

OCT 29 '13 AM 11:24

Received by  
Uxbridge  
Town Clerk

**TOWN OF UXBRIDGE**  
**21 S. MAIN STREET, UXBRIDGE, MA 01569 – 508-278-8600**  
**BOARD OF SELECTMEN MEETING MINUTES**  
**BOARD OF SELECTMEN'S MEETING ROOM**  
**TUESDAY, OCTOBER 15, 2013 – 6:00PM**

Present: Chair Tim Rice, Selectman Peter Baghdasarian and Selectman Lance Anderson. Also present Town Manager Sean Hendricks and Administrative Assistant Tracey Ante.

Joe Frisk joined in remotely. Open Meeting/Remote participation guidelines were followed. Votes were taken by roll call vote.

Not Present: Clerk Jen Modica.

**I. CALL TO ORDER**

- A. Announcements - Good News – The Town Manager advised the Board that he received a letter of gratitude from Ms. Jennifer Fontaine thanking Mr. Nelson Burlingame, Ms. June Bangma and Mr. Michael Potaski for assisting her in the process in securing a building permit. An additional thank you went out to Mr. Larry Lench for returning a personal item that she left behind at town hall.

The Town Manager received letters of commendations on behalf of Officer Sullivan and Officer Smoot for their outstanding efforts on September 23, 2013 for providing life supporting aid at a horrific crash on the highway. Their immediate action was instrumental in saving the life of the occupant and worthy of the admiration of all. The town is greatly appreciative of all their efforts.

- B. Citizen's Forum – Ms. Alexa Romasco discussed concerns with the earth removal/farming activity at 170 Hecla Street.

**II. PUBLIC HEARINGS**

1. Application – CNK Enterprises – Storage of Flammable and Combustible Liquids, Flammable Solids or Flammable Gasses, 282 N. Main Street The Chair opened the public hearing. Mr. Jim Forsythe, applicant and Mr. Marc Mann, owner, were present and discussed the application. Chief Kessler had no objection to the Board issuing the license. Following discussion, the Chair closed the public hearing. **MOTION: I, Mr. Baghdasarian, move that the Board approve the application for the Storage of Flammable and Combustible Liquids, Flammable Solids or Flammable Gasses, 282 N. Main Street. Seconded by Mr. Anderson, the motion carried 3-1 (Mr. Frisk opposed).**
2. Application – Jay Hari Krupa, Inc. d/b/a Quit N'Time, 300 N. Main Street – Transfer of License and Pledge of License/Inventory - The Chair opened the public hearing. Atty. Gregory DeMakis was present and spoke on behalf of the applicant. Following discussion, the Chair closed the public hearing. **MOTION: I, Mr. Anderson, move that the Board approve the application for Jay Hari Krupa, Inc. d/b/a Quit N' Time, 300 N. Main Street Transfer of License and Pledge of License/Inventory. Seconded by Mr. Baghdasarian, the motion carried unanimously.**

### **III. BUSINESS**

#### **A. OLD BUSINESS**

#### **B. NEW BUSINESS**

1. Fire Station Facilities Review – Mr. William Kessler, Fire Chief reviewed the Fire Station Facilities Plan. He has had discussions with the Town Manager, Finance Director and the Capital Planning committee expressing interest to move forward. Chief Kessler discussed forming a sub-committee to establish options for Fire Department facilities and utilize an architectural/engineering entity to assist with the study. The study will be funded from the Virginia W. Taft bequeathment. The goal is to have plans ready for a potential building project for 2016. Following discussion, it was the consensus of the Board to move forward with the project. Chief Kessler will coordinate with the Town Manager on forming a sub-committee.
2. Appointment – Cable Advisory Committee – Mark Stacy – **MOTION: I, Mr. Anderson, move that the Board appoint Mark Stacy to the Cable Advisory Committee. Seconded by Mr. Frisk, the motion carried 3-1 (Mr. Baghdasarian opposed).**
3. Appointment – Historic Cemetery Committee – Bill Martin – **MOTION: I, Mr. Anderson, move that the Board appoint Bill Martin to the Historic Cemetery Committee. Seconded by Mr. Frisk, the motion carried unanimously.**
4. Appointment – Council on Aging – Karl Kildahl – **MOTION: I, Mr. Anderson, move that the Board appoint Karl Kildahl to the Council on Aging. Seconded by Mr. Frisk, the motion carried unanimously.**
5. 170 Hecla Street Project – The Town Manager discussed the history of the project and most recent events. He informed the Board that the office has received complaints relative to the activity at 170 Hecla Street. Currently the property is used for farming activity. DPW Director Benn Sherman, Building Inspector Nelson Burlingame and members of the Planning Board and Conservation Commission conducted a site visit today. A letter will be sent to Mr. Vecchione addressing concerns. The site will be monitored. Discussions are ongoing.
6. Adopt Cori Policy – **MOTION: I, Mr. Anderson, move that the Board approve and adopt the CORI policy dated October 15, 2013 (attached to the minutes). Seconded by Mr. Baghdasarian, the motion carried unanimously.**
7. Adopt Revised Boot Drive Policy – **MOTION: I, Mr. Anderson, move that the Board approve and adopt the revised Boot Drive Policy Rules and Regulations (attached to the minutes). Seconded by Mr. Baghdasarian, the motion carried unanimously.**
8. Board of Selectmen Policies Index – The Board reviewed the index.
9. Application – Boot Drive, Revised date, Sat. 10/19, 9-12 noon, Rt. 122 & W. Hartford Ave. and Rt. 16 & Rt. 122 – Parents for a Safe Graduation – **MOTION: I, Mr. Anderson, move that the Board approve the application for a Boot Drive for Sat. 10/19, 9-12 noon at the intersections of Rt. 122 & W. Hartford Ave. and Rt. 16 & Rt. 122 for Parents for a Safe Graduation. Seconded by Mr. Baghdasarian, the motion carried unanimously.**
10. Request to close Court Street - Parade Committee – Veteran’s Day Parade, 11/10 12 noon – 5pm – **MOTION: I, Mr. Baghdasarian, move that the Board approve the request to close Court Street for the Veteran’s Day Parade for 11/10/13, 12 noon – 5pm. Seconded by Mr. Anderson, the motion carried unanimously.**

11. Request for Winter Maintenance Services – Waterman Way – The Town Manager updated the Board on the status of the project. He requested the Board provide winter maintenance services for this upcoming winter season. **MOTION: I, Mr. Anderson, move that the Board provide winter maintenance services for Waterman Way. Seconded by Mr. Baghdasarian, the motion carried unanimously.**

12. Board Speaker – Veteran’s Day Parade – Mr. Frisk will speak at the Veteran’s Day Parade.

**IV. MEETING MINUTES**

9/23/13 Meeting Minutes – **MOTION: I, Mr. Anderson, move that the Board approve the 9/23/13 Meeting Minutes. Seconded by Mr. Baghdasarian, the motion carried unanimously.**

10/7/13 Meeting Minutes – **MOTION: I, Mr. Anderson, move that the Board approve the 10/7/13 Meeting Minutes. Seconded by Mr. Baghdasarian, the motion carried unanimously.**

**V. TOWN MANAGER UPDATE**

The Town Manager report is attached to the minutes.

There was additional discussion on the following topics:

- Start-up social media web page
- Executed Pilot Agreement – W. Hartford Ave.
- TM Employment Agreement/TM Evaluation
- MIIA Loss Control Grant - The TM advised the Board that Chief Kessler is spearheading this grant. If awarded, it will allow for a common key system for all town gates. **MOTION: I, Mr. Baghdasarian, authorize the Chair to endorse the grant application. Seconded by Mr. Anderson, the motion carried unanimously.**

**VI. MEMBER ISSUES**

There was general discussion.

Mr. Baghdasarian discussed the following topics:

- Trench permit
- Board of Selectmen’s website page
- Building Dept. application form

**VII. ADJOURNMENT: NEXT REGULAR SESSION BOS MEETING, TUESDAY, 11/12/13 – 6:00PM**

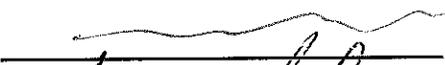
At 8:20PM, Mr. Rice adjourned the meeting.

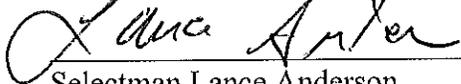
*Minutes respectfully submitted by, Tracey Ante*  
Minutes approved by Board of Selectmen:

  
\_\_\_\_\_  
Chair Tim Rice

\_\_\_\_\_  
Vice Chair Joe Frisk

\_\_\_\_\_  
Clerk Jen Modica

  
\_\_\_\_\_  
Selectman Peter Baghdasarian

  
\_\_\_\_\_  
Selectman Lance Anderson

\_\_\_\_\_  
Date Approved



TOWN OF UXBRIDGE  
OFFICE OF THE TOWN MANAGER  
21 South Main Street  
Uxbridge, MA 01569-1851  
508-278-8600 Fax 508-278-8605

Sean Hendricks  
Town Manager

\*

**DATE:** October 13, 2013  
**TO:** Board of Selectmen  
**FROM:** Sean Hendricks  
**RE:** Town Manager report—9/21/13-10/14/13

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- Attended Capital Planning Committee meeting.
- Met with police chief candidates.
- Met with candidates' supervisors.
- Attended Public Safety Committee meeting.
- Attended School Committee meeting.
- Attended DOR municipal law conference.
- Appointed new chief of police.
- Met with CMRPC/towns regarding CIC electronic permitting initiative.
- Conducted annual employee performance reviews.
- Continued negotiations with Waterman Way bond company.
- Insurance repairs/painting inside TH completed.
- Met w/ Imperial Municipal Parters re: town vehicles.
- Finalizing FATM warrant.
- Attended Kantech software training.
- Assisting with planning of Veteran's Day parade.
- Met w/ Sutton Town Administrator re: sharing Conservation Agent.
- Coordinated with school superintendent re: asbestos at McCloskey MS.
- Coordinating w/ Town agencies re: 170 Hecla Street.
- Various citizen meetings/concerns.

**UPDATES**

- Irrigation and sod installed at Senior Center.
- Demolition of Bank Building commenced.



OCT 16 '13 AM 10:09

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**POLICY OF THE BOARD OF SELECTMEN  
TOWN OF UXBRIDGE, MASSACHUSETTS**

**Criminal Offender Record Information (CORI)**

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, or the rental or leasing of housing, the following practices and procedures will be followed.

**I. CONDUCTING CORI SCREENING**

CORI checks will only be conducted as authorized by the DCJIS and MGL c. 6, §. 172, and only after a CORI Acknowledgement Form has been completed.

With the exception of screening for the rental or leasing of housing, if a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours notice that a new CORI check will be conducted.

**II. ACCESS TO CORI**

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. (Requestor Organization Name) must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

**III. CORI TRAINING**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to review or access CORI at (Requestor Organization Name) will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

Additionally, if (Requestor Organization Name) is an agency required by MGL c. 6, s. 171A, to maintain a CORI Policy, all personnel authorized to conduct criminal history background checks and/or to review CORI information will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

#### **IV. USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING**

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

#### **V. VERIFYING A SUBJECT'S IDENTITY**

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

#### **VI. INQUIRING ABOUT CRIMINAL HISTORY**

In connection with any decision regarding employment, volunteer opportunities, housing, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

#### **VII. DETERMINING SUITABILITY**

If a determination is made, based on the information as provided in section V of this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and

(i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

### VIII. ADVERSE DECISIONS BASED ON CORI

If the Town of Uxbridge is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

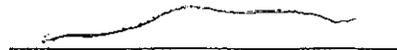
### IX. SECONDARY DISSEMINATION LOGS

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record *any* dissemination of CORI outside this organization, including dissemination at the request of the subject.

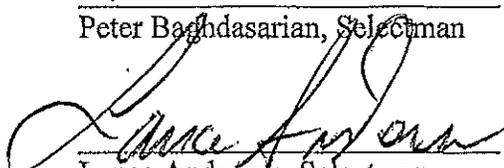
This policy was enacted by the Board of Selectmen by vote at its regularly scheduled meeting on October 15, 2013 duly posted and noticed.



\_\_\_\_\_  
Tim Rice, Chair

  
\_\_\_\_\_  
Peter Baghdasarian, Selectman

\_\_\_\_\_  
Joe Frisk, Vice Chair

  
\_\_\_\_\_  
Lance Anderson, Selectman

\_\_\_\_\_  
Jennifer Modica, Clerk

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**POLICY OF THE BOARD OF SELECTMEN  
TOWN OF UXBRIDGE, MASSACHUSETTS**

**POLICY REGARDING "BOOT DRIVES" OR OTHER FUNDRAISING EVENTS ON PUBLIC WAYS**

**Rules and Regulations**

Any group or organization that wishes to obstruct a public way for any amount of time for the purposes of fundraising in any manner must obtain permission from the Board of Selectmen. The request must be made in writing on the approved form not less than 30 days prior to the event to allow the Board a satisfactory amount of time to take action on the request.

The organization shall be a legitimate group, charitable or otherwise, that falls within the guidelines of the Massachusetts General Laws.

The Organization must adhere to the following requirements:

- 1) Coercion during the collection of donations is prohibited.
- 2) Participants under age 18 are not allowed to solicit in/on the traffic/roadway.
- 3) Activities shall be conducted no earlier than one hour after sunrise and end no later than one hour before sunset.
- 4) All persons in the road must wear DOT (ANSI 107 compliant Class II vest, Class III Highway Safety garment, or ANSI 207 Public Safety vest) approved reflective clothing to minimize danger while they are in the roadway.
- 5) Boot drives are limited to a single intersection at any given time. Solicitation at multiple intersections simultaneously is prohibited.

Failure to comply with these requirements is grounds for immediate suspension of activity and/or denial of permission for future events. The Chief of police and all other police officers of the Uxbridge Police Department are authorized by law, and hereby appointed as agents of the Board for purposes of enforcing this policy.

Boot Drive Rules and Regulations

This policy was revised and adopted by the Board of Selectmen by vote at its regularly scheduled meeting on October 15, 2013 duly posted and noticed.

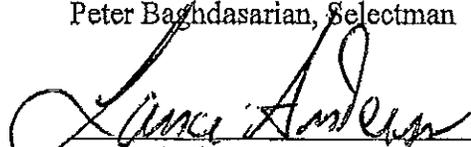


\_\_\_\_\_  
Tim Rice, Chair



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Peter Baghdasarian, Selectman

\_\_\_\_\_  
Joe Frisk, Vice Chair



\_\_\_\_\_  
Lance Anderson, Selectman

\_\_\_\_\_  
Jennifer Modica, Clerk



**TOWN OF UXBRIDGE**  
OFFICE OF THE TOWN MANAGER  
21 South Main Street  
Uxbridge, MA 01569-1851  
508-278-8600 Fax 508-278-8605

Sean Hendricks  
Town Manager

"Boot Drive" permit application instructions:

- 1) Read and agree to below rules and regulations for "Boot Drive" fundraising events on public ways.
- 2) Submit completed application to the Board of Selectmen's Office at least 30 days prior to the event.
- 3) Submit a completed hold harmless/waiver of liability form for each participant to the Town Manager no later than the last business day prior to the event.

Name/address of applicant \_\_\_\_\_

Organization/event \_\_\_\_\_

Rules and Regulations

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BOS USE ONLY

APPROVED

DENIED



**TOWN OF UXBRIDGE**  
OFFICE OF THE TOWN MANAGER  
21 South Main Street  
Uxbridge, MA 01569-1851  
508-278-8600 Fax 508-278-8605

Sean Hendricks  
Town Manager

### WAIVER OF LIABILITY/HOLD HARMLESS AGREEMENT

I understand and acknowledge that participation in a "boot drive" or similar charitable activity involves risk and the potential for injury. I understand that fundraising on and in public ways containing motor vehicle traffic involves risk of injury to any and all parts of my body. I hereby certify that I am aware that I will be placing myself in a potentially hazardous traffic situation and that I will not have the assistance of law enforcement traffic control at any location.

For myself, my heirs, executors, administrators, legal representative, assignees, and successors in interest (collectively, the Releasing Party or Successors):

I, \_\_\_\_\_, hereby waive, release, discharge, hold harmless, promise not to sue, and indemnify the Town of Uxbridge, its agents, servants, employees, officers, and directors; (collectively, the "Released Parties") from any and all rights and claims including claims arising from the released parties' own negligence, which I have or which may hereafter accrue to me and from any and all damages which may be sustained by me directly or indirectly in connection with, or arising out of, my participation in or association with this event, or travel to or from this event.

Signature (if under 18, parent/guardian) \_\_\_\_\_

Date: \_\_\_\_\_