

TOWN OF MILLBURY  
BOARD OF SELECTMEN MINUTES  
SELECTMEN MEETING ROOM

March 22, 2016

RECEIVED  
TOWN CLERK  
7:00 pm  
16 APR 13 AM 11:29  
MILLBURY, MASS.

Selectmen Present: Chairman Francis B. King, Sandy Cristo; Mary Krumsiek, Brian Ashmankas  
Town Manager, Bob Spain, Finance Director Katie McKenna, Superintendent Myers, Jennifer Nietupski, Susan Spencer, Jon Adams, Scott Despres, Tim Cluett, Edd Cote, and other concerned citizens

Absent: William Borowski

**John O'Brien, President of Millbury Little League** asked for approval of the 64<sup>th</sup> Annual Millbury Little League & Girls Softball Parade to be held on May 1, 2016 beginning at 12:00 pm starting at Felters Millbury parking lot at Waters Street to Elm Street to West Main Street and finishing at Washington Street Park.

Motion to approve the parade made by Selectman Cristo, seconded by Selectman Ashmankas.  
Motion carried unanimously.

**Jennifer Maloney, President of the Assumption School PTG** asked approval to hold a Color Run 5K Road Race on May 7, 2016 starting at 10:00 am. See attached route of run\*.

Motion to approve the road race made by Selectman Cristo, seconded by Selectman Ashmankas.  
Motion carried unanimously.

**Drainlayer Renewal to lay drains- NHB Construction-Michael Bernard** of Millbury.

Motion to approve the drainlayer renewal made by Selectman Krumsiek, seconded by Selectman Ashmankas.

Motion carried unanimously.

**One day liquor license-** The Bartending Service of New England at Asa Waters Mansion.

March 29, 2016 7:00 pm – 9:00 pm

Motion to approve the one day license made by Selectman Krumsiek, seconded by Selectman Ashmankas.

Motion carried unanimously.

**Superintendent- Greg Myers-**He would like to move forward to the next step in the process for repairs or a new Shaw School and would like selectmen approval in this process. He would like to send a Statement of Interest to the MSBA to get a feasibility study done. If we follow the engineer's recommendation we will get 55% reimbursement. The school committee voted in open session to submit this level and now he would like the Selectmen to do the same. Last year 109 schools applied to make the "list"; 19 were chosen. We will find out next winter if we made the list; then we can reach out to an engineering firm to begin the study. This vote does not bind the town to spending a single cent; this is simply a letter asking to investigate the project.

Selectman Ashmankas asked if the engineer feels that repairs would be best would the state still cover the 55% of the repairs. No, we would be on our own for the repairs; the MSBA list strictly deals with renovations or new buildings. There would also be incentives if we choose to do a "green" building project to save money that way too.

Selectman Krumsiek read the Statement of Interest to MSBA:

Resolved: Having convened in an open meeting on March 22, 2016, prior to the closing date, the Millbury Board of Selectmen, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority the Statement of Interest form dated March 22, 2016 for the Raymond E. Shaw School, located at 58 Elmwood Street, which describes and explains the following deficiencies and the priority category for which an application may be submitted to the Massachusetts School Building Authority in the future:

The priority category for the Raymond E. Shaw School is for the “Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.”

This priority category addresses the Raymond E. Shaw School’s deficiencies in mechanical and electrical systems that impact core educational spaces, programming, and operations; and deficiencies in the building’s interior impacting core educational spaces, student and staff safety, the school’s programming, and operations.

The Board of Selectmen of the Town of Millbury further specifically acknowledges that by submitting this Statement of Interest form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of such an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Millbury to filing an application for funding with the Massachusetts School Building Authority.

Motion to authorize the superintendent to send the Statement of Interest made by Selectman Krumsiek, seconded by Selectman Cristo.  
Motion carried unanimously.

**Previous Minutes**

Motion to approve the minutes of March 8, 2016 regular selectmen minutes made by Selectman Krumsiek, seconded by Selectman Cristo.  
Motion carried unanimously

**Town Manager Report**

Mr. Spain is appointing Doreen DeFazio as an ex officio voting member of Energy Advisory Committee  
Motion to concur with the appointment made by Selectman Cristo, seconded by Selectman Krumsiek.  
Motion carried unanimously.

Mr. Spain is appointing Renee Earnest to the Commission on Disabilities  
Motion to concur with the appointment made by Selectman Cristo, seconded by Selectman Krumsiek.  
Motion carried unanimously.

Mr. Spain is appointing Steve White to the Safety Committee  
Motion to concur with the appointment made by Selectman Cristo, seconded by Selectman Krumsiek.  
Motion carried unanimously.

We had re-advertised the Planning & Development position; we are not getting any interest. Selectman Ashmankas thought maybe we could regionalize that position. Mr. Spain explained that Ms. Connors was working over 40 hours a week. Selectman Cristo asked how a town could have a part-time planner. Chairman King asked if the manager had a plan b. We have contracted with CMRPC for temporary part-time help to keep the planning board moving.

Bids are out for IT and Auditing Services. Per our by-laws we have to change the auditors every 6 years.

CMRPHA became the first public health department in Massachusetts to be certified. This is one of those cases where regionalization works. The representatives of our town and Worcester work very good together.

The contactor agreed to hold the bid open until Town Meeting regarding the Ramshorn Dam repairs.

#### **Rob McNeil-DPW Director**

We are on track for another decrease for the annual trash tonnage- somewhere in the 5% range; there has been about a 5% increase with the recycling. The food waste compost is going well. We can expect another \$100,000 rebate from Wheelabrator this year. We have brush chipping for all town residents twice in the spring and twice in the fall at 137 Providence St.; April 23, 2016 and May 14, 2016-Saturdays 8-12. We have been taking the chippings and add that to the compost pile. He has built on the enterprise analysis and included the transfer station in this. The area around the transfer station and Little Dorothy Pond has been wrecked by ATV's destroying the land and the landfill cap. The EPA has assessed projects to the upper Blackstone to analyze nitrate and phosphorous. There will be about a 35% increase in the sewer bills as Upper Blackstone is going up and retained earnings are down. The sewer bills with the current rate will be mailed out in the morning before the period July-December.

Chairman King asked what the rate would be in the 10 ½ - 11% range per \$1000- the average bill is about \$300. This is going to be a challenge.

The Elmwood Street Pump Station has been completed. We have 4 more to go and we are spacing them out over 10 years. They generally cost around \$600,000. We will be exploring the quarterly billing a bit more now that we have a part-time clerk in the office as well.

Next week we will be working on street sweeping and catch basins. The hot box has really been a great help in filling of potholes through the winter.

He is meeting with the DEP to discuss the EPA MS4 permit. This is going to add some real responsibility and cost to towns to maintain storm water systems; the impact is going to be enormous. The snow and ice deficient is right around \$120,000 after this last storm. We have the last meeting of the downtown improvement study group is meeting here March 24<sup>th</sup> from 6:30-8:30; please come and thanks to those that have. We are potentially doing a pilot program over the summer for some improvements; we will present a report to the selectmen. We are

submitting a 319 point submittal grant; for Dorothy Pond and Croyden Street drainage improvements. A couple of seasonal help will start in April for parks; the others will be into May. Lake levels are being restored to full except Ramshorn. We are working together with the ponds and lakes, boy and girl scouts and working to get dates together for Earth Day cleanup. The RAC is meeting in April; the chapter 90 reimbursement should be coming in soon; there is focus this year on the S.Main street area-that should gobble up about 3 years of funds. The phase 1 proposal for the S.Main Street Bridge will be done soon this is staging to stabilize the piece that shifted; Phase 2 is repairing the sidewalk for foot traffic. The repairs should last 20+ years. We advertised in the Chronicle that the last Sunday in March is the deadline for removal of winter decorations at the cemetery. Our crews will not be in to clean out until April 11<sup>th</sup> because the last Sunday is Easter. If any graves needs dressing please let the office know. The state soccer champion signs should be in soon. There will be one on Grafton Rd. Providence St and W. Main. We have received a design exception of McCracken for the healthy transportation we were able to get them to approve one sidewalk instead of two because of wetlands. The 25% design hearing will be this summer. The next step for us is to look at right of ways and takings; then proceed with the appraisals. Wall on West Main Street the town is having a survey done so the homeowner can make repairs. We have been working with the senior center to alleviate their drainage issues; the railroad is working with to get us a permanent easement for drainage. We have come across some

Selectman Krumsiek asked what if the homeowner cannot afford to fix the wall. We will wait until ownership is established before we have discussions

Selectman Ashmankas asked about the S.Main Street area and the three year plan. Mr. McNeil encouraged him to attend the Roadway Advisory Committee meeting. Selectman Ashmankas made a suggestion to contact the environmental police regarding the ATV's. Selectman Cristo asked where they are with the cemetery signs. He hopes to get that installed by summer.

Chairman King asked how long the S.Main Street Bridge project will be- Seeing that is in on MaDot's dime, it will be done on their timeline. Chairman King asked about some old stones in central cemetery being knocked down- they are very expensive to fix; very old and thin and very difficult to fix. He would love if a volunteer group would come forward to try to restore some of the really old stones. Chairman King asked about an update on the Rt. 146 project-he will find out. There was an issue with Washington Street Park when DOT did some tree clearing and the drainage had problems, Rob reached out to DOT and they did try to alleviate the problem right away.

Selectman Krumsiek would like to help-out with the cemetery

#### **Transfer of License-Twenty Nine Canal St., LLC to Millbury Old Time Inn, Inc.**

Selectman Krumsiek read the Public Hearing Notice into record.

Attorney Frank Niro spoke on behalf of the Millbury Old Time Inn, Inc. The manager of record will be Roger Thornburg and he will be partners with Mr. Tom McKenney, who currently runs the St. Charles Hotel.

Motion to close the public hearing made by Selectman Krumsiek, seconded by Selectman Cristo. Motion carried unanimously.

Motion to approve the transfer of license made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

Selectman Krumsiek reminded them that they have to update their Common Victualler License and all Board of Health Permits.

**Roselli & Clark-Auditors**

The last 6 years has been very exciting and you've had many improvements, had your bond rating raised twice, now at AA, have completed 4 CAFR's and a lot has been accomplished by your financial team. This has been an enjoyable account to work. 2015 was the first year of a new pension being reported-with Worcester County Retirement-all the financial statements are broken out to each town. The town had to make an entry for 20.3 million-it is about 50% funded-This entire liability should be absorbed by 2032. In 2018 the opeb liability will come on the books- in the mid \$20million range. There is no statutory mandate to—you can pay as you go-Millbury pays as it comes due-there is no fund set aside for it- 8-10 years down the road it may get too big for the budget. When the pension obligation is gone, they will be able to fund a reserve for opeb. The town does a good job on municipal data breaches; please stay locked down. There were 3 findings 1) recorded a federal grant was coded wrong; should reconcile accounts with the school more often; it is already fixed and there is a new process in place; 2) there was one fixed asset left off; and 3) student activity accounts -this will go away as the schools are getting rid of the accounts; everything will be done at the town hall.

Chairman King thanked them for their six years and we are very proud of where we are at now. Mr. Spain wanted to let Tony know that he appreciates all of the work they have done for us, we have worked very hard to get to where we are today.

**Warrant:**

Mr. Spain went through the draft warrant- attached\*

Mr. Spain said that he needs to plan "just in case" the price goes up and if we have a bad winter. Selectman Ashmankas does not like the idea of buying the cemetery land by eminent domain.

Mr. Spain explained that the sellers are in agreement and this is the easiest way to do it.

Selectman Cristo suggested that the warrant article mention that the land is for cemetery use.

Mr. Spain explained that you wouldn't want to limit the town. Selectman Ashmankas asked why the fuel money is still at \$45,000 when gas prices are so low.

**Mr. Spain read his letter for retirement.\*attached.** He will be retiring as of July 31, 2016.

Chairman King echoed the remarks and said that he feels the town is in a much better position than when he started.

Vice-Chairman Cristo thanked him for his hard work and the audit just shows the team that he put together works so well.

Mr. Spain met with Fin Comm; Superintendent FitzPatrick from Blackstone Valley Tech came in to talk to them as well. So far everything is on track.

**Chairman King read Dates to Remember**

Sunday, April 17, 2016- Blackstone Heritage Corridor Litter Clean Up

Tuesday, April 26, 2016- **VOTE**-Annual Town Election-Millbury High 7 am – 8 pm

**On Good Note**

Congratulations to Chief Desorcy & Michelle on the birth of their first grandson.

Welcome Spring!

Happy belated birthday to Selectman Krumsiek

Chairman King would like to start the process of a search committee for the Town Manager.

They need to put together a committee of nine: 1 Selectman, 1 Board of Assessor, 1 School Committee, 1 Finance Committee, 1 Personnel Board and 4 from the Moderator.

Selectman Ashmankas made a motion to start the process of putting together a search committee to look for a Town Manager, seconded by Selectman Cristo.

Motion carried unanimously.

**Citizens Speak**

**Terry Burke Dotson** spoke about an article 29 that she put in on behalf of the Ponds & Lakes Committee - Ramshorn Pond has no invasive weeds; she would like a locking gate and have someone come to open the gate and inspect the boat going in. She also spoke about Glass Steagall.

**Tim Cluett**- wanted to let the board know that the Youth Commission had a dance for Ella Grace Powers, a little girl who has cancer; 300+ kids came to raise money for this little girl. It was a great success.

This Saturday there is roller skating at Skylight in Worcester for Millbury residents; 5pm-7pm; \$5.00 entry.

Motion made by Selectman Krumsiek to adjourn at 9:10 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

Francis B. King  
Sandy J. Cristo  
Mary Krumsiek  
Brian Ashmankas  
William Borowski

## Tish Hayes

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**From:** Jenn Maloney <jam1@juliosliquors.com>  
**Sent:** Monday, March 14, 2016 12:56 PM  
**To:** Tish Hayes  
**Subject:** Assumption Color Run

This Route has been approved by Chief Desorcy.

Here is the course:

The course for the Assumption School 5K is as follows:

- Start on Grove Street,
- Turn right onto Water Street
- Turn right into West Street
- Turn left onto Main Street
- Turn right onto Hamilton Street
- Turn left onto Howe Avenue, continue straight onto Millbury Avenue
- Turn left onto Maple Lane
- Turn left onto Jackson Lane
- Turn left onto Linda Ave
- Right back onto Howe Avenue
- Right up Canal Street
- Right onto Main Street
- Left onto West Street
- Left onto Cherry Street
- Right back onto Grove to Assumption School.



## TOWN OF MILLBURY *Office of the Town Manager*

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508/865-4710 • FAX 508/865-0843  
EMAIL: [bspain@townofmillbury.net](mailto:bspain@townofmillbury.net)

Bob Spain  
Town Manager

March 22, 2016

Board of Selectmen  
Town of Millbury  
127 Elm Street  
Millbury, MA 01527

To the Honorable Board of Selectmen:

When I took over as Millbury's Town Manager there were many challenges facing the town such as infrastructure problems, money issues, less than adequate accounting procedures and controls, low bond ratings, and cuts in state aid to name a few. My administration did not panic under these conditions but instead we rolled up our sleeves and began to attack the problems one at a time. I have a philosophy of putting the best people available in positions within the town which results in a strong team. The team I put together has been able to face these problems head-on usually fixing the underlying issues.

Today we are a more efficiently run organization that operates within its means. We have put procedures in place that have resulted in better infrastructure, tighter monetary controls, increased bond ratings. Budgets that have remained balanced without reducing services. We have updated equipment using innovative solutions without bankrupting the system. We reduced our energy usage not only helping reduce our cost but helping mother earth as well. We have reorganized some departments reallocating scarce resources and while remaining at the same service level.

We introduced regional solutions that have helped reduce costs including joining with six other towns and the City of Worcester to form CMRPHA, who work cooperatively to create and sustain a viable, cost-effective, and labor-efficient regional public health district. The regional health district provides a comprehensive array of services to partner municipalities through a single organization managed by the Worcester Division of Public Health. This organization recently became the first accredited health organization in Mass. With Sutton and Grafton we created a regional ambulance contract that reduced our annual costs while improving overall service.

I could go on but I won't. I said when I was hired as your town manager that I love this town and I still do. I remarked that it was one of my goals to retire from this position. Well, I am a man of my word and as such, I am formally notifying the Board of Selectmen and the citizens of Millbury that I intend to retire from my position as Town Manager effective August 1, 2016. My



Board of Selectmen

March 22, 2016

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last work day will be Friday, July 29, 2016 and my last day of employment will be July 31st.

I did not come to this decision lightly and I believe it is time to start a new chapter in my life. A chapter that will allow me to spend more time with my lovely bride Amy and with my children and grandchildren. A chapter that will allow me to travel when I want, to play a lot more golf and video games, to spend winters in Florida and to do more charity work, to do my "honey do" list and to spend my kids inheritance. I am proud to be your Town Manager and to be a Millbury resident. I believe the mark of success for a person in my position is to leave the town in better shape than when you found it. Mission accomplished!

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert J. Spain, Jr.", written in dark ink.

Robert J. Spain, Jr.

Town Manager

## Massachusetts School Building Authority

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### Next Steps to Finalize Submission of your FY 2016 Statement of Interest

Thank you for submitting your FY 2016 Statement of Interest (SOI) to the MSBA electronically. **Please note, the District's submission is not yet complete.** The District is required to print and mail a hard copy of the SOI to the MSBA along with the required supporting documentation, which is described below.

Each SOI has two Certification pages that must be signed by the Superintendent, the School Committee Chair, and the Chief Executive Officer\*. Please make sure that **both** certifications contained in the SOI have been signed and dated by each of the specified parties and that the hardcopy SOI is submitted to the MSBA with **original signatures**.

**SIGNATURES: Each SOI has two (2) Certification pages that must be signed by the District.**

In some Districts, two of the required signatures may be that of the same person. If this is the case, please have that person sign in both locations. Please do not leave any of the signature lines blank or submit photocopied signatures, as your SOI will be incomplete.

*\*Local chief executive officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated as the chief executive office under the provisions of a local charter.*

**VOTES: Each SOI must be submitted with the proper vote documentation.** This means that (1) the required governing bodies have voted to submit each SOI, (2) the specific vote language required by the MSBA has been used, and (3) the District has submitted a record of the vote in the format required by the MSBA.

- **School Committee Vote:** Submittal of all SOIs must be approved by a vote of the School Committee.
  - For documentation of the vote of the School Committee, Minutes of the School Committee meeting at which the vote was taken must be submitted with the original signature of the Committee Chairperson. The Minutes must contain the actual text of the vote taken which should be substantially the same as the MSBA's SOI vote language.
- **Municipal Body Vote:** SOIs that are submitted by cities and towns must be approved by a vote of the appropriate municipal body (e.g., City Council/ Aldermen/Board of Selectmen) in addition to a vote of the School Committee.
  - Regional School Districts do not need to submit a vote of the municipal body.
  - For the vote of the municipal governing body, a copy of the text of the vote, which shall be substantially the same as the MSBA's SOI vote language, must be submitted with a certification of the City/Town Clerk that the vote was taken and duly recorded, and the date of the vote must be provided.

**CLOSED SCHOOLS: Districts must** download the report from the "Closed School" tab, which can be found on the District Main page. Please print this report, which then must be signed by the Superintendent, the School Committee Chair, and the Chief Executive Officer. A signed report, with original signatures must be included with the District's hard copy SOI submittal. **If a District submits multiple SOIs, only one copy of the Closed School information is required.**

**ADDITIONAL DOCUMENTATION FOR SOI PRIORITIES #1 AND #3:** If a District selects Priority #1 and/or Priority #3, the District is required to submit additional documentation with its SOI.

- If a District selects Priority #1, Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of the school children, where no alternative exists, the MSBA requires a hard copy of the engineering or other report detailing the nature and severity of the problem and a written professional opinion of how imminent the system failure is likely to manifest itself. The District also must submit photographs of the problematic building area or system to the MSBA.
- If a District selects Priority #3, Prevention of a loss of accreditation, the MSBA requires the full accreditation report(s) and any supporting correspondence between the District and the accrediting entity.

**ADDITIONAL INFORMATION:** In addition to the information required with the SOI hard copy submittal, the District may also provide any reports, pictures, or other information they feel will give the MSBA a better understanding of the issues identified at a facility.

If you have any questions about the SOI process please contact Diane Sullivan at 617-720-4466 or [Diane.Sullivan@massschoolbuildings.org](mailto:Diane.Sullivan@massschoolbuildings.org).

## Massachusetts School Building Authority

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School District Millbury

District Contact Richard Bedard TEL: (508) 865-9501

Name of School Raymond E. Shaw Elementary

Submission Date 3/10/2016

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### SOI CERTIFICATION

To be eligible to submit a Statement of Interest (SOI), a district must certify the following:

- The district hereby acknowledges and agrees that this SOI is NOT an application for funding and that submission of this SOI in no way commits the MSBA to accept an application, approve an application, provide a grant or any other type of funding, or places any other obligation on the MSBA.
- The district hereby acknowledges that no district shall have any entitlement to funds from the MSBA, pursuant to M.G.L. c. 70B or the provisions of 963 CMR 2.00.
- The district hereby acknowledges that the provisions of 963 CMR 2.00 shall apply to the district and all projects for which the district is seeking and/or receiving funds for any portion of a municipally-owned or regionally-owned school facility from the MSBA pursuant to M.G.L. c. 70B.
- The district hereby acknowledges that this SOI is for one existing municipally-owned or regionally-owned public school facility in the district that is currently used or will be used to educate public PreK-12 students and that the facility for which the SOI is being submitted does not serve a solely early childhood or Pre-K student population.
- After the district completes and submits this SOI electronically, the district must sign the required certifications and submit one signed original hard copy of the SOI to the MSBA, with all of the required documentation described under the "Vote" tab, on or before the deadline.
- The district will schedule and hold a meeting at which the School Committee will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is required for cities, towns, and regional school districts.
- Prior to the submission of the hard copy of the SOI, the district will schedule and hold a meeting at which the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body will vote, using the specific language contained in the "Vote" tab, to authorize the submission of this SOI. This is not required for regional school districts.
- On or before the SOI deadline, the district will submit the minutes of the meeting at which the School Committee votes to authorize the Superintendent to submit this SOI. The District will use the MSBA's vote template and the vote will specifically reference the school and the priorities for which the SOI is being submitted. The minutes will be signed by the School Committee Chair. This is required for cities, towns, and regional school districts.
- The district has arranged with the City/Town Clerk to certify the vote of the City Council/Board of Aldermen or Board of Selectmen/equivalent governing body to authorize the Superintendent to submit this SOI. The district will use the MSBA's vote template and submit the full text of this vote, which will specifically reference the school and the priorities for which the SOI is being submitted, to the MSBA on or before the SOI deadline. This is not required for regional school districts.
- The district hereby acknowledges that this SOI submission will not be complete until the MSBA has received all of the required vote documentation and certification signatures in a format acceptable to the MSBA. If Priority 1 is selected, your Statement of Interest will not be considered complete unless and until you provide the required engineering (or other) report, a professional opinion regarding the problem, and photographs of the problematic area or system.

**Chief Executive Officer \***      **School Committee Chair**      **Superintendent of Schools**

\_\_\_\_\_

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\* Local chief executive officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.

## Massachusetts School Building Authority

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School District Millbury

District Contact Richard Bedard TEL: (508) 865-9501

Name of School Raymond E. Shaw Elementary

Submission Date 3/10/2016

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### Note

The following Priorities have been included in the Statement of Interest:

1.  Replacement or renovation of a building which is structurally unsound or otherwise in a condition seriously jeopardizing the health and safety of school children, where no alternative exists.
2.  Elimination of existing severe overcrowding.
3.  Prevention of the loss of accreditation.
4.  Prevention of severe overcrowding expected to result from increased enrollments.
5.  Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility.
6.  Short term enrollment growth.
7.  Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.
8.  Transition from court-ordered and approved racial balance school districts to walk-to, so-called, or other school districts.

### SOI Vote Requirement

I acknowledge that I have reviewed the MSBA's vote requirements for submitting an SOI which are set forth in the Vote Tab of this SOI. I understand that the MSBA requires votes from specific parties/governing bodies, in a specific format using the language provided by the MSBA. Further, I understand that the MSBA requires certified and signed vote documentation to be submitted with the SOI. I acknowledge that my SOI will not be considered complete and, therefore, will not be reviewed by the MSBA unless the required accompanying vote documentation is submitted to the satisfaction of the MSBA.

Potential Project Scope: Potential New School

Is this SOI the District Priority SOI? YES

School name of the District Priority SOI: Raymond E. Shaw Elementary

Is this part of a larger facilities plan? NO

If "YES", please provide the following:

Facilities Plan Date:

Planning Firm:

Please provide an overview of the plan including as much detail as necessary to describe the plan, its goals and how the school facility that is the subject of this SOI fits into that plan:

**Please provide the current student to teacher ratios at the school facility that is the subject of this SOI: 23 students per teacher**

**Please provide the originally planned student to teacher ratios at the school facility that is the subject of this SOI: 20 students per teacher**

**Does the District have a Master Educational Plan that includes facility goals for this building and all school buildings in District?** NO

**Does the District have related report(s)/document(s) that detail its facilities, student configurations at each facility, and District operational budget information, both current and proposed?** NO

**If "NO", please note that:**

**If, based on the SOI review process, a facility rises to the level of need and urgency and is invited into the Eligibility Period, the District will need to provide to the MSBA a detailed Educational Plan for not only that facility, but all facilities in the District in order to move forward in the MSBA's school building construction process.**

**Is there overcrowding at the school facility?** NO

**If "YES", please describe in detail, including specific examples of the overcrowding.**

**Has the district had any recent teacher layoffs or reductions?** NO

**If "YES", how many teaching positions were affected?** 0

**At which schools in the district?**

**Please describe the types of teacher positions that were eliminated (e.g., art, math, science, physical education, etc.).**

**Has the district had any recent staff layoffs or reductions?** NO

**If "YES", how many staff positions were affected?** 0

**At which schools in the district?**

**Please describe the types of staff positions that were eliminated (e.g., guidance, administrative, maintenance, etc.).**

**Please provide a description of the program modifications as a consequence of these teacher and/or staff reductions, including the impact on district class sizes and curriculum.**

This does not apply to the R.E. Shaw School

**Please provide a detailed description of your most recent budget approval process including a description of any budget reductions and the impact of those reductions on the district's school facilities, class sizes, and educational program.**

In FY15, the Millbury School Committee provided an approved needs-based school budget of \$20,188,077 for consideration by the Town Manager. This budget request sought a 4.99% level service increase of \$960,468 over current budget to maintain the integrity of the school systems services and address critical education needs identified in district and school improvement plans. Most of the critical needs focused on compliance with federal and state mandates, accreditation requirements, and necessary school safety improvements. The FY16 School Committee request was funded at \$19,978,086, which represented a reduction of \$209,991 to the School Committee's original request and necessitated a reduction in proposed maintenance and instructional staffing and deferred action on some building maintenance issues. In February 2016, Millbury School Committee provided an approved needs-based school budget of \$20,647,200 for consideration by the Town Manager. This proposed FY17 budget request seeks a 3.35% level service increase of \$669,114 over the current FY16 appropriation. The School Committee FY17 budget request was accepted by the Town Manager and will be presented to the voters of the Town of Millbury this May.

## General Description

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**BRIEF BUILDING HISTORY:** Please provide a detailed description of when the original building was built, and the date(s) and project scopes(s) of any additions and renovations (maximum of 5000 characters).

The Raymond E. Shaw School was constructed in 1975 and is typical of middle schools designed in that time period with respect to layout, construction materials, and programming. The school is designed as a large, one-story rectangle with two small central courtyards. One side of the rectangle contains the cafeteria, gymnasium, administrative and guidance/nursing offices, and the band room. The other three sides of the rectangle are made up of instructional spaces. The school's library is located at the center of the rectangle. The school has seen few if any improvements and no additions or renovations since its opening in 1975. Specifically, since original construction, there have been no MSBA accelerated repair projects or construction projects of any kind for the R.E. Shaw School that required borrowing or an override.

**TOTAL BUILDING SQUARE FOOTAGE:** Please provide the original building square footage PLUS the square footage of any additions.

76930

**SITE DESCRIPTION:** Please provide a detailed description of the current site and any known existing conditions that would impact a potential project at the site. Please note whether there are any other buildings, public or private, that share this current site with the school facility. What is the use(s) of this building(s)? (maximum of 5000 characters).

The building sits at the end of a half-mile long driveway on a parcel of land approximately 151 acres. The Elmwood Street Elementary School is also located on this parcel, but is accessible by a separate driveway and does not share the R.E. Shaw School site. The school has parking spaces for staff relatively close to the school, although designated accessible parking is not wholly ADA compliant. The school's main entrance is at grade with no steps and the walkways leading to the entry conform to current standards. The site contains an outdoor playscape, swing set and related equipment, a baseball field and a soccer field. No ADA accessible route of travel exists to either the playscape or the ball fields. A paved drainage swale further restricts direct access to the playscape. No ADA compliant accessible route of travel exists around the play area or to and from play components. Due to a deteriorated sidewalk, no accessible route of travel exists around the left side of the baseball field. The paved pathway to the soccer field is on a 7.9% to a 9.1% gradient and stops short of the actual field.

**ADDRESS OF FACILITY:** Please type address, including number, street name and city/town, if available, or describe the location of the site. (Maximum of 300 characters)

58 Elmwood Street  
Millbury, MA 01527

**BUILDING ENVELOPE:** Please provide a detailed description of the building envelope, types of construction materials used, and any known problems or existing conditions (maximum of 5000 characters).

The exterior envelope is comprised primarily of brick masonry units on structural steel frame. The windows are original, single glaze aluminum with limited energy efficiency. The windows contain venting panels which are not designed to hold screens, allowing insects to enter the building in warmer months.

**Has there been a Major Repair or Replacement of the EXTERIOR WALLS?** NO

**Year of Last Major Repair or Replacement:(YYYY)** 1975

**Description of Last Major Repair or Replacement:**

none



**Roof Section A**

**Is the District seeking replacement of the Roof Section?** NO

**Area of Section (square feet)** 76930

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**  
reinforced rubber membrane

**Age of Section (number of years since the Roof was installed or replaced)** 40

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section B**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section C**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section D**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section E**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section F**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section G**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section H**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section I**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Roof Section J**

**Is the District seeking replacement of the Roof Section?**

**Area of Section (square feet)**

**Type of ROOF (e.g., PVC, EPDM, Shingle, Slate, Tar & Gravel, Other (please describe))**

**Age of Section (number of years since the Roof was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section A**

**Is the District seeking replacement of the Windows Section? NO**

**Windows in Section (count) 226**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

single pane glazed aluminum

**Age of Section (number of years since the Windows were installed or replaced) 40**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

Only minor maintenance as needed, no major repair or replacement since original installation

**Window Section B**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

**Age of Section (number of years since the Windows were installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section C**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

**Age of Section (number of years since the Windows were installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section D**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

**Age of Section (number of years since the Windows were installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section E**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**  
**Age of Section (number of years since the Windows were installed or replaced)**  
**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section F**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

**Age of Section (number of years since the Windows were installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section G**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

**Age of Section (number of years since the Windows were installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section H**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

**Age of Section (number of years since the Windows were installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section I**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

**Age of Section (number of years since the Windows were installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Window Section J**

**Is the District seeking replacement of the Windows Section?**

**Windows in Section (count)**

**Type of WINDOWS (e.g., Single Pane, Double Pane, Other (please describe))**

**Age of Section (number of years since the Windows were installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**MECHANICAL and ELECTRICAL SYSTEMS: Please provide a detailed description of the current mechanical and electrical systems and any known problems or existing conditions (maximum of 5000 characters).**

The mechanical and electrical systems are primarily original and have witnessed little or no repairs or modifications since 1975. Electrical circuits and panels are at full load, limiting the school's ability to meet 21st century technology needs, including additional computers and servers required for online testing. In addition, the school is able to only minimally meet the Section 504 requirements of students with environmental sensitivities who require strict temperature controls. Mechanically, the school is heated by one boiler fueled by #2 heating oil. Classrooms are heated and ventilated by univent units original to the building. Building ventilation is poor and condensation accumulates on walls and pools on tile floors during humid months, causing significant slip hazards. Portable industrial fans are used in the corridors to help circulate air, but create noise levels that make communication difficult. Condensation also accumulates on ceiling tiles, creating mildew stains and ideal environments for mold. The temperature control system is pneumatic and original to the building and cannot be automatically or centrally controlled. The system is unable to effectively balance heat across the school, resulting

in significant temperature variations from room to room. The plumbing system is original to the building and, because the R.E. Shaw School was originally designed as a 6-8 middle school, the water fountains and lavatory fixtures are not at appropriate heights for the school's youngest students. The school's lavatories are not ADA compliant. The building lacks an automatic fire suppression system (sprinklers and standpipes). Lighting and sound systems are original to the building, with the exception of an LED upgrade made to the building's exterior lighting in 2015. There is a limited number of available existing duplex power outlets and there is no television network. Emergency lighting is provided by a forty-year-old generator located in the boiler room. This generator is fueled by an underground tank and sometimes fails to draw sufficient fuel for operation. It is inefficient, providing a maximum of 100KW, and requires constant maintenance. In addition, the generator does not ventilate properly and exhaust fumes prohibit building occupancy after any significant run time.

#### **Boiler Section 1**

**Is the District seeking replacement of the Boiler?** NO

**Is there more than one boiler room in the School?** NO

**What percentage of the School is heated by the Boiler?** 100

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

#2 heating oil

**Age of Boiler (number of years since the Boiler was installed or replaced)** 40

**Description of repairs, if applicable, in the last three years. Include year of repair:**  
none

#### **Boiler Section 2**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

#### **Boiler Section 3**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

#### **Boiler Section 4**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

#### **Boiler Section 5**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Boiler Section 6**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Boiler Section 7**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Boiler Section 8**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Boiler Section 9**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Boiler Section 10**

**Is the District seeking replacement of the Boiler?**

**Is there more than one boiler room in the School?**

**What percentage of the School is heated by the Boiler?**

**Type of heating fuel (e.g., Heating Oil, Natural Gas, Propane, Other)**

**Age of Boiler (number of years since the Boiler was installed or replaced)**

**Description of repairs, if applicable, in the last three years. Include year of repair:**

**Has there been a Major Repair or Replacement of the HVAC SYSTEM? NO**

**Year of Last Major Repair or Replacement:(YYYY) 1975**

**Description of Last Major Repair or Replacement:**

none

**Has there been a Major Repair or Replacement of the ELECTRICAL SERVICES AND DISTRIBUTION SYSTEM? NO**

**Year of Last Major Repair or Replacement:(YYYY) 1975**

**Description of Last Major Repair or Replacement:**

none

**BUILDING INTERIOR: Please provide a detailed description of the current building interior including a description of the flooring systems, finishes, ceilings, lighting, etc. (maximum of 5000 characters).**

The interior environment is typical of middle schools designed in the 1970s with cinder block corridor walls and painted classroom walls, some of which exhibit areas of mildew because of excessive condensation in the summer months. Suspended ceilings also show wear and tear and are replaced as mildew becomes visible. Floor tiles, hard joint insulation, and interior window caulking throughout the school contain asbestos along with sink coatings in the art room, office, and storage room. Of special concern is an ongoing issue of underground water seeping up through the foundation and pooling on floor tiles in the main office and in three classroom locations, which causes wet conditions and slip hazards. Because the tile flooring contains asbestos, the school is limited in its ability to remove tiles and address the issue of water permeating the foundation. The district is seeking the recommendation of an environmental engineering firm to address this issue. ADA non-compliance is an issue throughout the school. Sink handles and some door handles in student lavatories and locker rooms are not ADA compliant. Traditional educational facility design layout is not conducive with current teaching requirements and practices. Specialized classes have occurred in spaces other than the traditional classrooms, such as library storage areas, the teacher lunchroom, and hallways due to lack of space dedicated for specialized interactions, such as occupational therapy. The existing library and gymnasium have witnessed few if any improvements since 1975 and exhibit their age accordingly. Storage areas for instructional materials and supplies are extremely limited. Students' lockers (both academic lockers in the corridors and gym lockers in the locker rooms), which are original to the building, are in poor condition and not ADA compliant, and were designed for middle school students. As a result, some 4th and 5th graders are not tall enough to fully access locker shelving. The school's library is furnished with non-compliant work tables and counters. Doors throughout the school have non-compliant knob-style hardware.

**PROGRAMS and OPERATIONS: Please provide a detailed description of the current programs offered and grades served, and indicate whether there are program components that cannot be offered due to facility constraints, operational constraints, etc. (maximum of 5000 characters).**

Raymond E. Shaw School currently serves students in grades 4 through 6. Additionally, R.E. Shaw serves the district's medically fragile program (1 classroom). With the exception of the medically fragile classroom, none of the school's 29 classrooms have sinks, a typical feature of many elementary schools. In addition, the lack of sinks in science classrooms prohibit many lab experiences. There is little available space for confidential counseling and psychological testing and limited or shared space for special services that students require, such as occupational therapy and physical therapy. OT and PT space is shared and extremely small, which results in some services regularly being provided in hallways. The school lacks sufficient space to conduct all necessary pull out instructional interventions and, as a result, special instruction regularly takes place in the faculty lunchroom.

**CORE EDUCATIONAL SPACES: Please provide a detailed description of the Core Educational Spaces within the facility, a description of the number and sizes (in square feet) of classrooms, a description of science rooms/labs including ages and most recent updates, a description of the cafeteria, gym and/or auditorium and a description of the media center/library (maximum of 5000 characters).**

There are currently 29 classrooms in the R.E. Shaw School. Classrooms average 837 to 1,116 square feet. The cafeteria, which measures 6,210 square feet, doubles as the school's auditorium. The gymnasium, which measures 11,500 square feet, is separate and stands alone, next to the cafeteria. The school's library is 2,792 sq. ft. The original school building included dedicated biology and chemistry lab spaces, with wet lab stations and gas jets for experiments. These stations were removed several years ago, along with classroom access to water and gas, in order to allow for a larger, more generic teaching space that could accommodate more students.

**CAPACITY and UTILIZATION: Please provide a detailed description of the current capacity and utilization of the school facility. If the school is overcrowded, please describe steps taken by the administration to address capacity issues. Please also describe in detail any spaces that have been converted from their intended use to be used as classroom space (maximum of 5000 characters).**

The R.E. Shaw School serves 416 students in grades 4 through 6. In addition, the R.E. Shaw School serves as the

location of the district's medically fragile program for students with multiple handicaps. Space for specialized instruction is severely limited. Library storage rooms have been converted to classroom space for small group instruction. The teachers' lunchroom is regularly used for specialized instruction, and the school's corridors are frequently used to provide students with occupational and physical therapy.

**MAINTENANCE and CAPITAL REPAIR: Please provide a detailed description of the district's current maintenance practices, its capital repair program, and the maintenance program in place at the facility that is the subject of this SOI. Please include specific examples of capital repair projects undertaken in the past, including any override or debt exclusion votes that were necessary (maximum of 5000 characters).**

The Town's public school buildings are maintained and repaired through the school district's operating budget and additional capital appropriations approved at Town meeting. The school's custodians submit maintenance requests to the district's facilities manager through an automated work order system in order to request repairs. Additionally, the school district maintains a five-year capital improvement plan, which is also part of the capital improvement plan maintained by the town's Financial Management Planning Committee. There have been no repairs or renovations requiring override or debt exclusion votes. The two most significant projects completed in the recent past include the installation of fire doors in the school's corridors four years ago to comply with Millbury Fire Department requirements, and the replacement of the school's rubber roof membrane five years ago as a result of extensive hail damage. The fire door project was funded through a town meeting free cash warrant article the district's operating budget and the new rubber roof membrane was paid for through our insurance carrier.

**Priority 7**

***Question 1: Please provide a detailed description of the programs not currently available due to facility constraints, the state or local requirement for such programs, and the facility limitations precluding the programs from being offered.***

The R.E. Shaw School's facilities are not equal for eligible students and regular education students in that specialized instruction and therapies must frequently be delivered in non-classroom settings, such as the teachers' lunchroom, the school's corridors, and in spaces originally designed for library storage. Nor are the R.E. Shaw School's facilities and services comparable to those provided to the district's overall population. In addition, the use of portable industrial fans to mitigate condensation issues creates significant auditory distractions for students (one student's Section 504 plan states that these fans may not be used in corridors outside the student's classroom because of this distraction). Because R.E. Shaw School lacks air conditioning and experiences unbalanced heating, the school can only minimally meet the 504 requirements for students with climate sensitivities. In addition, as a result of facilities limitations, the school anticipates the need to provide an out-of-district placement next year for an incoming 4th grader who experiences heat-induced seizures. The occurrence of ground water seeping through the foundation and pooling in three classrooms presents an obvious slip hazard and potential air quality issue. Affected classrooms must move desks, rugs, and other furniture away from wet areas and prevent traffic through these areas, thereby reducing the useful classroom space available for instruction.



**Priority 7**

***Question 2: Please describe the measures the district has taken or is planning to take in the immediate future to mitigate the problem(s) described above.***

The district has installed air-conditioning units in the classrooms containing students with climate sensitivities. However, because the R.E. Shaw School is already at maximum electrical load, additional units cannot be installed. In addition, large common areas, such as the gymnasium, cafeteria, and the school's corridors, cannot be climate controlled, which limits certain students' access to these spaces during warmer months. It is unacceptable to deliver special interventions and services in non-classroom environments, especially in the teachers' lunchroom and the corridor, where student confidentiality is difficult to maintain.

However, there are few alternatives available to us at this time as all other instructional spaces are in use during the school day. The district plans to hire an environmental engineer to investigate the occurrence of groundwater seeping through the foundation and recommend a plan for mitigation. This process will likely be complicated by the protocol required to remove affected floor tiles, which contain asbestos.

**Priority 7**

***Question 3: Please provide a detailed explanation of the impact of the problem described in this priority on your district's educational program. Please include specific examples of how the problem prevents the district from delivering the educational program it is required to deliver and how students and/or teachers are directly affected by the problem identified.***

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The impact to our education program is noncompliance with state and federal regulations, including ADA regulations; loss of dedicated educational spaces for specialized interventions and therapies; and the inability to accommodate students with severe environmental sensitivities, which necessitates out-of-district placements. Staff members are forced to provide services in spaces not designed for education, including the teachers' lunchroom, the library storage area, and the school's corridors. The occupational therapist and the physical therapist deliver some services in a shared space that was formerly small office in the library. The district has a small but growing ELL population, and the R.E. Shaw facility will prohibit our ability to meet the needs of additional ELL students.

The current R.E. Shaw School building does not allow the district to realize its vision for a modern learning environment that fully supports students' opportunities to practice and achieve 21st century skills and the school's learning expectations. This includes the extensive use of technology, innovative STEM-focused makers spaces / breakout spaces, and modern science labs in a highly-efficient, green building design that accommodates the needs of all of our learners.

## REQUIRED FORM OF VOTE TO SUBMIT AN SOI

### REQUIRED VOTES

If the SOI is being submitted by a City or Town, a vote in the following form is required from both the City Council/Board of Aldermen **OR** the Board of Selectmen/equivalent governing body **AND** the School Committee.

If the SOI is being submitted by a regional school district, a vote in the following form is required from the Regional School Committee only. **FORM OF VOTE** Please use the text below to prepare your City's, Town's or District's required vote(s).

### FORM OF VOTE

Please use the text below to prepare your City's, Town's or District's required vote(s).

Resolved: Having convened in an open meeting on \_\_\_\_\_, prior to the closing date, the \_\_\_\_\_ *[City Council/Board of Aldermen, Board of Selectmen/Equivalent Governing Body/School Committee]* of \_\_\_\_\_ *[City/Town]*, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated \_\_\_\_\_ for the \_\_\_\_\_ *[Name of School]* located at \_\_\_\_\_ *[Address]* which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ ; *[Insert a description of the priority(s) checked off on the Statement of Interest Form and a brief description of the deficiency described therein for each priority];* and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City/Town/Regional School District to filing an application for funding with the Massachusetts School Building Authority.

**CERTIFICATIONS**

The undersigned hereby certifies that, to the best of his/her knowledge, information and belief, the statements and information contained in this statement of Interest and attached hereto are true and accurate and that this Statement of Interest has been prepared under the direction of the district school committee and the undersigned is duly authorized to submit this Statement of Interest to the Massachusetts School Building Authority. The undersigned also hereby acknowledges and agrees to provide the Massachusetts School Building Authority, upon request by the Authority, any additional information relating to this Statement of Interest that may be required by the Authority.

**Chief Executive Officer \***      **School Committee Chair**      **Superintendent of Schools**

_____	_____	_____
(signature)	(signature)	(signature)
Date	Date	Date

\* Local Chief Executive Officer: In a city or town with a manager form of government, the manager of the municipality; in other cities, the mayor; and in other towns, the board of selectmen unless, in a city or town, some other municipal office is designated to the chief executive office under the provisions of a local charter. Please note, in districts where the Superintendent is also the Local Chief Executive Officer, it is required for the same person to sign the Statement of Interest Certifications twice. Please do not leave any signature lines blank.

# WARRANT

**WORCESTER, S.S.**

**To either of the Constables of the Town of Millbury, in the County of Worcester,**

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Millbury qualified to vote in Elections and Town affairs to meet at their respective voting places to wit: Precinct No.1 at the Memorial High School; Precinct No. 2 at the Memorial High School; Precinct No.3 at the Memorial High School; and Precinct No. 4 at the Memorial High School on Tuesday the 26th day of April, 2016 at 7:00 o'clock in the forenoon until 8:00 P.M. to elect the following offices to wit:

**ARTICLE 1:** To choose two members of the Board of Selectmen, one Assessor, two members of the School Committee, one member of the Board of Health, one member of the Planning Board, three members of the Board of Library Trustees, all for a term of three years; one member of the Planning Board for a term of one year, one member of the Board of Library Trustees for a term of one year, one member of the Housing Authority for a term of five years, one member of the Re-Development Authority for a term of five years.

**ARTICLE 2:** To choose all other necessary Town Officers for the year ensuing and to meet, on Tuesday, May 3, 2016 at 7:00 P.M. in the Memorial High School Auditorium, 12 Martin Street in said Town, to act on the following articles to wit:

**ARTICLE 3:** To hear the reports of several Town Officers and Committees, or take any action thereon.

**ARTICLE 4:** To see if the Town will vote to raise and appropriate, or transfer from available funds, such sums of money as may be necessary to defray the expenses and charges of the Town of Millbury in Fiscal Year 2017, the period of July 1, 2016 through June 30, 2017, including, but not limited to: the salaries of Town Officers, costs of public education, debt and interest payments, expenses of the Sewer Enterprise Fund, and providing municipal services; or take any other action thereon.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate Ninety-seven Thousand Four Hundred Eighty-six dollars and no cents (\$97,486.00) for expenses and revenue generated from the Municipal Medicaid Reimbursement Program to the FY 2017 School Department Budget or take any action thereon. (School Committee)

**ARTICLE 6:** To see if the Town will vote to authorize any or all of the following capital improvement projects and purchases as follows:

1. Raise and appropriate or transfer from available funds the sum of Two Hundred Sixty Thousand Dollars and No Cents (\$260,000.00) to be expended by the Director of Public Works with the approval of the Town Manager to supplement Chapter 90 funds for repairs to sidewalks and roads, or take any action thereon. (Director of Public Works and Town Manager)
2. Raise and appropriate or transfer from available funds the sum of Fifty Thousand Dollars and No Cents (\$50,000.00) to be expended by the Town Manager to bring the Millbury band stand into compliance with the ADA, or take any action thereon. (Town Manager)
3. Raise and appropriate or transfer from available funds and or borrow the sum of One Hundred Ninety-Seven Thousand Dollars and No Cents (\$197,000.00) ) to be expended by the Board of Assessors with the approval of the Town Manager to fund state mandated revaluations (Assistant Assessor and Town Manager)
4. Raise and appropriate or transfer from available funds and or borrow the sum of One Hundred Ninety Thousand Dollars and No Cents (\$190,000) to fund for the School Department for the Elmwood Street School boilers replacement project, or take any action thereon. (School Committee)
5. Raise and appropriate or transfer from available funds and or borrow the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000) to fund for the School Department for athletic field bleachers, or take any action thereon. (School Committee)
6. Raise and appropriate or transfer from available funds the sum of Fifty Thousand Dollars and No Cents (\$50,000.00) to be expended by the Director of Planning and Development with the approval of the Town Manager to cover Phase II costs associated with updating the Town's Master Plan in accordance with M.G.L. Chapter 41, Section 81-D, or take any action thereon. (Town Manager)
7. Raise and appropriate or transfer from available funds and or borrow the sum of Twenty thousand dollars and no cents (\$20,000) to purchase a bucket truck for the Fire Department , or take any action thereon. (Fire Department)
8. Raise and appropriate or transfer from available funds and or borrow the sum of Twenty Thousand Dollars and No Cents (\$20,000) to be expended by the Director of Public Works with the approval of the Town Manager to replace overhead doors at the DPW garage, or take any action thereon. (Director of Public Works and Town Manager)
9. Raise and appropriate or transfer from available funds and or borrow the sum of Twenty-four thousand dollars and no cents (\$24,000) to be expended by the Town Clerk with the approval of the Town Manager to purchase voting booths, or take any action thereon. (Director of Public Works and Town Manager)

10. Raise and appropriate or transfer from available funds and or borrow the sum of Twenty thousand dollars and no cents (\$20,000) to be expended by the Director of Public Works with the approval of the Town Manager to replace roll up doors at the Recycling Center, or take any action thereon. (Director of Public Works and Town Manager)
11. Raise and appropriate or transfer from available funds and or borrow the sum of Thirty-three thousand dollars and no cents (\$33,000) to be expended by the Director of Public Works with the approval of the Town Manager to pave the area where the old farmhouse was demolish at the DPW complex , or take any action thereon. (Director of Public Works and Town Manager)
12. Raise and appropriate or transfer from available funds and or borrow the sum of Twenty thousand dollars and no cents (\$20,000) to be expended by the Director of Public Works with the approval of the Town Manager to parking lot improvements at the East Millbury Park, or take any action thereon. (Director of Public Works and Town Manager)

**ARTICLE 7:** To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, or eminent domain and upon such terms and conditions as the Board of Selectmen shall deem appropriate, the fee or a lesser interest in all or a part of the land located to the south and west sides of West Street identified on Assessor Map 53, Lot 9 and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said acquisitions and further to raise and appropriate or transfer from existing funds \$63,000 for the costs of said acquisition; or take any action thereon. (DPW Director and Town Manager)

**ARTICLE 8:** To see if the Town will vote to transfer the sum of One Million Two Hundred Eight-Nine Thousand Four Hundred Eighty-Six Dollars and No Cents (\$1,289,486.00) from available certified free cash to reduce or stabilize the Fiscal Year 2016 Tax Rate, or take any action thereon. (Town Manager)

**ARTICLE 9:** To see if the Town will vote to transfer the sum of Five Hundred Dollars and No Cents (\$500.00) from Account #02.945.5200.02062.2014.560 to be used by the Town Manager to settle claims for personal property damage or incidental personal injury claims that may be brought against the Town, or take any action thereon. (Town Manager)

**ARTICLE 10:** To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars and No Cents (\$20,000.00) to fund an Elders Community Services Program for the purpose of providing a payment voucher for services rendered for the departments, boards and committees of the municipality to resident property owners who have attained the age of sixty (60) years, to be used to reduce the real estate property taxes for the property in which the elderly owner resides; said program shall be subject to the following conditions, in addition to any and all eligibility requirements promulgated by the Board of Selectmen, after receiving the recommendations of the Council-On-Aging: (a) participation in the program shall be limited to elderly residents of the town who own property and are willing and able to provide services to the town; (b) program participants shall receive compensation at a rate of \$7.50 an hour for each hour of service rendered for a total not to exceed One Thousand Five Hundred Dollars and No Cents (\$1,500.00) in any calendar year; (c) program participants must agree in writing prior to participating in the program to receive compensation in the form of a voucher to be presented to

the Treasurer/Tax Collector to be applied to the real estate obligations of the participant for the property in which the participant resides; (d) the Treasurer/Tax Collector shall comply with the wage, tax and payroll deduction requirements of the state Department of Revenue and the federal Internal Revenue Service, prior to compensating program participants or applying the net amount of wages earned to the real estate tax obligations of the participants; and (e) program participants who meet the eligibility guidelines established for the program by the Board of Selectmen shall be selected for participation in the program on a first-come-first-served basis, or take any action thereon. (Board of Selectmen and Council-On-Aging)

**ARTICLE 11:** To see if the Town will vote to transfer the following sums of money from available funds as outlined in the table below, or take any action thereon. (Town Manager)

Account Number	Description	Transfer From	Transfer To
01.177.5780.00000.0000.500	Other Expense-Planning and Development	4,824.00	
01.912.5170.00000.0000.560	Worker's comp	10,000.00	
01.495.5480.00000.0000.530	Gas and Diesel fuel	45,000.00	
01.914.5172.00000.0000.560	HEALTH INSURANCE	100,000.00	-
01.710.5910.00000.0000.571	RETIREMENT OF DEBT	15,000.00	
01.710.5915.00000.0000.572	LONG TERM INTEREST	25,000.00	
01.913.5170.00000.0000.560	UNEMPLOYMENT INSURANCE	29,791.00	
01.410.5115.00000.0000.530	DPW F.T. WORKERS		1,350.00
01.610.5113.00000.0000.550	FULL TIME LIBRARY		1,000.00
37.220.4970.37003.0000.422	Fire Dept. Capital Projects Transfer In		1,000.00
25.123.4970.25018.0000.500	F.E.M.A. Transfer In		5,387.00
37.495.4970.37010.0000.422	Fuel Project-Transfer in		44,000.00
26.177.5100.26052.2015.500	Salaries-Planning and Development	-	4,824.00
01.945.5740.00000.0000.560	General And Liability Insurance	-	20,418.00
01.341.5320.00000.0000.520	Northfolk Agricultural		1,536.00
01.123.5112.00000.0000.500	Salaries-Town Manager	-	2,100.00
01.410.5130.00000.0000.530	Highway-overtime		5,000.00
01.420.5200.00000.0000.530	Highway-purchase of services		35,000.00
01.192.5113.00000.0000.500	Town Counsel	-	80,000.00
01.543.5780.00000.0000.540	Veteran services	-	28,000.00
Total		229,615.00	229,615.00

**ARTICLE 12:** To see if the Town will vote to appropriate a sum of money to complete repairs on Ramshorn Pond Dam and to meet said appropriation by authorizing the Town Treasurer/Tax Collector, with the approval of the Board of Selectmen, to borrow a sum of money; to issue bonds or notes of the Town therefore, under the provisions of Massachusetts General Laws, Chapter 44, Section 7, or any other enabling authority, and to pay all necessary legal and bond preparation costs associated with the issuance of said bonds or notes; or take any action thereon. (Director of Public Works and Town Manager)

**ARTICLE 13:** To See if the Town will vote to rescind the excess borrowing authorization from the 2014 Annual Town Meeting, Article 26 in the amount of \$3,443.00. Original authorization was for \$345,000.00 or take any action thereon. (Finance Director)



**ARTICLE 14:** To see if the Town will vote to rescind the excess borrowing authorization from the 2011 Annual Town Meeting, Article 15 in the amount of \$126,472.00. Original authorization was for \$1,200,000 or take any action thereon. (Finance Director)

**ARTICLE 15:** To see if the town will vote to authorize revolving funds for certain town departments under Massachusetts General Laws Chapter 44, Section 53 E ½ for the fiscal year beginning July 1, 2016, or take any action thereon. (Town Manager)

<u>Revolving Funds</u>	<u>Authorized to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY17 Spending Limit</u>
Title V Inspections	Board of Health	Septic System Inspection Fees	Payment for Contractual Services for Septic inspections	25,000.00
Variances & Permits	Board of Appeals	Filing Fees for Variances and Permits	Part-time Salaries, and Expenses	20,000.00
MGL 40B	Board of Appeals	Filing Fees Related to MGL Chapter 40B	Part-time Salaries, supplies, and contractual services relating to 40B applications	30,000.00
Transfer Station	DPW Director	Fees and Charges for disposal of allowable items at Transfer Station	Funding expenses associated with disposal of allowable items at transfer station	20,000.00
Sealer of Weights and Measures	Town Manager	Fees received for sealing of weights and measures	payment of expenses and services related to the sealing of weights and measures	20,000.00
Police Dept. - License to Carry	Chief of Police	Fees received for firearms cards and License to Carry permits	To make payment due to the Commonwealth of Mass for their portion of the fees	30,000.00
Asa Waters	Asa Waters Task Force, with Town Manager approval	Fees from Rentals, Donations, and Charges	To fund part-time wages, and expenses associated with running the Mansion	90,000.00

Millbury Housing Partnership	Town Manager	Proceeds from Sale of Affordable homes	Payment of Administrative, legal, planning, engineering and related expenses of the affordable housing program	10,000.00
Earth Removal	Earth Removal Board with Town Manager Approval	Application Fees	Administrative fees, planning, inspection, and engineering expenses related to the Removal permit application	25,000.00
Student Parking Fees	Millbury School Committee	Student Parking Fees	Maintenance and improvement of parking lot	25,000.00
Council on Aging	Senior Center Director with Town Manager Approval	Program Fees	To fund expenses associated with running certain programs	20,000.00
Bark Park	Director of planning and Development or Town Manager	Donations and fees	To fund expenses associated with running Bark Park	20,000.00

**ARTICLE 16:** To see if the Town will vote to amend the Millbury General Bylaws **Chapter 8, Article I**, by adding a new **Section 8-1**, to read as follows or take any action thereon:

**Section 8-1. Clothing Donation Receptacles**

(a) Purpose and Intent. It is the purpose and intent of this by-law to eliminate the unregulated placement, installation and inadequate maintenance of clothing donation receptacles in the town of Millbury, which negatively impacts the neighborhoods and commercial sections of the town. Poor maintenance, unguided placement and illegal dumping at clothing donation receptacles create unsanitary conditions, impairs public health and safety, degrades the value, condition and appearance of real property, causing a detrimental effect on property values for adjacent and surrounding properties, thereby constituting a public nuisance. The provisions contained in this section are in pursuance of and for the purpose of securing and promoting the public health, safety and general welfare of persons in the town of Millbury.

(b) Definitions. For purposes of this section the following words and phrases shall have the following meanings:

Clothing Donation Receptacle – any box, bin, container or similar device that is held out to the public as a place for people to drop off articles of used or new clothing and for the temporary storage of said clothing until it is carted away.

Person – any individual, company, partnership, corporation, association, or other legal entity.

Registrant – any person who is issued a permit authorizing the placement and operation of a clothing donation receptacle pursuant to this section.

Property Owner – the owner, lessee or other person or legal entity in control of the real property on which the clothing donation receptacle is located.

- (c) Permit Requirement. It shall be unlawful for any person to place, maintain, or cause or suffer to be placed or maintained a clothing donation receptacle within the town of Millbury without first having obtained a permit issued by the Millbury Board of Health.
- (1) A permit issued under this section shall be valid for the period July 1st through June 30th of the following year. Permits may be renewed annually provided the registrant maintains the clothing donation receptacle at the permitted location in accordance with the requirements of this section.
  - (2) If the applicant for the permit is not the property owner, the written permission of the property owner to place the clothing donation receptacle on the property shall accompany the application.
  - (3) The applicant shall complete a permit application in such form as issued by the Millbury Board of Health. The permit application shall include but not be limited to the name, address and telephone number of the applicant, the proposed location of the clothing donation receptacle, the name, address and telephone number of the property owner, if different from the applicant, and the schedule for emptying the receptacle.
  - (4) The applicant for each permit shall pay a fee in the amount established by the Millbury Board of Health under authority of M.G.L. Chapter 111, Section 27B.
  - (5) A separate application and permit is required for each clothing donation receptacle.
  - (6) No permit shall be transferrable except as set forth in subsection (d). Registrants shall have no property interest in a permit.
  - (7) Each registrant and property owner shall be jointly and severally liable for any violation of the provisions of this section.
- (d) Transfer of Permit. The transfer of a permit may be allowed when there is a change of ownership of the property upon which the clothing donation receptacle is located, subject to the new property owner providing the written permission required under subsection (c)(2), or when a registrant sells the clothing donation receptacle, subject to the new owner of the receptacle providing the information required under subsection (c)(3).
- (e) Clothing donation receptacles shall comply with the following requirements:
- (1) The clothing donation receptacle shall be made of metal, steel or other noncombustible material, enclosed by use of a receiving door/chute and locked so that access to its contents is restricted to the registrant for removal of the contents.
  - (2) The clothing donation receptacle shall be maintained in good condition and appearance with no structural damage, holes or visible rust and shall be kept free from graffiti.
  - (3) The clothing donation receptacle shall be neutral in color and not cause distraction to passersby. No reflective material, metallic or fluorescent colors shall be allowed.
  - (4) Each clothing donation receptacle shall have affixed to it in a permanent manner, on the same side of the bin as the receiving door/chute used for the

deposit of the clothing, a legible notice in no less than 2 inch block letters containing the following information:

- (A) the name, address and local telephone number of the registrant;
  - (B) the name, address and local telephone number of the property owner;
  - (C) the name of the charity or organization that benefits from the donated clothing.
- (5) Upon a transfer authorized under subsection (d), the registrant and/or property owner information shall be updated accordingly.
  - (6) The clothing donation receptacle shall be no larger than 3 cubic yards nor more than 6 feet in height.
  - (7) The contents deposited in the receptacle shall be limited to clothing.
  - (8) No receptacle shall be used for advertising signs or publicity purposes other than that dealing with the organization and or charity to which it is related.
  - (9) The receptacle shall have clearly visible language discouraging the placement of donations on the ground.
  - (10) A clothing donation receptacle shall be regularly emptied of its contents so that it does not overflow and result in clothing donations being strewn about the surrounding area.
  - (11) The registrant shall maintain the area around the receptacle clean and free of trash.

(f) Permitted Locations.

- (1) Clothing donation receptacles are not allowed on properties located in the residential zoning districts depicted on the Millbury Zoning Map or on public property.
- (2) A clothing donation receptacle shall not be permitted on a vacant parcel of land. The receptacle may not be the primary use of a property but shall be incidental to the primary use of the property.
- (3) A clothing donation receptacle shall be located so as to not to interfere with sight triangles, on-site circulation, ingress and egress into and out of the property, or any other safety hazard to the public.
- (4) A clothing donation receptacle shall not be located in any setbacks, landscaping or parking required under the Millbury Zoning Ordinance.
- (5) The location of a clothing donation receptacle shall be approved by the Millbury Board of Health and designated in the permit issued pursuant to subsection (c).
- (6) There shall be no more than three (3) clothing donation receptacles allowed per parcel.
- (7) Town property is exempt from provisions of this by-law.

(g) Violations.

- (1) Any violation of the terms of this section shall be remedied by the registrant or property owner within twenty-four (24) hours of receiving notice of the violation.
- (2) If the registrant or property owner fails to correct a violation within said twenty-four (24) hours, the Town may enter the property to remove or cause the clothing donation receptacle to be removed, clean the area of accumulated trash and donations, or both. The registrant and/or the property owner shall

reimburse the Town for the expenses incurred to correct the violation, including removal and storage charges. The sum so expended may be collected in an action of contract by the town.

- (3) This section may also be enforced by civil process, criminal process or by noncriminal disposition as provided in General Laws, chapter 40, §21D and Section 1-7 of the Town of Millbury General By-laws for non-criminal disposition. Each day a violation exists shall be deemed a separate offense and any person in violation of this section shall be subject to a fine of one hundred dollars (\$100.00) per offense.
- (4) This section shall not be enforced against the town or the commonwealth of Massachusetts and their authorities, departments and agencies.

(Board of Health)

**ARTICLE 17:** To see if the Town will vote to amend the Millbury General Bylaws **Chapter 13, Article I, Section 13-1,** to read as follows:

In **Section 13-1, section 6(A) 1. and 6(A) 2.** by deleting the word “certified” and replacing it with “first class”, take any action thereon. (Chief of Police)

**ARTICLE 18:** To see if the Town will vote to amend the Zoning Bylaws, **ARTICLE 1. ADMINISTRATION AND PROCEDURE, Section 12.4 Site Plan Review,** Subsection 12.45 Design Standards by adding the following italicized text, or take any action thereon:

- (b) Relation of Building to Environment: *Building design shall enhance the character of Millbury's Business Districts and respect and/or reflect the traditional New England heritage of the area. Removal or disruption of buildings or architectural elements that are historically or architecturally significant shall be minimized insofar as practicable.* Proposed development shall be related harmoniously to the terrain and to use, scale and siting of existing buildings in the vicinity that have functional or visual relationship to proposed buildings. All buildings and other structures shall be sited to minimize disruption of the topography. Strict attention shall be given to proper functional, visual and spatial relationship of all structures, landscaped elements and paved areas.

(Planning Board)

**ARTICLE 19:** To see if the Town will vote to amend the Zoning Bylaws, **ARTICLE 1. ADMINISTRATION AND PROCEDURE, Section 12.4 Site Plan Review,** Subsection 12.45 Design Standards by adding the following italicized text, or take any action thereon:

- (j) Advertising: All signs and outdoor advertising features shall be reviewed as an integral element in the design and planning of all development on the site. *The location, size, structural design, color, materials, and lighting of all permanent signs and outdoor advertising structures or features shall complement the visual character of the building and shall not be lit or consist of a scale or structural design that interferes with the use and enjoyment of surrounding properties. To the greatest extent feasible, wall signs on multi-tenant buildings shall complement one another with regards to size, color, and/or materials.* At a minimum, all signs and advertising devices shall be in conformance with Section 34. Signs.

(Planning Board)

**ARTICLE 20:** To see if the Town will vote to amend the Zoning Bylaws, **ARTICLE 1. ADMINISTRATION AND PROCEDURE, Section 12.4 Site Plan Review**, Subsection 12.45 Design Standards by adding the following italicized text and deleting the text with strikethrough, or take any action thereon:

- (k) Landscaping Within the Setbacks: Site plan applicants are required to landscape the setbacks as part of the site plan approval process. *Landscaping shall be designed, to the greatest extent possible, to enhance the character and appearance of the site and harmoniously integrate the site with the surrounding area. Service stations, driveways and parking lots shall have planting "buffer zones" that separate cars from pedestrians.*
  
- (n) *Off-street parking shall be located to the side or rear of buildings when reasonably possible, allowing buildings to front on the road. Parking shall be screened from view from the street and abutting uses with vegetation, fences or walls. Screening shall employ good quality plantings and/or construction materials, such as cast iron or steel fencing, brick, wood, or stone.* All parking and loading areas shall be striped and marked on the ground as a condition of site plan approval. All off-street parking and loading spaces shall be provided with safe and convenient access and shall not be located within a public right-of-way or within required setbacks. Access locations shall be designed to encourage unimpeded traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Parking and loading shall be in conformance with Section 33, Parking and Loading Requirements.
  
- (o) Curbing: Concrete curbs and gutters shall be installed around the perimeter of all driveways and parking areas. ~~*Haunched Granite-concrete*~~ curbs shall be installed ~~*where in front of sidewalks abutting buildings parking.*~~
  
- (r) Interior Walkways and Pedestrian Paths: *Each building entrance shall be served by walkways, pedestrian paths or public/private sidewalks distinct and physically segregated from adjoining vehicular ways and parking areas so as to provide safe pedestrian access.* Site plans involving more than thirty (30) parking spaces shall provide walkways and pedestrian paths that safely connect the parking areas to the principal uses they will serve. Such walkways shall be constructed with brick, decorative pavers, or other materials, and may be bordered by fencing or shrubbery to clearly separate pedestrians from automobile traffic. Facilities and access routes for deliveries, service and maintenance shall be separated, where practical, from public access routes and parking areas. Car stops shall be provided to prevent parked cars from damaging trees, shrubs and curbing, and shall not disrupt pedestrian walkways.  
(Planning Board)

**ARTICLE 21:** To see if the Town will vote to amend the Zoning Bylaws, **ARTICLE 1. ADMINISTRATION AND PROCEDURE, Section 12.4 Site Plan Review**, Subsection 12.45 Design Standards by adding the following italicized text and deleting the text with strikethrough, or take any action thereon:

- (t) Outdoor Lighting: *Site lighting shall be set at a low luminaire height (bottom of fixture not higher than 12-14 feet for pedestrian areas, and 18-20 feet for parking lots). All*

*exterior lighting fixtures shall be energy-efficient (i.e. LED, solar or wind-powered lighting) and All exterior lights shall be designed and installed in such a manner as to prevent objectionable light at (and glare across) the property lines. Externally lit signs, display, building, and aesthetic lighting must be lit from the top and shine downward. Each outdoor luminaire shall be a full cutoff luminaire, and the use of decorative luminaires with full cutoff optics is desired. A full cutoff luminaire is an outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture is projected below the horizontal plane.* Developments shall eliminate glare onto adjacent properties through the use of lighting shields, earthen berms, or retention of existing natural vegetation. All outdoor light fixtures, including display lighting, shall be turned off within one hour after close-of-business, unless needed for safety or security, in which case the lighting shall be reduced to the minimum level necessary.

(Planning Board)

**ARTICLE 22:** To see if the Town will vote to accept the provisions of Chapter 59, Section 5(54), of the Mass. General Laws, and establish \$1000.00 as the minimum value of personal property subject to taxation; or take any action thereon. (Board of Assessors)

**ARTICLE 23:** To see if the Town will vote to authorize payment of a prior year bill in the amount of Eight Thousand Nine Hundred Fifteen Dollars and Forty No Cents (\$8915.00) for Pump Station repairs said sum to be taken from FY2016 Sewer-General Expenses, or take any action thereon (Director of Public Works)

**ARTICLE 24:** To see if the Town will accept as a public way the roadway known as Rayburn Drive, situated north of Carousel Drive, in the eastern portion of the Town. Said roadway is shown on a plan entitled "Street Layouts & Easements in Oakwood Heights, Millbury, Mass", dated December 13, 1996, prepared by Lavallee Brothers, Inc, 497 Central Turnpike, Sutton, MA and to authorize the Board of Selectmen to acquire on behalf of the Town, by purchase, gift, eminent domain or otherwise, interests in property sufficient to use said way for all purposes for which public ways are used in the Town of Millbury, or take any action thereon. In accordance with the plan, said roadway is more particularly described as follows:

Beginning at a point on the northerly side of Carousel Drive at a concrete bound on the northerly side of Rayburn Drive;

THENCE: By a curve to the left R=20.00 a curve distance of 33.22 ft. to a concrete bound.

THENCE: N 43-55-45 E 57.75 ft. to a concrete bound.

THENCE: By a curve to the left R=35.00 a curve distance of 43.38 ft. to a concrete bound.

THENCE: N 14-41-16 E 111.33 ft. to a concrete bound.

THENCE: By a curve to the right R= 175.00 a curve distance of 81.23 ft. to a concrete bound.

THENCE: By a curve to the left R=522.68 a curve distance of 115.40 ft. to a concrete bound.

THENCE: By a curve to the left R=175.00 a curve distance of 267.28 ft. to a concrete bound.

THENCE: S 63-41-45 E 15.00 ft. to a concrete bound.

THENCE: By a curve to the right R=740.00 a curve distance of 82.54 ft. to a concrete bound.

THENCE: S 57-18-20 E 393.21 ft. to a concrete bound.

THENCE: By a curve to the left R=175.00 a curve distance of 154.28 ft. to a concrete bound.

THENCE: N 72-11-00 E 258.11 ft. to a concrete bound.

THENCE: By a curve to the right R=225.00 a curve distance of 131.49 ft. to a concrete bound.

THENCE: S 74-20-00 E 66.28 ft. to a concrete bound.

THENCE: By a curve to the right R=175.00 a curve distance of 268.83 ft. to a concrete bound.

THENCE: S 13-41-00 W 238.92 ft. to a concrete bound.

THENCE: By a curve to the right R=265.00 a curve distance of 128.65 ft. to a concrete bound.

THENCE: S 41-30-00 W 296.99 to a concrete bound.

THENCE: By a curve to the left R=360.00 a curve distance of 402.12 to a concrete bound.

THENCE: S 22-30-00 E 447.93 ft. to a concrete bound.

THENCE: By a curve to the left R=60.00 a curve distance of 47.02 ft. to a concrete bound.

THENCE: By a curve to the right R=60.00 a curve distance of 282.53 ft. to a concrete bound.

THENCE: By a curve to the left R=60.00 a curve distance of 47.02 ft. to a concrete bound.

THENCE: N 22-30-00 W 571.89 ft. to a railroad spike.

THENCE: Northerly by Rayburn Drive by the easterly end of Horseshoe Lane to a concrete bound.

THENCE: By a curve to the right R=410.00 a curve distance of 109.47 ft. to a concrete bound.

THENCE: Northerly by Rayburn Drive by the northeasterly end of Horseshoe Lane to a concrete bound.

THENCE: N 41-30-00 E 218.16 ft. to a concrete bound.

THENCE: By a curve to the left R=215.00 a curve distance of 104.38 ft. to a concrete bound.

THENCE: N 13-41-00 E 238.92 ft. to a concrete bound.

THENCE: By a curve to the left R=125.00 a curve distance of 192.02 ft. to a concrete bound.

THENCE: N 74-20-00 W 66.28 ft. to a concrete bound.

THENCE: By a curve to the left R=175.00 a curve distance of 102.27 ft. to a concrete bound.

THENCE: S 72-11-00 W 258.11 ft. to a concrete bound.

THENCE: By a curve to the right R=225.00 a curve distance of 198.36 ft. to a concrete bound.

THENCE: N 57-18-20 W 393.21 ft. to a concrete bound.

THENCE: By a curve to the left R=690.00 a curve distance of 76.96 ft. to a concrete bound.

THENCE: N 63-41-45 W 15.00 ft. to a concrete bound.

THENCE: By a curve to the left R=125.00 a curve distance of 191.27 ft. to a railroad spike.

THENCE: By a curve to the right R=572.68 a curve distance of 126.44 ft. to a concrete bound.

THENCE: By a curve to the left R=125.00 a curve distance of 58.02 ft. to a concrete bound.

THENCE: S 14-41-16 W 111.33 ft. to a concrete bound.

THENCE: By a curve to the right R=135.00 a curve distance of 68.90 ft. to a concrete bound.

THENCE: S 43-55-45 W 12.55 ft. to a concrete bound.

THENCE: N 31-58-45 W 10.31 ft. to a concrete bound.

THENCE: S 43-55-45 W 101.83 ft. to a drill hole on the easterly side of Carousel Dr.

THENCE: By a curve to the left R=125.00 a curve distance of 86.27 ft. by the easterly side of Carousel Drive to the point of beginning. (Citizen's Petition)



**ARTICLE 25:** To see if the Town will accept as a public way the roadway known as Danielle Drive, situated north of Rayburn Drive, in the eastern portion of the Town. Said roadway is shown on a plan entitled "Street Layouts & Easements in Oakwood Heights, Millbury, Mass", dated December 13, 1996, prepared by Lavallee Brothers, Inc, 497 Central Turnpike, Sutton, MA and to authorize the Board of Selectmen to acquire on behalf of the Town, by purchase, gift, eminent domain or otherwise, interests in property sufficient to use said way for all purposes for which public ways are used in the Town of Millbury, or take any action thereon. In accordance with the plan, said roadway is more particularly described as follows:  
Beginning at a point on the northeasterly side of Rayburn Drive at a concrete bound on the northerly side of Danielle Drive;

THENCE: By a curve to the left R= 30.00 a curve distance of 47.12 ft. to a concrete bound.  
THENCE: N 67-30-00 E 240.96 ft. to a concrete bound.  
THENCE: By a curve to the left R=355.00 a curve distance of 128.05 ft. to a concrete bound.  
THENCE: N 46-50-00 E 168.62 ft. to a concrete bound.  
THENCE: By a curve to the left R=145.00 a curve distance of 74.49 ft. to a concrete bound.  
THENCE: N 17-24-00 E 41.39 ft. to a concrete bound.  
THENCE: By a curve to the right R= 285.00 a curve distance of 54.43 ft. to a concrete bound.  
THENCE: N 28-20-32 E 142.08 ft. to a concrete bound.  
THENCE: By a curve to the left R=205.00 a curve distance of 69.80 ft. to a concrete bound.  
THENCE: N 08-50-00 E 85.46 ft. to a railroad spike.  
THENCE: By a curve to the right R=125.00 a curve distance of 188.26 ft. to a railroad spike.  
THENCE: S 84-52-30 E 74.22 ft. to a concrete bound.  
THENCE: S 12-51-30 W 5.05 ft. to a concrete bound.  
THENCE: N 84-51-00 E 112.97 ft. to a concrete bound.  
THENCE: By a curve to the left R=27.81 a curve distance of 40.71 ft. to a concrete bound on the westerly side of Braney Road.  
THENCE: Southerly 90.24 ft. by Braney Road to a concrete bound.  
THENCE: By a curve to the left R=22.39 a curve distance of 37.63 ft. to a concrete bound.  
THENCE: S 84-51-00 W 113.95 ft. to a concrete bound.  
THENCE: S 12-51-30 W 5.05 ft. to a concrete bound.  
THENCE: N 84-52-30 W 67.43 ft. to a concrete bound.  
THENCE: By a curve to the left R=75.00 a curve distance of 112.96 ft. to a concrete bound.  
THENCE: S 08-50-00 W 85.46 ft. to a railroad spike.  
THENCE: By a curve to the right R=255.00 a curve distance of 86.82 ft. to a concrete bound.  
THENCE: S 28-20-32 W 142.08 ft. to a concrete bound.  
THENCE: By a curve to the left R=235.00 a curve distance of 44.88 ft. to a concrete bound.  
THENCE: S 17-24-00 W 41.39 ft. to a concrete bound.  
THENCE: By a curve to the right R=195.00 a curve distance of 100.17 ft. to a concrete bound.  
THENCE: S 46-50-00 W 168.82 ft. to a concrete bound.  
THENCE: By a curve to the right R=405.00 a curve distance of 146.08 ft. to a railroad spike.  
THENCE: S 67-30-00 W 240.96 ft. to a concrete bound.  
THENCE: By a curve to the left R=30.00 a curve distance of 47.12 ft. to a concrete bound on the northeasterly side of Rayburn Drive.  
THENCE: N 22-30-00 W 110.00 ft. to the point of beginning.  
(Citizen's Petition)

**ARTICLE 26:** To see if the Town will accept as a public way the roadway known as Horseshoe Lane, situated along the southerly side of Rayburn Drive, in the eastern portion of the Town. Said roadway is shown on a plan entitled "Street Layouts & Easements in Oakwood Heights, Millbury, Mass", dated December 13, 1996, prepared by Lavalley Brothers, Inc, 497 Central Turnpike, Sutton, MA and to authorize the Board of Selectmen to acquire on behalf of the Town, by purchase, gift, eminent domain or otherwise, interests in property sufficient to use said way for all purposes for which public ways are used in the Town of Millbury, or take any action thereon. In accordance with the plan, said roadway is more particularly described as follows:

Beginning at a railroad spike on the southwesterly side of Rayburn Drive at the southeasterly end of Horseshoe Lane;

THENCE: By a curve to the left R=311.24 a curve distance of 110.95 ft. to a concrete bound.  
THENCE: N 42-55-30 W 159.34 ft. to a concrete bound.  
THENCE: By a curve to the right R=110.00 a curve distance of 147.05 ft. to a concrete bound.  
THENCE: N 33-40-00 E 20.91 ft. to a railroad spike.  
THENCE: By a curve to the right R=110.00 a curve distance of 133.43 ft. to a concrete bound.  
THENCE: S 76-50-00 E 198.20 ft. to a concrete bound.  
THENCE: By a curve to the left R=30.00 a curve distance of 32.29 ft. to a concrete bound on the westerly side of Rayburn Drive.  
THENCE: Southwesterly by the northeasterly end of Horseshoe Lane to a concrete bound on the westerly side of Rayburn Drive.  
THENCE: By a curve to the left R=30.00 a curve distance of 58.89 ft. to a concrete bound.  
THENCE: N 76-50-00 W 141.50 ft. to a concrete bound.  
THENCE: By a curve to the left R=60.00 a curve distance of 72.78 ft. to a concrete bound.  
THENCE: S 33-40-00 W 20.91 ft. to a concrete bound.  
THENCE: By a curve to the left R=60.00 a curve distance of 80.21 ft. to a concrete bound.  
THENCE: S 42-55-30 E 107.34 ft. to a concrete bound.  
THENCE: By a curve to the left R=60.00 a curve distance of 122.24 ft. to a concrete bound on the westerly side of Rayburn drive;  
THENCE: Southerly by the westerly side of Rayburn Drive and the southeasterly end of Horseshoe Lane to the point of beginning.

(Citizen's Petition)

**ARTICLE 27:** To see if the Town will accept as a public way the roadway known as Lisa Drive, situated along the northerly side of Rayburn Drive, in the eastern portion of the Town. Said roadway is shown on a plan entitled "Street Layouts & Easements in Oakwood Heights, Millbury, Mass", dated December 13, 1996, prepared by Lavalley Brothers, Inc, 497 Central Turnpike, Sutton, MA and to authorize the Board of Selectmen to acquire on behalf of the Town, by purchase, gift, eminent domain or otherwise, interests in property sufficient to use said way for all purposes for which public ways are used in the Town of Millbury, or take any action thereon. In accordance with the plan, said roadway is more particularly described as follows: Beginning at a point on the northeasterly side of Rayburn Drive at a concrete bound on the westerly side of Lisa Drive;

THENCE: By a curve to the left R=30.00 a curve distance of 47.12 ft. to a concrete bound.

THENCE: N 67-30-00 E 68.53 ft. to a concrete bound.  
THENCE: By a curve to the right R=355.00 a curve distance of 127.56 ft. to a concrete bound.  
THENCE: N 88-05-15 E 372.57 ft. to a spike.  
THENCE: By a curve to the left R=83.44 a curve distance of 57.60 ft. to a point on the westerly side of Braney Road.  
THENCE: Southwesterly by Braney Road to a point.  
THENCE: By a curve to the left R=30.00 a curve distance of 42.97 ft. to a concrete bound.  
THENCE: S 88-05-15 W 107.21 ft. to a concrete bound.  
THENCE: S 06-42-02 E 10.04 ft. to a concrete bound.  
THENCE: S 88-05-15 W 215.30 ft. to a concrete bound.  
THENCE: By a curve to the left R=305.00 a curve distance of 109.59 ft. to a railroad spike.  
THENCE: S 67-30-00 W 68.53 ft. to a concrete bound.  
THENCE: By a curve to the left R=30.00 a curve distance of 47.12 ft. to a concrete bound on the northeasterly side of Rayburn Drive.  
THENCE: N 22-30-00 E 110.00 ft. by Rayburn Drive to the point of beginning.  
(Citizen's Petition)

**ARTICLE 28:** To see if the Town will accept as a public way the right-of-way situated along the northerly side of Rayburn Drive, in the eastern portion of the Town. Said right-of-way is shown on a plan entitled "Street Layouts & Easements in Oakwood Heights, Millbury, Mass", dated December 13, 1996, prepared by Lavallee Brothers, Inc, 497 Central Turnpike, Sutton, MA and to authorize the Board of Selectmen to acquire on behalf of the Town, by purchase, gift, eminent domain or otherwise, interests in property sufficient to use said way for all purposes for which public ways are used in the Town of Millbury, or take any action thereon. In accordance with the plan, said way is more particularly described as follows:

Beginning at a concrete bound on the northerly side of Rayburn Drive at the southeasterly corner of tract owned by the Town of Millbury;

THENCE: N 57-18-20 W 115.66 ft. by the northerly sideline of Rayburn Drive to a point.  
THENCE: By a curve to the left R=30.00 a curve distance of 56.55 ft. to a point.  
THENCE: N 14-41-16 E 114.41 ft. to a point.  
THENCE: S 63-02-30 E 51.16 ft. to a point.  
THENCE: S 14-41-16 W 139.29 ft. to a point.  
THENCE: By a curve to the right R=30.00 a curve distance of 37.70 ft. to the point of beginning.

Said right-of-way containing 8,399 sf.  
(Citizen's Petition)

**ARTICLE 29:** To see if the Town will vote to raise and appropriate, or transfer from available funds in the treasury, a sum of money not to exceed the amount of \$3,100.00 to be in compliance with the Massachusetts Law that attempts to control the spread of invasive water weeds, by installing a locking gate that opens for launching canoes, etc. onto, and exiting out of, the water at Ramshorn Pond, by training an unpaid volunteer Monitor for checking canoes, etc. entering Ramshorn Pond, and by providing a cell phone for the Monitor as a contact point to assist canoeists, etc. needing access to or from Ramshorn Pond. (Citizen's petition)

**ARTICLE 30:** To see if the town will vote to:

*Be it resolved by the Citizens of Millbury, Massachusetts concurring therein:*

Section 1. The citizens of Millbury, Massachusetts petition the Senate and the House of Representatives of the Commonwealth of Massachusetts to pass "A Massachusetts State Resolution Urging the Congress of the United States to Initiate a Return to a Constitutional Federal Credit System in Order to Accomplish the Actual Recovery of the United States Economy".

Section 2. The citizens of Millbury, Massachusetts petition the Senate and the House of Representatives of the United States of America to ENACT S1709 and HR 381, to reinstate the provisions of Franklin Roosevelt's GLASS-STEAGALL...which prohibited commercial banks and bank holding companies from investing in stocks, underwriting securities, or investing in or acting as guarantors in derivative transactions, in order to prevent American taxpayers from again being called upon to fund hundreds of billions of dollars to bail-out financial institutions; to return to a National Banking and Federal Credit System...which restores the Treasury Department to its rightful Constitutional role as the generator of direct Federal Credit; to use the Federal Credit System to generate high productivity trends to raise our standard of living and create jobs; and to launch a program in nuclear fusion technology for a cheap source of power and for the production of raw and man-made materials.

Section 3. The Town Clerk of Millbury, Massachusetts shall send a duly certified copy of this Citizens' Petition to the President of the United States, the United States Senate Majority Leader, the Speaker of the United States House of Representatives, and each member of the Massachusetts Congressional Delegation; and also to Governor of the Commonwealth of Massachusetts, the President of the Senate for the Commonwealth of Massachusetts, the Speaker of the House for the Commonwealth of Massachusetts, and each member representing the Town of Millbury in the Commonwealth of Massachusetts Senate and Representative Delegation.  
(Citizen's petition)

**ARTICLE 31:** To see if the town will vote to:

CHANGE NAME SELECTMEN TO SELECT PERSON  
(Citizen's petition)

**ARTICLE 32:** To see if the town will vote to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Millbury Selectmen or Millbury Redevelopment Authority approve amendments to the bill before enactment by the General Court. The Millbury Selectmen or Millbury Redevelopment Authority are hereby authorized to approve amendments which shall be within the scope of the general public objective of this petition.

An Act Relative to the membership of the Millbury Redevelopment Authority

SECTION 1. (a) Notwithstanding section 5 of chapter 121B of the General Laws or any other general law rule or regulation to the contrary, the redevelopment authority of the town of Millbury shall consist of 5 members. Each of the five members shall be elected by the voters of

the town of Millbury at the annual town election. Each member shall serve a term of 5 years, so arranged that the term of 1 member shall expire each year. If a membership becomes vacant, other than by reason of expiration of the member's term, that vacancy shall be filled by joint appointment of the board of selectmen of the town of Millbury and the redevelopment authority of the town of Millbury in accordance with the terms of the chapter of the town of Millbury and any applicable by-laws of the town.

(b) Except as provided in this act, the redevelopment authority of the town of Millbury shall remain subject to the provisions of said Chapter 121B and otherwise applicable by-laws of the town.

SECTION 2. This act shall take effect upon its passage.

Or take any action thereon. (Redevelopment Authority)

Given under our Hands this 5th day of April Two Thousand Sixteen.

And you are directed to serve this Warrant by posting up an attested copy thereof at the Post Office, Library, and Senior Center in said Town and in addition at available public places in West Millbury, Bramanville, Dorothy Pond and East Millbury fourteen days at least before the time of holding said meeting.

**A TRUE COPY ATTEST:  
TOWN CLERK**

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**CONSTABLE OF MILLBURY**

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**BOARD OF SELECTMEN**

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