

**TOWN OF MILLBURY
BOARD OF SELECTMEN MINUTES
MUNICIPAL OFFICE BUILDING- SELECTMEN'S MEETING ROOM**

January 13, 2015

7:00 pm

Present: Board of Selectmen: Francis B. King; Sandy Cristo; Mary Krumsiek, Brian M. Ashmankas; William Borowski; Town Manager, Bob Spain, Edd Cote, Judy O'Connor, Lee Ayotte, Marie Kosiba, Steve Walinsky, Ron Richards, Fred McConaghy, Bill Wilkinson, Susan Spencer, Tom Riley, and other concerned citizens

Chairman King called the meeting to order

Carrie Prest- spoke regarding the 5th annual Masonic Road Face to be held on May 17, 2015; they will use the same track and she has spoken to Lt. Desorcy and the DPW Director. Motion to approve the road race made by Selectman Borowski, seconded by Selectman Krumsiek.
Motion carried unanimously.

Edd Cote- In House Attorney Feasibility Committee- They met for 6 months and made a decision that an in house attorney was not the way to go; they looked at in-house, retainer and pay as you go. They did a lot of research and spoke to many towns; it is there recommendation to go with the retainer option.

Selectman Cristo asked what Westboro and Milford's in house attorney salaries were. They were around \$110,000.

Selectman Ashmankas asked if they would still have 2 firms- not necessarily but one firm may not do it all. Selectman Borowski reiterated that a land use attorney is very hard to find and very specialized. Selectman King asked if they would be able to handle all issues.

Selectman Cristo asked if we could get someone with human resources experience.

Selectman Borowski said that the day to day issues is not the concern; the ad hoc is what costs us. Mr. Cote said that the town has been paying an average of \$155,000/year in attorney fees; the retainer option would be between \$45,000-\$60,000/year.

Mr. Spain said that in the retainer would handle the mundane labor stuff that would normally slip away or not ask would be covered. The labor attorney's do the HR functions, he would recommend the single firm that you can get soup to nuts.

Selectman Borowski would like to talk about this further as a board. He would like to find out what their capability is and what the return on investment is.

Chairman King said that they would need a decision by March.

Council on Aging- Steve Walinsky spoke as Chairman Rick Townsend was unable to attend. *see attached handout. The board meets 10 out of 12 months at 7:30 am on the 3rd Wed of every month. They have a diverse group and there is usually at least one member at the senior center during activities. The food pantry and the fuel assistance program are open to all regardless of age. All board members are cori checked and mandated reporters for elder abuse. The attached card was incorporated in the November newsletter and mailed out to eligible folks. There are 2800 people in town over the age of 60. Their meals on wheels program is booming. Their activities are getting very busy and there is not enough staff to answer phone messages or organize activities or such things. The Friends of the Millbury Seniors help out a lot with

volunteering, busing and monies; but they would like to request an administrative position in the upcoming budget and their building will need updating such as repainting, flooring and the driveway will need new pavement eventually. There is a drainage problem in front of the building that the DPW has tried to help but the issue remains. The board would like to thank their executive director, Judy O'Connor for all of her hard work and going above and beyond every day to do what she does. She is a great asset.

Selectman Krumsiek, who is a meals on wheels driver, said that the Senior Center is near and dear to her heart.

Selectman Cristo thanked Mr. Walinsky, the Board and the Director and said they do a great job and to keep up the good work.

Chairman King said that everyone does a great job and has great programs for the elderly.

Don Rajotte- suggested instead of digging up the garden, try putting a hole with a metal grate on it to drain the water or put a 2" berm to keep the water from the street off the driveway. He said the senior center is a great place to go.

Sarah Murray- Millbury Parents Club- She is the event chair for the 5k fundraiser- first one was last year and it was a great success that raised over \$10,000 which went directly to the school. She worked with Lt. Desorcy and they tweaked the race route which will start at Windle Field. It will be held on Sunday, April 12, 2015.

Motion to approve the Millbury Parents Club Road Race made by Selectman Borowski, seconded by Selectman Cristo.

Motion carried unanimously.

Village Knoll Public Hearing- Selectman Krumsiek read the public hearing notice into record, seconded by Selectman Cristo. Motion carried.

Atty Patrick Flynn represents the Village Knoll for change of ownership and transfer of stock, officers/directors from Roajibhai S. Patel to Neal Patel.

Mr. Spain explained that this license has been an issue for some time, Mr. Roajibhai Patel never got the license changed to his name, it is still under Dan Jesyk and Mr. Jesyk still signs the renewal papers.

Attorney Flynn agreed to contact the ABCC and continue the hearing until he gets the paperwork done changing it from Mr. Jesyk to Mr. Patel.

Motion to continue the public hearing to February 10, 2015 made by Selectman Borowski, seconded by Selectman Ashmankas.

Motion carried unanimously.

Selectman Krumsiek read public hearing notice into record for **Petition of National Grid** to excavate Jonathan Ave., seconded by Selectman Borowski.

A National Grid representative did not show up for the hearing.

Motion to continue the hearing to the January 27, 2015 made by Selectman Borowski, seconded by Selectman Cristo.

Motion carried unanimously.

The resident of Jonathan Ave who needs the service spoke asking the Board to approve this. Selectman Borowski withdrew his motion.

Continued Public Hearing on Petition for So. Oxford Rd.

Motion by Selectman Borowski to continue the hearing of National Grid for a pole location on South Oxford Road, seconded by Selectman Cristo. Motion carried.

The resident from Backstrad Road that needs the service spoke asking the board to reconsider their motion.

Motion to continue was withdrawn.

Motion to close the public hearings made by Selectman Borowski, seconded by Selectman Ashmankas. Motion carried.

Selectman Krumsiek motioned to approve the National Grid Pole Petition for Jonathan Ave, seconded by Selectman Borowski.

Motion carried unanimously.

Motion to approve the petition for placement of a pole and accessories at So. Oxford Road with DPW approval of the pole across the street moved out of the vision of traffic made by Selectman Borowski, seconded by Selectman Ashmankas..

Motion carried unanimously.

Approve Chapter 90 Bond Anticipation Note Renewal

Motion made by Selectman Borowski to approve, seconded by Selectman Krumsiek.

Motion carried unanimously.

2015-Drainlayer Renewals

Robert Miller	Affordable Septic
Aldore Tetreault	Aldore Tetreault & Sons
George McQuirk	Chase/Harris Corp
David Edilbert	Dave Edilberti Backhoe
Fred Douglas	Douglas Excavating
Thomas Frongillo	F&D Trucking
Steve Gallo	Gallo Construction
Gary Pike	Gary Pike Construction
Duane Heerd	Guaranteed Builders
Bruce Gustafson	Gustafson Plumbing
Edward Amorello	J.E. Amorello Inc
Ken Polito	JA Polito & Sons
John Jolin	Jolin Paving
Ronald Knapik	Knapik Builders
Ken Perro	Longwood Development
Thomas Stratford	Mid-State Sewerage
Nick Michell	Mitchell Associates Const
Mike Bernard	NHB construction
Peter Fox	P&M Asphalt
Roland Barrows	R.E. Barrows Construction
David White	R.H. White Construction
James Ricciardi	Ricciardi Brothers
Richard Record	Richard Record & Sons
Robert Bernard	Robert Bernard
William Tully	Standard Builders
Paul Valente	Valente Backhoe Services

2015-Drainlayer Renewals

Russell A. Wall Sr. Wall Construction
Russell DeDoming Woodridge LLC
Gilbert G. Nibert III
Elliott Burlingame

Motion to approve the 2015 Drainlayers made by Selectman Borowski, seconded by Selectman Cristo.

Motion carried unanimously.

Boat Excise Tax Disbursement

Each association will receive \$632.00; they are Singletary Lake Association, Dorothy Pond Association and Ramshorn Pond Association.

Motion to disburse the funds made by Selectman Borowski, seconded by Selectman Cristo.

Motion carried unanimously.

Review of Off Premise Liquor License Policy- The Sunday hours need to be updated to say that opening is at 10:00 am if allowed by liquor license authority.

Selectmen Krumsiek asked for changes to section 5-add the word illegal to gambling and section used as first reading- a couple more changes.

61A- Peter Blash. He would like to put a solar farm on his land and he needs a 3.6 acre parcel taken out of 61A. He will have to pay rollback taxes. The Board has right of first refusal, but the manager doesn't think we want it. The Planning Board has left it up to the Selectmen.

Motion made by Selectman Borowski, seconded by Selectman Krumsiek to refuse the property.

Motion carried unanimously.

Chief Howell- Police Update

Please see attached report*...we are doing well in the police department. He anticipates completing the management report this year. He has been working with the schools to implement what is called "ALICE"; we have been doing lockdown drills, some people felt nervous but that is what drills are for; to learn from them. We will not give them a warning so that they will be prepared if the unthinkable happens. Lt. Desorcy and Chief will be going to a class to begin the process of accreditation. The first step is the self-assessment stage. He is implementing a facebook policy and will be online soon with a facebook page. Officer Daly and Kenzo are now trained to find narcotics.

Selectman Borowski asked what the 13% remaining management study. About 3% is not relevant anymore; a portion is for a new public safety building....

Selectman Krumsiek asked what happened to the ride-a-long program. It is still going, he will schedule that; she asked to wait until spring. He has invited the selectmen to his comstat meetings as well.

Selectman Krumsiek said that a mother called her son during the drill and she thinks it should be a policy to shut off phones so the shooter can't hear them. Chief agreed.

Selectman Borowski said that this town needs to make a SRO a priority. Chief said that the school has received a grant for \$15,000 for a SRO and Sgt. McFaul and Sgt. Lewos who are trained will be more visible in the schools.

Selectman Cristo asked about new police officers and if they need a new lieutenant. He said that he absolutely does, he is trying to get this police department up to professional status, we are in crisis management stage right now; we are still working on a lot of things to get this department in order; two Lts. are necessary to get this done. When things are in working order then we can reduce command staff. Selectman Cristo said that you could hire two police officers for the price of one Lt.

Selectman Ashmankas thanked him for the comstat invite and he is glad to see the community policing in action.

Chairman King wanted to thank the Chief and all of the officers for their work in these uncertain times.

Laurie Connors-Road Acceptance for town meeting; the only road being accepted at this year's town meeting will be the extension on McGrath Rd. It was accepted as a public way in 1832 when Millbury was a part of Sutton.

Motion made by Selectman Borowski, seconded by Selectman Krumsiek to begin the process of laying out the extension of McGrath Road, situated south of the 1732 limit of Sutton's acceptance of McGrath Road, in the western section of the Town. Said roadway is shown on a plan entitled "Road Acceptance Plan, McGrath Road Extension, Millbury, Mass", prepared by Whitman & Bingham Associates, LLC, 510 Mechanic Street, Leominster, MA, dated September 18, 2014.

Motion carried unanimously.

Motion made by Selectman Krumsiek, seconded by Selectman Borowski to forward the petition to accept the proposed layout of McGrath Road to the Planning Board for comment as to whether the roadway is ready for acceptance.

Motion carried unanimously.

Motion made by Selectman Krumsiek, seconded by Selectman Borowski to schedule a visit to view McGrath Road Extension on Saturday, February 7, 2015 at 9:00 am. The public meeting on the proposed acceptance of this roadway will occur on February 10, 2015 at 7:15 pm.

Motion carried unanimously.

Ch. 43B Expediting Permitting Process- She has delineated two areas as priority development sights. They partnered with the Town of Sutton and their Rt. 122 sight was ready so we went to the board for that one sight only; Sutton was not ready for their Rt. 146 sight and is still not ready. The board did approve the Rt. 122 sight. Now they have to accomplish certain tasks; one is to create a procedure of how the expedited permit process will work; and a development handbook which Millbury already had ready and she is just updating that. This tells the person what departments they need to go to, the fees associated and what is required by each dept/board. She is doing two different documents; one for the Expedited Permitting process and one for 43D projects. *see attached* She will be implementing a \$500 coordination fee.

Chairman King inquired about the donut part on the Rt. 122 parcel. She asked the treasurer to start the tax title process.

Selectman Borowski asked Laurie to ask for feedback from the applicants to maybe tweak the process. She is a proponent of changing things as needed.

Selectman Ashmankas asked how they are getting the word out. This is why she wanted to do this process because of the benefits and advertising of the sights.

Selectman Cristo said that the fee is adequate and thanked her for the great work. Mr. Spain recommends approval.

Motion to approve the 43B expediting permitting process made by Selectman Ashmankas, seconded by Selectman Cristo.

Motion carried unanimously.

Previous Minutes:

Motion to approve the minutes of the December 9, 2014 minutes made by Selectman Ashmankas, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to approve the minutes of the December 16, 2014 made by Selectman Cristo, seconded by Selectman Borowski.

Motion carried unanimously.

Town Manager Report:

Mr. Spain is appointing Lisa Allain to the sewer commission.

Motion to concur with the appointment made by Selectman Borowski, seconded by Selectman Cristo.

Motion carried unanimously.

Mr. Spain has reviewed the following policies:

- o H-1 Hiring Procedure Policy-needs some changes
- o H-2 Protection of Individuals in Protected Classes-no change
- o H-3 Holiday Pay-Previously withdrawn
- o H-4 Hours of Operation-no change
- o H-5 Hours of Operation-no longer applies
- o I-1 Investment Policy-no change
- o I-2 Indirect Cost Agreement Between Town and School- no change

We have begun bi-weekly payroll. January 9th was the first skipped week. Employees will get two weeks of pay every other week starting on January 16th.

We are still working through some issues regarding the **S. Main Street Bridge** with the railroad crossing; DOT is working the issue. If we are not moving forward with the railroad he will look into opening it one way.

Chairman King asked about the signage and why it's not opened. Selectman Cristo asked why it's not opened one way without any lights, this is a big inconvenience.

Mr. Spain said that they are working on with DOT and they want to do it right and make sure it is safe.

Budget Update

Not sure when we will get the new governor's budget. He will start with level funding.

March 5th at 7pm will be the manager's budget presentation.

April 7th is a special meeting to close warrant.

The recent contract amendment with surrounding town and the city will have no effect on our contract. FYI...Wheelabrator paid us more than \$2.216 mil under contract. \$1.673mil is considered a host community fee which is required by statute and our contract and \$543k is a supplemental fee required by the contract. In addition they pay property taxes on the land and any buildings not part of the resource recovery operation. These amounts do not include the additional money we get from not using our yearly allotment of "free" tonnage at the transfer station. Between Wheelabrator and the Mall they provide 10% of our general fund revenue. With the Malls \$1.5 million; if we did not have those two properties we would be cutting huge services.

The Board of Appeals is coming in for the meeting on the 27th.

Bark Park is moving along, they will be able to use it when double gate is installed; reminding work will be done in spring.

Tax Title Auction- there is one title issue but we did take in \$464,000. It was very successful.

Governor Baker has released the \$100 million in bonding for Ch. 90 money; this gives us \$200,000 more and hopefully he will do the same for this year.

Congratulations to Rob McNeil for becoming a certified procurement office through MCPPO.

Selectman Borowski said that there is a problem with roosters in this town and find out how we can restrict them. He asked if they want to bring forth Brierly Pond Dam to town meeting. Mr. Spain would like to bring the same article forward in May. Selectman Borowski asked for a Ramshorn Dam update.

Selectman Krumsiek asked if the home rule petition is enacted. When it was signed by the Governor it was enacted. Chairman King said that he spoke to the Chief regarding this and he is putting a policy together to address it.

Chairman King said that this town is going to be growing with new developments with roughly 200 new houses; he asked if there have been any impact studies done by the school, police or fire?

Chairman King Read Dates to Remember

Tuesday January 20th from 2 to 3 PM VFW Ladies Auxiliary Bingo Social

Monday January 26th & Tuesday January 27th 9A to 2P and 5P to 7P

Kindergarten Registration for Fall 2015 at Elmwood Street School
ongoing through January 15, 2015 Register for "Millbury's Got Talent" to be held
Saturday February 7, 2015

On a Good Note

Kudos to the woolies basketball for wearing blue ribbons for a sick Quabbon High School
basketball player
Bulter Farm community garden applications are ready and on the website

Mail:

Letter from Laurie Connors regarding Bark Park donations totaling \$335.00.
Motion to accept the donations made by Selectman Krumsiek, seconded by Selectman Borowski.
Motion carried unanimously.

Letter from Fire Dept regarding a donation in the amount \$50.00 in Memory of Irene Hamilton.
Motion to accept the donation made by Selectman Krumsiek, seconded by Selectman Borowski.
Motion carried unanimously.

Letter from the Police Department regarding a donation to the K-9 unit from Flynn Trucking in
the amount of \$100.00.
Motion to accept the donation made by Selectman Cristo, seconded by Selectman Ashmankas.
Motion carried unanimously.

Letter from the Police Department regarding a donation to the K-9 unit in the amount of \$100.00
from Al's Oil.
Motion to accept the donation made by Selectman Krumsiek, seconded by Selectman Borowski.
Motion carried unanimously

Letter the Police Department regarding a donation to the K-9 unit in the amount of Hydrotherapy
of Northborough in the amount of \$1000.00.
Motion to accept the donation made by Selectman Krumsiek, seconded by Selectman Borowski.
Motion carried unanimously

Letter from the Police Department regarding a donation from Millbury Savings Bank in the
amount of \$1000.00
Motion to accept the donation made by Selectman Cristo, seconded by Selectman Borowski.
Motion carried unanimously

Letter from the Fire Department regarding a donation of Pfizer Foundation in memory of Irene
Hamilton in the amount of \$100.00.
Motion to accept the donation made by Selectman Krumsiek, seconded by Selectman Borowski.
Motion carried unanimously

Letter from the Fire Department regarding a donation in the amount of \$1000.00 from the Millbury Savings Bank.

Motion to accept the donation made by Selectman Krumsiek, seconded by Selectman Borowski.

Motion carried unanimously

Letter from the Fire Department regarding a donation from the Boyda family in the amount of \$50.00.

Motion to accept the donation made by Selectman Krumsiek, seconded by Selectman Borowski.

Motion carried unanimously

Nomination Papers are available now and need to be returned by March 10th

Annual Town Election will be held on April 28, 2015 7:00 am – 8:00 pm

27th Annual Ice Fishing Derby and pancake breakfast sponsored by Fire Station 2 will be held on January 25, 2015.

Citizen Speak

Don Rajotte spoke about the S. Main Street Bridge. He doesn't like the lights idea. He also doesn't think the police department needs two lieutenants.

He thinks the Selectmen are heroes.

Motion made by Selectman Krumsiek to adjourn at 9:45 p.m., seconded by Selectman Cristo.

Approved by roll call vote.

Respectfully submitted,
Tish Hayes, Secretary

Francis B. King _____

Sandy J. Cristo _____

Mary Krumsiek _____

Brian Ashmankas _____

William Borowski _____