July 1, 2019, and take any actions related thereto.

**SPONSOR:** Board of Selectmen

**COMMENTARY:** *This article allows for a dedicate revenue stream to provide funding for a Highways Special Stabilization Fund based on the annual certification of free cash. The Municipal Modernization Act allows new types of special purpose special stabilization funds. A special stabilization fund may be funded through appropriations, dedicated revenue streams (with some exceptions), or through overrides. A vote to dedicate or terminate a dedication shall be made before the fiscal year in which the dedication or termination is to commence and shall be effective at least for 3 fiscal years. While not predictive of free cash for 2019, in 2018, the town's free cash certification was \$1,049,995.*

**MOTION:** *Move that the article be accepted as written.*

*Vote required for passage: M.G.L. c.,40 §5(b) requires a 2/3rds majority*

**THE FINANCE COMMITTEE RECOMMENDATION:** N/A

**THE BOARD OF SELECTMEN RECOMMENDATION:** N/A

**No Motion**

**No Action**

**ARTICLE 5: HIGHWAYS STABILIZATION OVERRIDE**

To see if the Town will appropriate the sum of \$500,000 to the Highways Special Stabilization Fund, such appropriation being contingent upon the voter's passage of a so-called operating override question under Proposition

2½ , and take any actions related thereto.

**SPONSOR:** Board of Selectmen

**COMMENTARY:** *This article allows the Town to raise and allocate funds to a special Highway Special Stabilization Fund in excess of the levy under Proposition 2½. It will also require a separate ballot vote by the community for acceptance. This is equivalent to the \$400,000 that has been raised annually for the past two years plus an amount equivalent to the savings of the McCloskey School Bond being paid in full. The average estimated cost per household per year would be about \$83.*

*The Municipal Modernization Act allows new types of special purpose special stabilization funds. A special stabilization fund may be funded through appropriations, dedicated revenue streams (with some exceptions), or through overrides. A vote to dedicate or terminate a dedication shall be made before the fiscal year in which the dedication or termination is to commence and shall be effective at least for 3 fiscal years.*

**MOTION:** *Move that the article be accepted as written.*

*Vote required for passage: M.G.L. c.,40 §5(b) requires a majority*

**THE FINANCE COMMITTEE RECOMMENDATION:** N/A

**THE BOARD OF SELECTMEN RECOMMENDATION:** N/A

**No Motion**

**No Action**

#### **ARTICLE 6: OPEB SPECIAL LEGISLATION**

This article seeks authorization for the Board of Selectmen to petition the General Court to adopt special legislation for the purpose of placing the proceeds collected from the “Local Meals Tax” directly into a fund to be used exclusively for the liability of the “Other Post-Employment Benefits” obligation of the Town of Uxbridge and related costs.

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to adopt special legislation, in substantially the following form, authorizing the Town to deposit receipts under M.G.L Chapter 64L, §2 “Local Meals Tax,” in the fund to be used for the “Other Post-Employment Benefits” (OPEB) obligation of the Town of Uxbridge, provided, that the General Court may make such revisions of form as it deems appropriate within the scope of the legislation without the need for a further vote of the Board of Selectmen; or take any other actions relative thereto:

An act relative to the funding of the Other Post-Employment Benefits Liability Trust Fund in the Town of Uxbridge.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding any general or special law to the contrary, the town of Uxbridge is hereby authorized to deposit into its other post-employment benefits liability trust fund (OPEB fund) established under and pursuant to Section 20 of Chapter 32B of the General Laws all sums received for the local sales tax on restaurant meals pursuant to Section 2 of Chapter 64L of the General Laws, for the purpose of meeting the town’s OPEB obligations, and take any actions related thereto.

Section 2. The town treasurer shall deposit into the OPEB fund all sums received by the Town pursuant to said Section 2 of Chapter 64L, and said sums and any interest thereon shall become part of the fund and may be appropriated and expended in accordance with said Section 20 of Chapter 32B, and take any actions related thereto.

Section 3. This act shall take effect upon its passage.

**SPONSOR:** Board of Selectmen

**COMMENTARY:** *Special Legislation allows cities and towns to dedicate certain revenues to meet future OPEB liabilities through a Trust. OPEB means Other Post-Employment Benefits and includes retiree benefits obligations, except for pensions. In FY2018, the town's net OPEB obligation was \$25,530,000.*

**MOTION:** *Move that the article be accepted as written, with an effective date of July 1, 2020.*

*Vote required for passage: requires a majority*

**THE FINANCE COMMITTEE RECOMMENDATION:** Favorable Action (7-0-0)

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

The motion was seconded

Moderator declares a Simple majority vote, motion carries, Yes-88, No-4

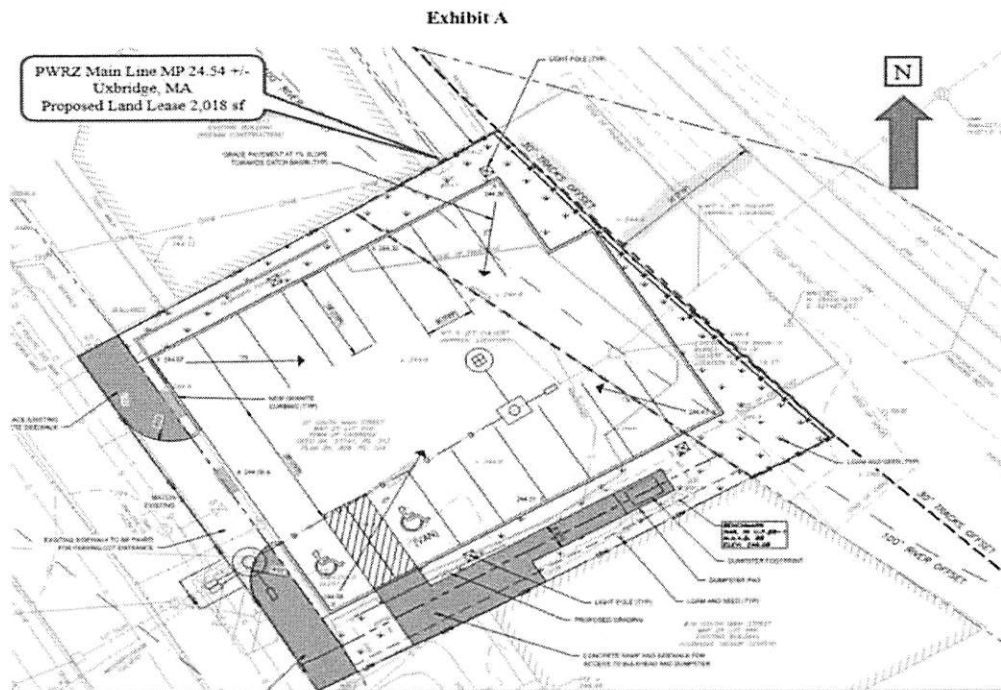
**ARTICLE 7: LEASE OF PROPERTY FOR SENIOR CENTER PARKING LOT**

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease agreement for a term not to exceed ten (10) years, on such terms as it determines to be in the best interest of the Town for the purpose of constructing a parking area at 32 South Main Street, or take any actions related thereto.

**SPONSOR:** Board of Selectmen

**COMMENTARY:** *The land at 32 South Main Street is being utilized for the construction of a new parking lot. Over the past year, the DPW has worked closely with the Genesee & Wyoming Railroad (parent company to Providence & Worcester Railroad) on the design and layout of the parking lot. As designed, a portion of the proposed parking area encroaches into the railroad right of way. The Railroad requires a long-term lease agreement to be executed by the Town of Uxbridge for the sole purpose of using 2,018 square feet of the Railroad's land for constructing and maintaining part of a parking lot and security fence as shown in Exhibit "A". The annual base fee for the use of the premises will be \$900.00 per year.*

**MOTION:** *Move that the article be accepted as written.*



*Vote required for passage: requires a 2/3rds majority*

**THE FINANCE COMMITTEE RECOMMENDATION: Favorable Action (7-0-0)**  
**THE BOARD OF SELECTMEN RECOMMENDATION: Favorable Action (4-0-0)**


**The motion was seconded**  
**Moderator declares a 2/3rds majority vote, motion carries, Yes-80, No-7**

\* \* \* \* \*

**All Articles having been acted upon a motion was made and seconded to dissolve the June 18, 2019  
Special Town Meeting**

**The Meeting dissolved at 11:06pm.**

A true copy attest,

  
Kelly J. Cote, CMC  
Uxbridge Town Clerk