

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

**April 14, 2015**

**7:00 pm**

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**Present:** Board of Selectmen: Francis B. King; Sandy Cristo; Mary Krumsiek, Brian M. Ashmankas; William Borowski; Town Manager, Bob Spain, Millbury Fire Fighters, Edd Cote, Tom Riley and other concerned citizens

**Chairman King called the meeting to order and the Pledge of Allegiance was recited**

Presentation of plaque to **Raymond E. Hobin Jr.**, Assistant Chief, retired after 36 years of dedicated service to the Millbury Fire Department.

Mr. Robert Silver has applied for the open position on the **Board of Fire Engineers** and the board has approved his application.

Motion to appoint Robert Silver to the Board of Fire Engineers made by Selectman Borowski, seconded by Selectman Krumsiek.

Motion carried unanimously.

Appointment of Robert Silver to the Board of Fire Engineers; his son pinned the newly appointed Assistant Chief.

Mr. Hobin thanked the town. He enjoyed his time as a fire fighter and hopes that he can still stay active in the town and wishes his best to Assistant Chief Silver.

Assistant Chief Silver said that on his first day putting on his yellow helmet he never expected to become an assistant chief. He has big shoes to fill as Ray trained him. He

Assistant Chief Hamilton thanked the selectmen for making this appointment so efficiently. He thanked Ray for his years of leaving cookouts and waking up during the middle of the night; he was a big help with fire safety. They are glad to have Assistant chief Silver aboard and look forward to working with him.

**Chairman King asked for a 5 minute recess**

**Visual Budget Presentation-Ann LaCourt**

They have 8 towns so far signed up for Visual Budget- this allows the citizens to see the budgets more clearly. This also allows the citizen to see where their tax dollars actually goes.

Citizen, Mr. Alexanderwicz asked how much this cost. The program is downloadable for free if you want to do it yourself. Visual Budget can do the work for you for \$3,000 for 2 years. There is also be a free version of the tools and upgradable versions will be available for a cost.

Selectman Borowski asked how long it would take to get it up and running. Most towns take a few months to implement. You can look at Arlington visual budget, or any town that has them.

The Board thanked her for the information and for coming in.

**Len Mort- Redevelopment Authority-** the clock project is still running along, putting together another mailer for donations; having a raffle for three great prizes. There is a 5th vacancy on the Redevelopment Authority-it is a state appointed seat; we had 3 applicants over the years for the state vacancy with no communications and no appointments. The redevelopment authority drafted a warrant article and turned it in on November 17, 2015 to the town clerk; for some reason it was not put on the warrant. He asked as chairman to decline the warrant. Chairman King said that this was a mistake, he spoke to the attorney and there is nothing we can do. We can put it on a special town meeting. The manager tried to have Rep. Paul Frost to get the article passed but Mr. Mort did not want that; he wanted the people of Millbury to vote on it.

Selectman Borowski stated that because this article was filed properly by the charter he would like to move the date of the town meeting so that they can put this on the warrant because he feels this is a major issue. He has a hard time looking at the chairman of the Redevelopment Authority and telling him that he did everything right but through an error it was left off the warrant, he shouldn't have to wait.

Selectman Borowski made a motion to rescind the May 7, 2015 warrant.

Walter Swenson said that the Town of Stoughton had a similar issue and they did a Special Town Meeting in the Town Meeting. Mr. Spain said we did not have enough time to post that. Selectman Ashmankas seconded the motion to rescind the motion.

Town Clerk Jayne Davolio said that you have to remember that the Ballot and the Warrant are rolled into one, so rescinding the warrant does a lot more than you think. Ms. Davolio said that she will call elections first thing in the morning. Mr. Spain said that if we can move the town meeting we will call a meeting to get this done. Chairman King does not want backlash coming back to the town from the new Governor. Mr. Mort stated that he wanted to resolve his situation, he didn't want to burden the towns' people or the board, but he doesn't want this to happen again.

The Motion to rescind the warrant was withdrawn by Selectman Ashmankas and Selectman Borowski.

**Laurie Connors** spoke regarding the town hall **HVAC project**. This involves replacing the original HVAC system; the design life is 25 years; they system is now 42 years old. Three years ago through a green communities grant we had a new hvac project designed; they put it at \$285,000.00; in 2015 we had them come back and included the new space in the police station which went up by another \$75,000. We went out to bid and we will have the actual numbers on Thursday. We have received another grant from the green communities for \$185,000 toward this project; we also submitted a grant application to the USDA for \$30,000 which she expects to hear from soon. The total cost to the town will be \$148,000 if the cost comes back in line with the engineers. Switching to national gas should save us \$12,000; we will save on electrical costs and the system will be able to maintain a median temperature, will not have to work as hard and

the offices will not have to use space heaters and fans. NStar has committed to serving the town hall with service and the dpw will do the trench digging. As part of the Green Communities Grant we are required to reduce consumption of our energy costs; we have had 52 service calls over the last 5 years and have spent almost \$42,000. Failure of the system is eminent. With all of the cost savings the project will be paid back in 7 years. Lt. Desorcy discussed the issues at the police department-the dispatchers have 10 computers in their area which bring the heat up naturally anyway; in the winter it is 80' and in the summer it is 55'. No windows open; we had to leave the door wide open throughout the winter and we wasted a lot of oil doing that. We run fans 24/7; we wear sweaters and blankets in the summer. He'll be happy to show anyone. Selectman Borowski said that this is the kind of information that he wanted and thanked Laurie for doing such a great job. He also said that this is not about creating this space as a spa; this is about creating an environment that does not have them be in distress. Selectman Cristo said that she didn't understand the critical aspect of this and the towns' people certainly did not know. Ms. Connors would like to speak at town meeting as well.

**Ms. Connors** now went into the **by-law review**. \*see attached articles and map\*

Article 22-This article calls for submittal of additional information about the style of lighting fixtures and structural design of signage with site plan review and the second aspect clarifies that the planning board is looking for data references for existing boundary markers.

Article 23- changes to site plan review for commercial, industrial and multi-families for Millbury; Article 24-proposes adoption of design standards for the Business 1 District to enhance downtown revitalization; Article 25-requires bounds to be installed on all lot corners; Article 26-rezones 8 parcels on westerly side of Rt. 146 to Industry II District, right now rezoned residential; Article 27- covers the other side of Rt. 146 is going to Business II District- which does allow residential uses and provides commercial uses as well.

**John's Pizza- 238 Millbury Ave:** John Rallis spoke saying that their mother passed away and now daughter, Diane Rallis will be taking on the family business.

Motion to approve the Common Victualler license made by Selectman Krumsiek, seconded by Selectman Ashmankas.

Motion carried unanimously.

**Rob McNeil- Replacement of the DPW Fuel Station**-these tanks are 24 years old.

In 2009 there was a leak in the interstitial space; the pumps were closed; the problem was identified and corrected then the pumps were reopened. Last inspection was 2013 and the facility was operating properly. In Ct. they mandate tanks are replaced every 25 years. Many departments rely on this station for fuel; School, Senior Center, Butler Farm, DPW, Police and Fire. The Town is paying hundreds of thousands of dollars for a spill of a thimble full of oil at the mansion. If they used an outside vendor it would cost the town much more money; what we pay in volume versus pump prices is substantial. In a long term power outage you need to be

able to fuel up; we have backup power for that-the only station in town that is open 24/7 does not. Security and safety is a very important factor.

There is a grant through DEP for 50% reimbursement after the tanks are removed and replaced. Selectman Krumsiek said that she has to wait 24 hours for a gas if she runs out at the station she manages.

**Jayne Davolio- Public Safety Sighting Committee-** this building is a year younger than Jayne Davolio, the fire station is 68; the buildings are failing; they were charged with looking for a location; we used a grant that was received for the design; the building committee will come into the picture next.

Selectman Borowski said that the design that they had was a preliminary design- that is not the final design. They have more information meetings and tours set up. Selectman Ashmankas asked if it would be an unfriendly taking of the land. She is having a friendly email conversation with the land owner and he seems. Selectman Cristo said that getting the land is first on the agenda. The design may be different; one building, two, having the together, etc.

Lt. Desorcy said that they considered the pros and cons of all designs. One big building just did not work well; the heating and air would be more expensive as well.

Chairman King asked why the police station is bigger than the fire station. The police is a 24/7 operation. The fire station is mostly bays for the trucks.

Selectman Krumsiek asked how the land taking works.

Town Clerk Jayne Davolio wanted to let the town know that her assistant will be doing the election for this ballot question.

**Bond Anticipation Note For Ramshorn Dam.**

Motion to sign the **bond anticipation** note for Ramshorn dam made by Selectman Borowski, seconded by Selectman Krumsiek.

Motion carried unanimously.

**Bond Anticipation Note For the Self Contained Breathing Apparatus**

Motion to sign the **bond anticipation** note for the SCBA made by Selectman Borowski, seconded by Selectman Cristo.

Motion carried unanimously.

Request from John O'Brien, President of Little League to hold the **Little League/Softball Parade** on Sunday May 3, 2015. Gather at the Curves Parking Lot to Washington Street park. Motion to approve the Little League/Girls Softball Parade on May 3, 2015 made by Selectman Borowski, seconded by Selectman Krumsiek.

Motion carried unanimously.

**One Day Liquor License-Asa Waters Mansion-Peppers Catering**

**April 26, 2015; 1:00 pm – 4:00 pm**

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

Motion carried unanimously.

**One Day Liquor License-Asa Waters Mansion-Bartending Service of New England**

**April 18, 2015; 7:00 pm – 11:00 pm**

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

Motion carried unanimously.

**One Day Liquor License-Asa Waters Mansion-Bartending Service New England**

**April 23, 2015; 7:00 pm – 11:00 pm**

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

Motion carried unanimously.

**Town Manager Report**

Mr. Spain is reappointing Rob McNeil to the Upper Blackstone Water Pollution Abatement District Board of Directors.

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

Motion carried unanimously.

Mr. Spain has appointed Paul DiCicco to the Roadway Advisory Committee.

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

Motion carried unanimously.

Negotiations are ongoing with DPW and Clerks.

There will be an opening on the Conservation Commission on July 1. A current member will not seek reappointment.

He has allocated the governor's numbers into the budget; he corrected the Blackstone Valley line to reflect their actual number; he added \$75,000 to the school budget; used \$5000 to fund the abandoned property fund; added \$10,000 to the legal counsel budget; and added money to the insurance lines.

**Previous Minutes:**

Motion to approve the minutes of the March 24, 2015 regular selectmen meeting made by Selectman Cristo, seconded by Selectman Borowski.

Motion carried unanimously.

**New/Old**

Chairman King asked for the traffic light at the corner of Main & Elm to fix, there are wires hanging from it. He also asked when the shelter for the bus stop will be put up again. Mr. Spain explained that Rob is working with the WRTA to get that done.

Mr. Spain said that the Friends of the Seniors used to get an \$8000 grant to extend the ADA transportation service and they did not get it this year; Shrewsbury did not get it as well. Mr. Spain is working with the Dan Morgado er to get the WRTA to fund again.

**Chairman King Read Dates to Remember**

Thursday April 16th & Wednesday April 22nd from 6 to 8 PM

Public Safety Complex Information Meeting at Town Hall

Saturday April 18th from 10 AM to 1 PM - Millbury Fire Department Building tours

Saturday April 25th -- Fire Department & Police Department Building Tours

Saturday April 25th from 8 AM to 12 Noon -Brush Chipping for residents @ DPW

Garage @ 137 Providence Street

Tuesday April 28th 7 AM to 8 PM - VOTE- Annual Town Election at the High School

12 Martin Street- reminder: back door

Tuesday, April 14<sup>th</sup> – Happy Birthday to our Cable Director, Kevin Krassopoulos.

Selectman Cristo added that there will be an Earth Day clean up on April 25 & 26. Contact her, Michelle Desorcy in the Conservation Department, or Rob McNeil. Wheelabrator has donated trash bags.

**On a Good Note**

Good luck to Julie Sunderland who

Spring has sprung!

Chairman King said that they passed out the manager's and chief's goals for review on May 12th and May 26th for the Chief. They decided on a 0-2 rating system; did not meet; meets; exceeds.

**Mail**

Letter from Laurie Connors regarding a donation in the amount of \$497.00 for the Butler Farm Bark Park.

Motion to accept the donations made by Selectman Borowski, seconded by Selectman Cristo.  
Motion carried unanimously.

Donation to the K9 unit by Philip Connor in the amount of \$200.00

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

Motion carried unanimously.

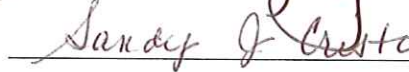
Motion made by Selectman Krumsiek to adjourn at 9:26 p.m., seconded by Selectman Cristo.  
Approved by roll call vote.

Respectfully submitted,  
Tish Hayes, Secretary

Francis B. King



Sandy J. Cristo



Mary Krumsiek



Brian Ashmankas



William Borowski





## Town of Millbury Department of Public Works

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527 Tel. 508 / 865-9143 • Fax: 508 / 865-0843

Robert D. McNeil, III, P.E. • Director  
rmcneil@townofmillbury.net



April 13, 2015

### Town of Millbury – Municipal Fuel Station Replacement Project

#### Problem Statement/Current Status/Need:

Currently located at our facility at 137 Providence Road (Route 122A), our Municipal Fuel Station provides critical 24-hour services of gasoline and diesel to the School Department, Police Department, Fire Department, Council on Aging, Butler Farm Committee, as well as the Public Works Department. According to our records, in 1991, the Town replaced the original underground steel tanks installed in 1976, with two ten thousand gallon double wall Fiberglass Reinforced Plastic (FRP) cells that include an interstitial leak detection monitoring system. An alarm of the leak detection system around 2009 forced the Town to close the pumps however did not turn out to be a release and the pumps reopened in 2010. MassDEP requires a third-party inspection a minimum of every three years. An October 2013 Third-party Inspection of the fuel tanks reported that the facility was operating properly. Considerations for replacement of this facility include the risk of release based on the age (24 years) and cost to mitigate a leak/release at this facility. While Massachusetts does mandate replacement based on age, Connecticut requires fuel tanks to be replaced every 25-years according to sources there. The project provides a critical service and is being proposed utilizing funding from the Town's budget under the levy limit (without any debt override).

#### Impact if not Done:

As the Town has seen in the recent past with Shaw Middle School and Asa Waters Mansion, small tank emergencies and/or fuel releases can result in hundreds of thousands of dollars in recovery and monitoring costs.

Further, allowing our fuel station services to be provided by an outside vendor would result in costly increases that would undermine the Town's ability to fund other worthy projects.

#### Timing:

The Town would complete construction of the new fuel station prior to removal/demolition of the existing fuel station to avoid loss of service.

#### Competitive Analysis:

Examples of local surrounding communities that have been faced with this predicament include Holden, Auburn, and Charlton. Holden replaced their fuel station and listed the following points to consider:

- Only one gas station in Holden has an emergency generator system. So if there is a wide scale power outage, that one station is going to have a run on it. That was the case in 2008 during the ice storm, and that station had trouble staying open, as there was so much demand on it-even the State Police Barracks was using it.
- Reliability/Availability; Holden's municipal fuel station is backed by an emergency generator on site, so they are able to access it regardless of whether there is a power outage or not. Nothing worse than running out of fuel in a long term power outage and not being able to fill up anywhere.



- Pricing; it would be tough for a local gas station to offer the same bulk rates of gas and diesel that we have access to through the State Bid process.
- Security; having your own pump system and monitoring system is much better than simply giving a gas card to an employee. That to me would be ripe for abuse.

Charlton replaced their municipal fuel station based on the same points that Holden mentioned and in addition was very concerned about the safety of the public due to increased exposure to the Town's large vehicles like ladder truck, plow vehicles, loaders, etc. that are not normal encounters at their fuel stops. They briefly used a commercial card system that allowed access to virtually any fuel station but decided against long-term usage partly due to the excessive administrative burdens to reconcile transactions and chase reimbursement of taxes.

Auburn is currently buying from the local private fueling station located just down the street. They are subject to full price at the pumps, no discounts or state pricing. Although they do have a back-up generator, Auburn has had issues of them running out of gas during storms, the generator not running during power outages, and recently, lousy fuel causing vehicle maintenance issues.

Possible Funding Sources:

- Town General Fund for Manager recommended Capital Projects under the levy limit.
- Potential MassDEP Grant after the existing tanks are removed that covers up to 50% reimbursement to local jurisdictions for costs they incur when removing and/or replacing underground storage tanks. Cities and Towns must first remove and/or replace a tank at their own expense, then file a grant application request seeking reimbursement.
- Debt exclusion above the town tax levy limit.
- Privately funded.

Payback Period (if applicable):

Based on daily fluctuating fuel pricing the current (on or about March 20, 2015) calculated Return On Investment for this project is 10-years. The estimated annual difference in cost for fuel purchases is \$36,070 and the Opinion of Probable Construction Costs is \$360,000.

The expected life-cycle for this facility is 25-years.

Alternatives:

Our engineering consultant, Tata & Howard explored several alternative concepts for this site including replacing in the existing location, between the Parks Garage and DPW Garage, and the current proposed preferred location. Replacing in the current location is not advantageous since we would need to seek alternative services during the construction/replacement of the existing tank location and the grade of the fuel pad would be difficult to correct. Replacing between the parks and DPW garages would require relocation of several underground utilities and add traffic to an already high traffic area which could lead to an unsafe operational issue. The preferred alternative balances the efficiency of site traffic with the ability to simultaneously fuel multiple vehicles, and the need to remain open under construction.

Recommended Approach and Why:

The Town Manager, Director of Public Works, Police Chief, Fire Chief, Superintendent of Schools, and Finance Committee all recommend approval of this project for the reasons previously stated.

**ARTICLE 19:** To see if the Town will vote to transfer the sum of Twenty-Four Thousand Dollars and No Cents (\$24,000.00) from Police Salaries and Wages to Police Capital Outlay or take any action thereon. (Police Chief and Town Manager)

**ARTICLE 20:** To see if the Town will vote to transfer the sum of Twenty-Two Thousand Dollars and No Cents (\$22,000.00) from Police Salaries and Wages to Town Hall-General Expenses, or take any action thereon. (Town Manager)

**ARTICLE 21:** To see if the Town will vote to appropriate a sum of money to design and acquire land for a new public safety complex and to allow the Board of Selectmen to acquire, by gift, purchase, eminent domain, or otherwise, for said purpose or any other municipal purpose upon such terms and conditions as it deems appropriate, the fee or a lesser interest in all or a part of a certain property listed in Millbury's Assessor's Map 45 parcels #202,#203 and #207A or any other site 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; the approval of this debt shall be contingent upon a vote of the Town to exclude debt incurred by the Town from the limitations of Chapter 59, Section 21C of the General Laws, also known as Proposition 2 ½, or take any action thereon. (Public Safety Building Siting Committee and Town Manager)

**ARTICLE 22:** To see if the Town will vote to amend the Zoning Bylaws, **ARTICLE 1. ADMINISTRATION AND PROCEDURE, Section 12.4 Site Plan Review**, Subsection 12.44(a), by adding the following italicized text and deleting the text with strikethrough, or take any action thereon:

- The location, type, *style of fixture*, and intensity of lighting; the location, *structural design* and dimensions of all signage; and any site amenities; the location and screening of refuse containers.
- At least three property boundary *markers locations*, remotely separated, shall be indicated with Massachusetts Grid Plane Coordinates. The plan shall ~~identify~~ the elevation and coordinates of these boundary markers.

(Planning Board)

**ARTICLE 23:** 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:

- (b) Relation of Building to Environment: *Removal or disruption of buildings or architectural elements that display the character of Millbury's Victorian and early 20<sup>th</sup> century architectural heritage, or are otherwise 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.

- (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 size, location, structural design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall consistent with 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*
- (k) *signs on multi-tenant buildings shall be compatible with 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.
- (l) 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 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.

- (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 24:** 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 text, or take any action thereon:

- (w) Additional Design Standards for Business I District
- (1) Buildings
- a. New buildings shall be compatible with the height, width and massing of neighboring buildings and located close to the sidewalk to maintain continuity of the streetscape and “sidewalk wall” established by older buildings.
  - b. To the extent feasible, the design of new buildings should reflect the character of Millbury’s Victorian and early 20<sup>th</sup> century architectural heritage. The use of appropriate building materials, architectural details, breaks in roof and wall lines, well-designed rear and side doors, and differentiation between ground floor commercial and upper floor residential uses is encouraged. In the case of mixed-use buildings, the building’s height should be divided into street-level and upper-level sections, with the character of each section clearly distinguished. Larger scale windows and storefronts should be used at the building ground level, allowing for transparency and visual interaction. Rooflines should be distinguishable at the top of the building line and should have cornice treatments or caps, roof overhangs, stepped parapets, gables, or

similar design elements. Long, unbroken expanses of wall and, conversely, random changes in proportion, materials and design should be avoided.

- c. Building finish materials shall be appropriate to traditional New England Mill Village architecture and may include, but shall not be limited to, brick or high-quality brick face, wood, stone or high-quality stone face.
- d. Provision of seasonal outdoor terraces and seating for restaurants and food establishments is recommended.

## (2) Signs and Awnings

- a. Over-hanging bracket or projecting signs, signs located in the building's "sign-band" designed to be consistent with the building's architectural character, as well as carved and painted signs, logos and use of historic colors are encouraged.
- b. Align multiple signs across a building and use complementary colors, materials and graphics.
- c. Locate signs so they do not hide architectural detailing such as cornices, moldings and decorative trim. Individual letters may be mounted directly on the building so that important details or materials are not hidden.
- d. For window signs, painting on glass or use of neon tubing, are preferred over solid boards, as these do not block views.
- e. All awnings on a building should have a similar design, material, shape, color and appearance. Use creativity in awning design: box-awnings, barrel-vaults, sloped awnings, with and without valences, are acceptable. Consider curved awnings within arches.
- f. Locate awnings within the lines of the building wherever possible. Awnings should be practical, durable, and not impede other building functions.
- g. Canvas or acrylic is the preferred materials for awnings to maintain translucency. Up-light awnings from within when using translucent fabric.
- h. The lowest part of an awning may be no lower than 7 ½ feet above the sidewalk.

## (3) Site Design

- a. Parking, loading or service areas shall not be located at roadway intersections. Whenever possible, parking and loading access shall take place from secondary streets.
- b. Driveway cuts shall be restricted in number and width. Driveways shared by two or more lots are encouraged.
- c. Landscaping, signage and lighting shall be designed to be complementary to the scale and location of the building and its relationship to the street and adjacent structures.
- d. All exterior lighting, screening and paving materials should reinforce a New England Mill Village theme.
- e. Lighting should illuminate the building façade and be visually compatible with the district.

- f. All open spaces and alleyways, both public and private, should be landscaped. Outdoor sitting areas should be attractively landscaped with shade trees and decorative plantings.

(Planning Board)

**ARTICLE 25:** To see if the Town will vote to amend the Zoning Bylaws, **ARTICLE 1. ADMINISTRATION AND PROCEDURE, Section 12.4 Site Plan Review**, Subsection 12.49(c) by adding the following italicized text and deleting text with strikethrough, or take any action thereon:

- (c) "As-built" plans, certified by a registered professional engineer *and registered land surveyor*, ~~and noting that identify that bounds were installed at all lot corners and any~~ change from the approved plan, shall be filed with the Building Inspector and the Planning Board before a Certificate of Completion shall be issued.

(Planning Board)

**ARTICLE 26:** To see if the Town will vote to amend the Zoning Map by rezoning to Industrial II that portion of the Residential I District, Suburban II District, and Business II District that includes the following lots as shown on the maps on file in the Town Clerk's Office, or take any action thereon:

- Assessor's Map 71, Lot 1
- Assessor's Map 71, Lot 18
- Assessor's Map 71, Lot 19
- Assessor's Map 71, Lot 57
- Assessor's Map 71, Lot 60
- Assessor's Map 71, Lot 67
- Assessor's Map 71, Lot 68
- Assessor's Map 71, Lot 69

(Planning Board)

**ARTICLE 27:** To see if the Town will vote to amend the Zoning Map by rezoning to Business II that portion of the Residential I District and Suburban II District that includes the following lots as shown on the maps on file in the Town Clerk's Office, or take any action thereon:

- Assessor's Map 62, Lot 97
- Assessor's Map 62, Lot 98
- Assessor's Map 71, Lot 22
- Assessor's Map 71, Lot 23
- Assessor's Map 71, Lot 51
- Assessor's Map 71, Lot 52

(Planning Board)

**ARTICLE 28:** To see if the Town will vote to accept as a public way the roadway known as McGrath Road Extension, situated south of the 1732 limit of Sutton's acceptance of McGrath Road, in the western section of the Town. Said roadway is shown on a plan entitled "Road Acceptance Plan, McGrath Road Extension, Millbury, Mass", prepared by Whitman & Bingham Associates, LLC, 510 Mechanic Street, Leominster, MA, dated September 18, 2014. In accordance with the plan, said roadway is more particularly described as follows:

**BEGINNING** At the most northeasterly corner thereof, at a drill hole set in a stone wall at the southerly end of the easterly side of McGrath Road, a public way;

**THENCE** S 4°-26'-13" E a distance of 132.00 feet to a granite bound at a point of curve;

**THENCE** southerly to westerly to northeasterly by a curve to the right having a radius of 60.00 feet for a distance measured on the arc of 269.30 feet to a granite bound at a point of reverse curve;

**THENCE** northeasterly to northerly by a curve to the left having a radius of 30.00 feet for a distance measured on the arc of 40.40 feet to a granite bound at a point of tangent;

**THENCE** N 4°-26'-13" W a distance of 16.32 feet to an iron pipe set in a stone wall;

**THENCE** N 56°-31'-29" E a distance of 50.99 feet partly by the stone wall and partly by the southerly end of said McGrath Road, a public way to an angle;

**THENCE** N 55°-08'-20" E a distance of 6.29 feet by the southerly end of said McGrath Road, a public way to the drill hole set at the point of beginning.

The above-described McGrath Road Extension contains an area of 15, 126 square feet, more or less. (Board of Selectmen and Planning Board)

**ARTICLE 29:** To see if the Town will vote to authorize payment of a prior year bills in the amount of Two Thousand Dollars and Forty Eight Cents (\$2000.48) for vehicle and equipment repairs said sum to be taken from FY15 fiscal year Highway-General Expenses, or take any action thereon (Director of Public Works)

**ARTICLE 30:** 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 and improvements thereon known as the Brierly Pond Dam, together with all appurtenances thereto, which land supports in part West Main Street and is shown on a plan on file in the office of Town Clerk, and the fee or lesser interest in all or a part of the land and improvements thereon comprising and containing a further dam and spillway affecting Brierly Pond, and all rights and appurtenances related thereto, as described and reserved in the deed recorded with the Worcester District Registry of Deeds in Book 2551, Page 145 and believed to be located on Assessors' Map 70, Lots 1 and 2, 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,

transfer, or borrow a sum of money as may be required for such acquisitions and the costs associated therewith, or take any action thereon. (Town Manager)

**ARTICLE 31:** 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 and improvements thereon known as the Ramshorn Pond Dam, together with all appurtenances thereto 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; or take any action thereon. (DPW Director and Town Manager)

**ARTICLE 32:** To see if the Town will vote to accept the provisions of G.L. c.59, §5C and ½ , inserted by Section 14 of Chapter 62 of the Acts of 2014, for the purpose of increasing the real estate tax exemptions by 10 percent to all persons who qualify for property tax exemptions under Clauses 17, 17C, 17C1/2, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C or 43 of G.L. c. 59, or take any action thereon (Town Manager)

**ARTICLE 33:** To see if the Town will vote to initiate the process to aggregate electrical load pursuant to M.G.L. c. 164, § 134 and, further, to adopt the following resolution:

WHEREAS, the Commonwealth of Massachusetts has engaged in a process to establish a competitive market place through the restructuring of the electricity market; and

WHEREAS, citizens of Millbury have a substantial economic and social interest in terms of greater customer choice and opportunities for savings in this restructured market; and

WHEREAS, the Town of Millbury hereby finds that it may be in the interest of its citizens who are electric ratepayers, both residential and commercial/industrial, to develop and secure such approvals and enter into appropriate agreements with consultants, experts and attorneys in connection with the establishment and operation of an electricity aggregation plan.

BE IT THEREFORE RESOLVED that the Town of Millbury hereby:

Publicly declares its intent to become an aggregator of electric power on behalf of its residential and business electric customers and to reestablish such plan if its operation is suspended; and

To negotiate and enter into such contracts for power supply pursuant to the plan or services for such plan, with the understanding that if a power supply contract is executed, individual consumers would retain the option not to participate in the aggregation plan and, instead, to choose any electricity alternatives they desire and, further, to take such other action relative hereto as may be appropriate and necessary. (Energy Advisory Committee and Board of Selectmen)

**ARTICLE 34:** To see if the Town will vote to authorize the Board of Selectmen to sell and dispose of a parcel of land at the intersection of Canal and Providence Streets listed in the Worcester Registry of Deeds on Book 3316 pages 291, 293 and 301 as shown on a plan of land in Millbury, Ma entitled 54 & 56 Canal Street on file with the town clerk's office in compliance with General Laws Chapter 30B on such terms and conditions and for such consideration as the



Board of Selectmen deem to be in the best interests of the Town, or take any action thereon  
(Town Manager)

**ARTICLE 35: *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 S1282 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 will 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)

Given under our Hands this 7th day of April Two Thousand Fifteen.

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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