

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

August 27, 2013

7:00 p.m.

Present: Board of Selectmen: E. Bernard Plante; Francis B. King; Brian M. Ashmankas; Sandra J. Cristo; Mary Krumsiek; Acting Town Manager, Brian E. Turbitt; Michael O'Connor, Joe Bott; Tom Reilly, *The Millbury-Sutton Chronicle*; Susan Spencer, *The Telegram & Gazette*; Edd Cote and other concerned citizens.

Absent: Town Manager, Bob Spain;

Redevelopment Clock Project

Len Mort updated the board on the Redevelopment Clock on the Common project. They sent out mailers to residence in town and donations have been coming in of every size. It is a good project that people are looking forward to. They also have a raffle of a fully equipped John Deere Tractor of only 200 tickets, tickets are \$100.00. Tickets are available at Rays, Sportsclip, 146 Supply and many other places. They do need help with fund raising, please call if interested. \$1000/donors get clock replica and \$200/more get name on plaque.

One Day Liquor License for Currier & Chives at Asa Waters Mansion on October 19, 2013
Motion to approve the license made by Selectman Krumsiek, seconded by Selectman Cristo.
Motion carried unanimously.

One Day Liquor License for Banks Catering at Asa Waters Mansion on August 32, 2013
Motion to approve the license made by Selectman Krumsiek, seconded by Selectman Cristo.
Motion carried unanimously.

Public Hearing- 7:15 pm Verizon Pole Petition-Stowe Road and Carleton Road

Intersection- Selectman Ashmankas read legal ad into record.

Motion to open hearing made by Selectman King, seconded by Selectman Ashmankas.

Motion carried unanimously.

Elizabeth Caldwell, a contractor who represents Verizon spoke. They are moving poles at the intersection of Stowe and Carleton Roads per the DPW's request.

Motion to close public hearing by Selectman King, seconded by Selectman Ashmankas.

Motion carried unanimously.

Motion to accept the pole petition made by Selectman King, seconded by Selectman Cristo.

Motion carried unanimously.

Laurie Connors-Town Planner she is completing the acceptance of Lt. Haynes Drive. Town Meeting approved making the road public in May. All of the waivers are in hand. We need an eminent domain taking of an easement of the road itself as well as a snow storage easement,

drainage easement and an emergency access easement. You have an order of taking that was compiled by town counsel and you need to make two motions on for the taking itself and one for endorsements for the acceptance plan that was accepted by the planning board.

Motion by Selectman Ashmankas to complete the layout of Lt. William S. Haynes III Memorial Drive as a public way, the Board adopt the order, as prepared by town counsel, taking by eminent domain a perpetual easement for public way purposes within the layout of Lt. William S. Haynes III Memorial Drive, and further to award no damages for this taking, seconded by Selectman King.

Motion carried unanimously.

Motion by Selectman Ashmankas to endorse the plan entitled "Road Acceptance Plan of Lt. William S. Haynes III Memorial Drive in Millbury, MA", prepared by Andrews Survey & Engineering, Inc., 104 Mendon Street, Uxbridge, MA, dated August 16, 2012 and last revised February 4, 2013, seconded by Selectman Cristo.

Motion carried unanimously.

MA Gaming Commissioners- John Ziemba and Gordon Carr – Mr. Ziemba presented the Selectmen with a PowerPoint*see attached.

Mr. Ziemba spoke regarding the history of the act, host agreements and deadlines. The act was passed in November, 2011. The Commission has been working hard on establishing themselves. They are looking forward to the economic development and jobs across the State. Benefits to the state would be job creation, economic development and revenue generation. The Gaming Commission is an independent agency. The legislature created three regions for casino and 1 slots parlor anywhere in the state. Initial license is 5 years; There is an application fee of \$400,000 for the background investigations; Rush gaming has already passed their investigation- the redacted report is on their website. Award will be most likely in the middle of December. There is time allotted into February. The gaming act expects a lot details from the applicants. The application process should be about 1000 pages long once completed. The evaluation process includes plans for promoting local business, maximizing local businesses, promotes tourism, traffic control, housing impacts, environmental impacts, mitigating compulsive gambling, etc.

Once the application is submitted they will hold public hearings in the host community for questions and input from the host community and surrounding communities. They are writing their phase 3 regulations how the operations of the facilities work. Policing will be worked out by an MOU- primarily controlled by State Police but work in conjunction with MA Gaming Commission, AG, Sheriff's department and local police. Still working on the liquor license aspect in conjunction with the ABCC- it will not diminish the amount of our local licenses. Community mitigation fund is 6.5% of the revenues placed in this fund- approximately \$20-30

million/year. This is another mitigation to support local communities. These funds will be distributed in February each year to those communities who apply and show need.

Go to www.massgaming.com. There is a tremendous amount of information on that site.

Selectman Krumsiek asked what the 9% of the gross gaming revenue credited to the racehorse development fund? This was created to help resource that down the road. She asked about the surrounding committee impact funds and if they come out of the Host Agreement. Unless stated in the Host Agreement, they do not. They are separate and distinct agreements.

Selectman King asked who has authority over the liquor licenses- The MA Gaming Commission has authority of the liquor license. They are setting up regulations now as to the parameters regarding renewal and local involvement. Selectman King also asked about modifications of the host community agreements. Mr. Ziembra said that it would have to have a provision in the Host Agreement for modification or if something unanticipated comes up such as environmental adversity.

Chairman Plante said that it seems as if the Commission has a lot of work to do. Mr. Ziembra said they do want to give out the licenses on time.

Selectman Cristo asked about mitigation for surrounding communities but what about the neighborhood? The host community agreement takes care of that unless there is an unforeseen issue.

Selectman Krumsiek reiterated that the gambling age is 21.

Selectman Ashmankas asked how you would go about applying for money from the mitigation fund. They are working out the regulations for that and there would have to be money in the fund to give out. He also asked if the percentage of the win matters- yes local support goes into the equation. He asked how many have failed so far. There were 3 applicants in Springfield, only 1 went forward, proposal for Boxboro, Tewksbury, Plainridge was found unsuitable by the Commission. How does the commission decide if a surrounding community agreement cannot be reached? It goes to an arbitrator or a panel of arbitrators with last and best offers.

Selectman Krumsiek asked how long before they can open? Could be up and running in a year if all things are in place but most likely not. They have to clear at least the first part of the environmental parts -MGE's drawings anticipate 2016.

Selectman Cristo asked why Slots are taxed at 40% and the Casino is taxed at a much lower 25%. That is based on expected revenues.

She also asked if this would affect our local aide or reduce it in any way. He said generally no- the revenues from the facility are meant to provide enhancements to local aid; regarding lottery receipts, the legislation put in place funds to mitigate those.

Chairman Plante thanked the gentlemen for coming out and explaining this to everyone.

Chief Howell and Chief Rudge

Chief Howell could not find any research that truly raised crime but what he did find that there will be more people in town; may have more calls because of more people. We are currently understaffed- with 13,000 people in town statistics show that he should have at least 26 officers and an additional full-time dispatcher; and we need a public safety building. The impact of the casino is that now it makes it urgent; before the doors open we have to have adequate facilities for them and staffing. He talked about needed these officers and facility when he was here in February. After the casino is open for a year he will come forward and ask for what he needs. He accepts the report from MGM regarding traffic mitigation with the suggestions of N.Main Street widening for a better queue and widening the ramp off of Rt. 146 to relieve that congestion and install opticom on at least 9 vehicles. The dollar figure to add his personnel is in the area of \$800,000.00. Selectman King asked if more cruisers were needed with more officers? No- he is a proponent of foot patrols. Chairman Plante said that this plan was in the making before the casino.

Chief Rudge said that traffic was an issue with him- getting there. He would like opticom on all vehicles and in chief officer vehicles. As far as calls increasing- he spoke to the towns in RI and their fire calls went up 1 – 2 %; EMS calls went up higher. Their fire headquarters need to be on the fast track. New homes increase their calls so a building will increase their calls- there manpower pool is well staffed right now.

Mike O'Connor asked Chief Rudge if there is a thought to have a fire truck based on that side of Route 146. Chief Rudge said no.

Selectman King asked about a cul-de-sac? Chief would be for that if the fire department was able to get through.

Mr. Mingolia asked not to open Tainter Hill Road.

Brian Turbitt updated on the Public Safety Siting Committee- they awarded a contract to a firm in Connecticut regarding a feasibility study for the building. They met with the Board of Fire Engineers and will be meeting with Chief of Police to determine size and space and location needed. Process is anticipated to be completed by late November early December then they will make a presentation to the Board of Selectmen. The goal is to hopefully have a rough estimate of design costs. Having slot parlor revenue may or may not change how funding will be for this

facility; it was always to do a debt exclusion to fund this. It is moving forward with or without the slot parlor. Kevin K with be taping the spaces at the Fire Station and Police Station with their Chiefs.

Previous Minutes:

Motion to approve the August 13, 2013 minutes with corrections made by Selectman King, seconded by Selectman Krumsiek.

Motion carried unanimously.

Old/New Business:

Selectman King wants to clear up what the Selectmen's charge was in voting for the host agreement regarding the Slot Parlor. This was not a yes or no for the casino- it was to get the best host agreement for the town. We got a great host agreement and it was his duty to give the voters the say. He realizes there is a group people who wanted them to vote it down-but he represents everyone in Millbury-the no's, the yes's, the maybe's and the don't care's! They all deserve the right to say yes or no. We will know what the town wants by the vote.

Chairman Plante said that we should talk to the RAC regarding the traffic study and for the plans of the proposed slot parlor to utilize the engineers in town at no cost.

Brian Turbitt updated the board on the contract with ProForma Advisors LLC out of Connecticut. After approval from our attorney Jonathan Silverstein, the contract was signed with them to ay to do the impact study for the slot parlor in Millbury. They have already started reaching out to the department heads to get things going. It will be an economic and financial impact study. Their finish by date is September 14, 2013. Chairman Plante said that the manager has been working very hard on this. Mr. Turbitt said that this contract touches on all of the items that the Board was concerned with. Chairman Plante said that this company is not on any side- they will do an unbiased report.

Chairman Plante read the **Dates to Remember:**

Vote September 24, 2013 at the High School.

Selectman Cristo added that the next planning board meeting is set for September 9, 2013.

On a Good Note:

On behalf of the Board Selectman Krumsiek wants to congratulate Grandpa Franny and welcome his new granddaughter- Summer Marie!

Selectman King added that Eddie Forman was at senior center last Thursday and it was great.

Fireman Field Day was August 24th and went very well.

Andy and Kelly Krumsiek had a boy Luke; Joey and Melissa had a girl Summer Marie and Keith Caruso and Barbara had a son Dominic.

Congrats to All!

Mail:

Letter from Fire Chief Rudge regarding a donation from Barbara Higgins in the amount of \$200.00.

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

Motion carried unanimously.

Letter from the Bicentennial Committee regarding-donations totaling \$14,912.39.

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

Motion carried unanimously.

Adjournment

Motion made by Selectman King to adjourn at 8:45 p.m., seconded by Selectman Krumsiek.

Motion carried unanimously.

Respectfully submitted,

Tish Hayes, Secretary

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

The Board of Selectmen