

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

**February 25, 2014**

**7:00 p.m.**

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**Present:** Board of Selectmen: E. Bernard Plante; Francis B. King, Brian M. Ashmankas; Sandra J. Cristo; Mary Krumsiek; Town Manager, Bob Spain; Susan Spencer, *The Telegram*, Tom Reilly, *The Millbury-Sutton Chronicle*; Edd Cote, Brian E. Turbitt, Karen McGovern, John Beligian, and other concerned citizens

**Absent:** Brian Ashmankas

**Waterways Excise Tax Disbursement:** The amount distributed between the three is \$738.01; Lake Singletary Watershed Assoc.; Dorothy Pond Watershed Assoc.; and Ramshorn Watershed Assoc.

Motion to disburse the funds made by Selectman King, seconded by Selectman Krumsiek.

Motion carried unanimously.

**Drainlayers Renewal:** J.E. Amorello & Sons, Edward Amorello, Worcester, MA

Motion to renew the Drainlayer license made by Selectman King, seconded by Selectman Krumsiek.

Motion carried unanimously.

**7:15 Continuance- Puffins Restaurant-Usage Hours**

Mr. Spain's recommendation is to condition the license with certain hours.

Atty Connell said that Ms. McGovern wants to close every day at 2:00 pm. He gave a letter to the Chairman, Selectman Cristo read the letter. \*see attached. She would like to close every day at 2:00 pm.

Mr. Spain said that our attorney advised the Board to condition the hours to the ones that Ms. McGovern asked for on June 7, 2012.

Selectman King said that his concern is that they are not going to be utilizing the license when closing every day at 2:00 pm.

Selectman Cristo said that there are a limited number of licenses in town; we feel that you are using this as a 'pocket license' and it is preventing development of new business; therefore, I move that Puffin Restaurant is not serving the public need and the common good as required by c.138, in that the Restaurant has failed to comply with c. 138 sec 77 by ceasing to conduct the licensed business as agreed upon. Therefore, pursuant to said chapter 138 sec 23 and sec 64 the all alcohol license currently held by the Restaurant shall be modified to require the utilization of the license as follows.

Monday	6:00 am – 2:00 pm
Tuesday	6:00 am – 2:00 pm
Wednesday	6:00 am – 9:00 pm
Thursday	6:00 am – 9:00 pm
Friday	6:00 am – 9:00 pm
Saturday	6:00 am – 9:00 pm
Sunday	7:00 am – 1:00 pm

Failure to comply with these requirements may result in the revocation or suspension of the license, seconded by Selectman King.

Motion carried 3-0-1 (Selectman Krumsiek abstained)

Atty Connell asked if they are basing their decision on Ch. 138 sec 77. Mr. Spain said that the board believes that the license if not being used and they are putting a condition on the license to be open some evenings. Atty Connell also asked if the board was telling her to sell alcohol prior to 8:00 a.m. Mr. Spain said no you have to abide by the law.

Motion to close public hearing made by Selectman Cristo, seconded by Selectman King.

Motion carried unanimously.

**7:20 Notice read into record by Selectman Cristo**

Town Planner, Laurie Connors is here to speak about Oak Street and Diana Hill Dr. They did the site visit for both streets. The developer, Russell DeDoming is here to answer any questions you have regarding Diana Hill Drive. She expects any issues will be resolved before town meeting. The Chairman said all their questions were answered on the site visit.

Regarding Oakes Street, she has been in touch with JH Lynch and the weather needs to be warmer to get the list done. She does not foresee a problem with getting the work done.

Barbara Brown, president of the home owners association, said that they are thrilled with the help and support from the town and they would like to propose a right of easement for the bridge that goes into the development.

Selectman King asked about moving the private road sign-that will be done.

Motion to close public hearing made by Selectman King, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to lay out Oakes Street, situated south of the 1957 limit of acceptance of Oakes Street, in the northeastern section of the Town. Said roadway is shown on a plan entitled "Road Acceptance Plan" for Oakes Circle, Millbury, MA, prepared by Andrews Survey & Engineering, Inc., dated January 17, 2014 made by Selectman Cristo, seconded by Selectman King.

Motion carried unanimously.

Motion to lay out Diana Hill Drive, situated southeast of the 2012 limit of acceptance of Diana Hill Drive, in the southeastern section of the Town. Said roadway is shown on a plan entitled "Proposed Roadway Acceptance Plan, Diana Hill Drive and Taft Circle, Millbury, Massachusetts" prepared by S.E.C. & Associates, Inc., dated October 13, 2010, last revised December 10, 2013 made by Selectman Cristo, seconded by Selectman Krumsiek.

Motion carried unanimously.

Mr. Spain wanted to say that for the second time in three years our bond rating has been raised by Standard & Poor's from AA- to AA. This is a great accomplishment for the finance team. Brian Turbitt wanted to thank Katie Lavalley, Sandy Genna and Denise Marlborough.

**Brian E. Turbitt**- Finance Director: He told the Board that Mr. Valentino resigned from the in-house attorney feasibility committee and he needs a new member. Selectman King said it would be the current Chair of the Board of Appeals.

He would like to update you on the Financial Management Planning Committee-we need a vast array of capital items. We are looking ten years down the road and we are soliciting comments from the citizens. We are doing a survey online and have a meeting one night that citizens can come in to tell us what they think their priorities are.

The public safety siting committee is working with the firm to see where the best place is for this building. They are sending out a RFP for land to find out what sites are available, it does not mean that they are buying any land, it is a step in the process that they have to do to get a better understanding of what is available. That presentation should be done for you in late April.

Selectman King said that this capital plan is well overdue; he wants to thank Brian for volunteering. Chairman Plante said that it was a much larger undertaking than anyone anticipated.

First Wind has created the agreement to donate the land to the town that they will not be using. They are close to completion and are reminded about training every time he talks to them.

**Rob McNeil**-DPW Update: Ramshorn Dam- the upstream report is underway and will be made available. RAC is meeting tomorrow at 6pm; to follow up on the salt shortage-the vendor has helped catch up over the weekend and with the good weather we are now at 25% and still have deliveries expected. This has been a regional issue this year. DPW lease purchases are moving forward and we should see some pieces soon. We are dealing with staff issues, two workers comp out; trying to hire a mechanic and we have received a resignation from the Operations Manager, his last day is March 14<sup>th</sup>. Pothole crews are out, two different crews; please call if you see any. He met with MPO on the 12<sup>th</sup> of Feb to present McCracken Rd. conceptual design. The project at best case will be a two phase project, in 2018 and 2019. We have a working budget of about \$10mil. The DOT/146 bridge project continues to move forward, our portion is updating sewer lines around \$300,000. We have been coordinating with the veteran's council regarding the monument near the project. Fuel station bids are in; the low bid is \$364,800 and has been presented to the town manager for a warrant article debt exclusion project. In addition we have a transfer station improvement project with the low bid at \$396,000 submitted for a warrant article as well. Working with Ngrid to upgrade the failing lights at Washington Street Park. Snow/Ice budget- we are nearly 2 ½ times the \$160,000 budget, we are at 3500 tons of salt. Transfer stations numbers continue to trend, recycling up and trash 18% down. Sewer bills mailed out March 7<sup>th</sup>.

Selectman Krumsiek asked about ripping open bags at the transfer station. Rob said that due to the contract with Wheelabrator and DEP's mandate, recycling is mandatory at the transfer station. When materials are brought to our facility they belong to the town, they are looking for the low hanging fruit, the square box corners, glass clanging, and engage people to educate them

on recycling. Selectman Krumsiek asked if they pull stickers if they don't comply. They use this as education, they have not pulled a sticker-they take a sticker for illegal dumping.

Mr. McNeil said that the transfer station improvement project is very important. A recycling container averages about a ton and a half, so every time our vendor picks that up it cost roughly \$112/ton, on the flip side we will receive \$75/ton we do not through at Wheelabrator. If we introduce compactors for recycling we can increase our per trip to under \$40/ton.

Selectman King asked about the metal? Framingham Salvage picks that up.

Selectman Cristo said spring is around the corner, do we have a plan to put water and spigots in at central cemetery. Yes, they have a plan he presented to the manager and the chairman.

Selectman King asked if they looked into taking roads out to use for cemetery space. They are working on their mapping right now with a GIS database.

**Previous Minutes:**

Motion to approve minutes of the meeting for February 11, 2014 made by Selectman King, seconded by Selectman Cristo.

Motion carried unanimously.

**Old Business:**

The meeting is set up with School Committee and Finance Committee. It will be held here on March 27<sup>th</sup> at 7:00 pm

Small Business Saturday Task Force is being formed to promote – Saturday, November 29, 2014.

**Town Manager Report:**

Mr. Spain is appointing Ann Thong as Earth Removal Board clerk.

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

Motion carried unanimously.

He is still plugging away at the budget, it is not looking better. Wheelabrator has agreed with the numbers that he came up with so that will help a little. Right now between benefits, BVT, debt service and general insurances are going up \$878,000 as of today our projected revenue is \$870,000. If he level funds every budget we are still \$100,000 short. Until they get solid numbers from the legislator this will be a doa budget. Budget presentation is March 6<sup>th</sup>; we do see potential in getting the health insurance numbers down. Our budget from 2009 has only gone up 4 ½ % and state aid went down 10%. Town side fte's are 10% down.

He met with Darrel LeMar of the MA Marketing Partnership, who spoke regarding how to market the town to get traffic in town to generate events and get more jobs for citizens.

The ambulance is moving along and hopefully will be one of those plus items; they have been working hard to get this done behind the scenes.

The open meeting law seminar was well attended he counted about 12 boards/committees that were there. He would like to compliment to Kopleman & Paige for doing this for no charge.

**Dates to Remember:**

Saturday March 1 from 10 am - 3 pm -Blackstone Valley Chamber of Commerce Home & Business Expo

MMA Legislative Breakfast at Asa Waters Mansion- March 7th at 8:00 am

**On a Good Note:**

Selectman Krumsiek congratulated Thomas Machacz for representing Millbury for Project 351. Please adopt a fire hydrant. Any help is appreciated.

There will be a scholarship fundraiser for Paul Gervais, who owned Kurlan Music, Thursday at Mechanics Hall.

Selectman Cristo wanted to mention how great the Youth Commission Valentine’s dance went.

**Citizen Speak:**

Doreen Thornburg handed out to the Board a peer review that they had GZA do regarding the Ramshorn Pond dam repairs.

**Mail**

Letter from Laurie Connors regarding donations in \$160.00 for the Butler Farm Bark Park.

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

Motion carried unanimously.

**Executive Session**

Motion made by Selectman King, seconded by Selectman Cristo to move into Executive Session at 8:25 p.m. under Chapter 39, Section 23B, Paragraph 6 to consider the purchase of real estate.

Selectman King	- Yes
Selectman Cristo	-Yes
Selectman Krumsiek	-Yes
Chairman Plante	-Yes

Chairman Plante announced the Board would return only to adjourn.

**Adjournment**

Motion made by Selectman King to adjourn at 9:10 p.m., seconded by Selectman Cristo. Motion carried unanimously.

Respectfully submitted,

Tish Hayes, Secretary

E. Bernard Plante	_____
Francis B. King	_____
Brian M. Ashmankas	_____
Sandy J. Cristo	_____
Mary Krumsiek	_____

The Board of Selectmen