

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

**November 12, 2013**

**7:00 p.m.**

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**Present:** Board of Selectmen: E. Bernard Plante; Francis B. King; Brian M. Ashmankas; Sandra J. Cristo; Mary Krumsiek; Town Manager, Bob Spain; Tom Reilly, *The Millbury-Sutton Chronicle*; Susan Spencer, The Telegram & Gazette; Edd Cote, Jude Cristo, George Valery, Joseph Coggans, Randy Mogren, Marcia Landry, Stuart Mulhane, Deborah Plante and other concerned citizens.

**Holiday Liquor License Hours-**

Motion to approve the extended hours made by Selectman King, seconded by Selectman Cristo.  
Motion carried unanimously.

**2014 CIC Grant Application-** This is for the next round of grant application for storm water management.

Motion to sign the 2014 CIC Grant Application made by Selectman Cristo, seconded by Selectman Ashmankas.

Motion carried unanimously.

**Drainlayer renewal- Berthiaume Construction,** Daniel Berthiaume, 265 Thompson Road, Webster, MA

Motion to approve the drainlayer renewal made by Selectman King, seconded by Selectman Cristo.

Motion carried unanimously.

**Bicentennial Committee- Co-Chairman Bill Kane and Roger Desrosiers**

The celebration period is over, now we are working on a great legacy for the bicentennial year- he handed out a packet including a granite monument which would leave a lasting memorial for the bicentennial.\*see attached. They need approval for the site- they would like it on the grassy hill between the town hall and Asa Waters Mansion. They are working on an electric sign for the center of town as well. Roger Desrosiers spoke to explain the findings of the town hall gates in the possession of the Asa Waters Task Force and taken care of by Dennis Hill. They have allowed them to use this to front the memorial as this would highlight the past. They are looking into restoration; Jeff Dore is the Chairman of the legacy committee. The goal is to complete this by June 11, 2014.

Motion to encourage the work made by Selectman Ashmankas, seconded by Selectman Cristo.

Motion carried unanimously.

**Tax Classification Hearing 7:15 pm-** Selectman Ashmankas read the public hearing notice into record, seconded by Selectman King. Motion carried unanimously.

Chairman Jude Cristo spoke regarding classification stating the Board of Assessors strongly feel that the town should stick with the single tax rate to attract business. The focus for the town this

year has to be on economic development-we have the perfect locations in central Ma. with two MaPike exits and abuts the 2<sup>nd</sup> largest city. Chairman Plante said that the other towns are now seeing that a split tax rate is not a good idea and are trying to set it at a single rate.

Selectman Ashmankas said that this town needs to actively search for new businesses.

Selectman King said that many other communities are going to the single tax rate from the split tax rate because it is not working for them. Chairman Plante said that this town did have a split rate for one year-but found it was not good for business.

Mr. Spain pointed out the businesses that have come to Millbury in the past two years-we currently are working hard to get more businesses in and Laurie Connors has done a great job with it.

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

Motion to stay with the single tax rate by Selectman King, seconded by Selectman Cristo.

Motion carried 4-1 (Selectman Ashmankas opposed).

**Chief Kenny Howell**-he handed out a progress report to the selectmen. \*see attached. 1<sup>st</sup> page summarizes the package, 2<sup>nd</sup> page highlights accomplishments and objectives and the 4<sup>th</sup> is a memo from Sgt. McFaul explaining the training status. They have completed just over 50% of the management study. Police officers are going to be issued tasers starting Friday, they went through 8 hours of training and he also got tased. Chief went over the policies that have been implemented since he started. Sgt. McFaul is in charge of training; Officer Daly is in his 7<sup>th</sup> week of training-we should see him in another 7 weeks with the K-9 Kenzo; Sgt. Lewos has been doing active shooting training in the Jr. High School and he will be going to swat training, he will be in charge of training the other officers; Sgt. McFaul wrote the policy and Sgt. Desorcy is in charge of the ride along program; there is another dispatch center for a trainee or to use as a backup, we can have two dispatchers working at the same time if needed; he has implemented district commanders, they are ordered to do community service during the week; typically they go to the school once a week, eat with the kids, walk through the halls or they go to lunch at the senior center; they are walking beats- as long as he is here there will be walking beats, day and night shifts. Chairman Plante said that the people like to see that. The sergeants have to go to a department meeting with the chief weekly. They get an agenda and they have to have the items completed on the agenda; some are citizen complaints that need to be addressed. Specials are now trained. Everyone is trained in CJIS. Sgt. Lewos is trained in records. Sgt. McFaul went to internal affairs school until a lt. arrives. Sgt. Lewos and Officer Oliveri are trained in evidence. Sgt. Desorcy is in charge of vehicles and grants as they relate to patrols. Chief passed out a police officer badge and a special badge. We didn't have a policy for badges-didn't keep track of them, no numbers on badges-could open us up to liability. 2 badges out for each officer and clearly numbered. Officers cannot reproduce their badge. Objectives: alarm billing notices going out January 1<sup>st</sup> with fine schedule; purging evidence; going to complete the memorandum of understanding with the school, he is working with the superintendent; working getting more

policies out; State upped the training requirements; next year he hopes to appoint a lieutenant, sergeant and some officers; we have a problem with overtime-if it continues we will not be able to advance. He is going to continue with the management study. Thursday we have a senior dinner and Friday we have comedy show at Mechanics Hall sponsored by the police union. Selectman Cristo asked what the dog is trained for; sniff out drugs and track missing persons. Selectman King asked for a quarterly update; Chairman Plante asked if he intends to go through training in each of the school buildings; we do have the district commanders going into the school weekly but cannot fund a school resource officer right now. Selectman Ashmankas asked if you could use an existing officer in the school; he is looking for space in the school for a substation; he had to reassign two detectives to patrol because of overtime problems and needed them back on the road.

Selectman Krumsiek asked about the two officers coming off of probation on December 7<sup>th</sup>; Sgt. Desorcy is conducting weekly reviews of them.

Selectman Ashmankas asked about the parking issue on Main St. The walking beats have been told to be diligent about the one hour parking but a person can move their car every 55 minutes and not be in violation.

**Redevelopment Joint Appointment:**

Leonard Mort spoke regarding a vacancy on their board to be filled with a joint appointment; he wanted to thank Frank Irr for his service to the redevelopment authority;

Travis Perry spoke regarding helping out the redevelopment Authority as a member of the Resource Advisory Board. He is proud of the work done at Felters Mill and is looking forward to the little common redevelopment.

Christopher Bruinsma-he just got back from his 2<sup>nd</sup> tour of duty in Iraq, he is working on a master's degree and wants to help out in his town.

Selectman King made a motion to put both names in for nomination, seconded by Selectman Krumsiek.

Motion carried unanimously.

Len Mort said that the Redevelopment Authority voted unanimous for Travis Perry; Board of Selectmen was polled and voted unanimously for Travis Perry.

Leonard Mort said that there is now a vacancy on the resource advisory board and he welcomes Christopher to attend any of their meetings and maybe fill that vacancy.

Chairman Plante thanked Christopher and asked him to look into other boards and committees as we always need help.

Len Mort spoke of the Redevelopment Authority website that lists businesses in town that are for sale.

Selectman Cristo asked about the fifth seat- Mr. Mort explained that the State Redevelopment Authority position has not been filled-they are just not appointing people to these committees. Mr. Mort has asked to look into changing this arrangement and giving it back to the town as an elected position. Chairman Plante agrees and thinks we should try changing that and the Housing Authority as well.

**Cemetery Commission-** Randy Mogren and Marcia Landry spoke for the commission. Chairman Gil Picard is on vacation.

Chairman Plante asked how they arrived at the \$200 administrative fee. Ms. Landry spoke regarding research for a whole new fee structure for the cemetery.

Selectman Cristo said that there has never been a clerical fee for this; the contractor does and opening and closing; and now it is an administrative fee, she believes it is a tax to the Millbury residents; Mr. Mogren said that there is a fee for everything and now we need to generate money for the town; They are hoping to get it in a revolving account earmarked for the cemetery. The costs involved with doing the legwork and the paperwork in preparing to have that grave sold and opened. They have never changed the fees in more than 20 years; it is time for a change; she understands that it sticker shock but they should have been raising the fees incrementally over the years but this hasn't been done. The increasing costs need to be met; beautification, improvements and other things.

Selectman Krumsiek asked where they came up with the \$200 fee; they researched fee structures of other towns as our fees were not adequate. Our expansion has a life expectancy of only 15-20 years, we are looking to offset the ultimate cost to the taxpayer- it is a user fee.

Chairman Plante said that the cemetery is not profit driven; he hates to add a \$200 fee to people who have never had it. Ms. Landry said that the first year of any fee changes is met with shock; you never had to pay to print an obituary in the newspaper and now you have to. There are limited resources and many things that need to be done. Selectman King said that all other boards come before the selectmen to raise fees; why did this one not. Ms. Landry said that they would welcome people to come to their meeting to discuss these items. Selectman Cristo said that fees are up and services are down such as the water spigots with no definitive plan to fix it. Joe Coggans spoke regarding his opposition to this fee; get rid of the private contractor so that fee can go away. He asked the commissioners to go to town meeting and ask to see what the people want.

Stuart Mulhane, owner of Mulhane Funeral Home, asked what this fee covers. Ms. Landry said that is a fee associated with the paperwork and groundwork opening of the grave. Mr. Mulhane said that they already have a budget of \$4300.00 for administrative work of researching the grave, locating and marking out the grave. The outside contractor is responsible for everything, opening and closing, marking out and paying for the materials needed to dress that grave properly; liability insurance and the loom, grass seed and fertilizer. He is also responsible for

that grave for one year. He thinks all of the fees and improvements should be in the budget. He would like the commissioners to relook at this fee; as it stands we will have the highest cemetery costs in the area.

Debbie Plante would like the cemetery commissioners to relook at the fees or at least go to town meeting or get approval from their appointing authority. She read Ch. 114 Sec. 15 of MGL. She does not feel the burden should be put on the person at the time of death.

Ms. Landry wanted to point out that Millbury is in desperate need of cemetery space, none of the other towns are in that need. She does not believe that everything should fall on the taxpayer, that's why they implemented a user fee. Only a certain amount of the funds can be used.

Anna Lewandowski asked about the water pipes in the cemetery- she thinks it is very difficult the way it is now and she wants to know when it will be replaced. Ms. Landry said that they are working on getting the water pipes back in; time and money did not allow it this season; but it will be getting done. Mr. Spain said that we are definitely going to get it done this spring with help from volunteers and Aquarion. Selectman King had to say that the lines were in the condition of disrepair- they had to be taken out- they were all iron pipes and the leaks were not even surfacing. Ms. Landry said that the roads need to be repaired in conjunction with the replacement of the water pipes. Selectman King asked about taking out some roads for more cemetery space.

Matthew Mulhane, owner of Mulhane Funeral Home, spoke regarding paying taxes in your town your whole life you should be able to be buried in your town and costs should be reasonable, the board should raise taxes to support the need of a new cemetery. Bill Kane said that an administrative fee belongs in the budget and to raise taxes if necessary. Deb Plante said that no committees should be setting fees without approval. Selectman Cristo said that Central Cemetery is a public cemetery and would like to ask the commissioners to consider rescinding the fee and bringing something to town meeting. Ms. Landry said that they will discuss this at the meetings. They are looking at all different ways to try to obtain new space and not put the whole burden on the taxpayers.

**Dog Hearing- Dan Chauvin-Animal Control Officer** spoke regarding Regina Ferreckia, Victoria Terrace- Husky Nakita; who has been a pain to the neighbors of Victoria Terrace. Mr. Chauvin reported that he did receive a call from Ms. Ferreckia who told him that she would not attend the meeting; she has had enough and does not want to be a nuisance to her neighbors. Mr. Chauvin suggested to her to surrender the dog to him and find the dog a new home with proper control of the dog. She is going to turn the dog over to animal control tomorrow. He is 8 years and wanders too much and irritates people, he does not have any black marks against him. He can go immediately to find a new home.

Motion to have Animal Control take control of the dog and to continue the dog hearing until next meeting made by Selectman King, seconded by Selectman Krumsiek.

Motion carried unanimously.

Mr. Giacobella asked if we are still going to attempt to change the dog by-law.

**Previous Minutes:**

Motion to approve minutes of the meeting for October 22, 2013 made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to approve minutes of the workshop meeting for October 29, 2013 made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

**Town Manager Report:**

Mr. Spain is appointing Maegan Wackell of Millbury Avenue and Mariana Calle of Lexington Road to the Cultural Council.

Motion to concur made by Selectmen King, seconded by Selectman Cristo.

Motion carried unanimously.

See Budget timeline \* Put March 6, 2014 on your calendar for the Town Manager Budget Presentation to Selectmen.

There are a lot of challenges ahead of us again; retirement, health care and partial year funding. It is going to be a very interesting budget process again.

Selectman Ashmankas asked if we have done everything to alleviate health care costs. Yes we have, making changes affects the employees though, sometimes have to change doctors and have higher costs.

Mr. Spain met with Clink McFarland of the USDA is in charge of the Asian Longhorn Beetle program in the area, there has been some found around the borders of Millbury, but nothing to be worried about. They just wanted to touch base with us and let us know that they are finding less and less. They have not found any in Millbury.

Our town mechanic, Richie Hamilton, has put in his retirement papers.

DPW contract- a three year retroactive deal, it actually started 2012-June 2015, we now have seven steps instead of zero, step seven comes after 15 years and replaces longevity.

Motion to approve DPW Contract contingent upon acceptance of the union made by Selectman Ashmankas, seconded by Selectmen Cristo.

Motion carried unanimously.

If there are any changes Mr. Spain will let the Board know.

Five year contract with Charter Communications; there is a clause in the law that requires a level playing field for all carriers. They will be paying us capital expenditures of \$100,000 and also a percentage of the company's revenues for cable television. It is a good deal. Selectman Cristo

asked about the cable service in all municipal buildings. We can go live from the mansion now, senior center, library, media center and auditorium at the high school now.

Motion to approve the contract with Charter Communications made by Selectman Cristo, seconded by Selectman Krumsiek.

Motion carried unanimously.

Bob would like to thank Aquarion for donating a hydration station to the town hall.

Motion to accept the donation of the hydration station from Aquarion made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried 4-0-1 (Selectman King abstained).

Selectman Krumsiek asked about when the roads will they be done?

Anna Lewandowski asked why River Street was done during the senior center craft fair. Hopefully in future projects you will take into account anything going on in town for scheduling.

Selectman King asked about the equipment purchase? We are having trouble with the leasing, but it is still in process.

Selectman Ashmankas asked why the edge is a straight cut on the milling of the roads. That is so that it will marry well and stick together.

**Dates to Remember:**

Saturday, November 16, 2013- Brush Chipping at DPW Garage 8 am – 12 pm

Saturday, November 23, 2013 – Day of Shopping at Asa Waters 9 am – 12 pm

Sunday, December 8, 2013- Chain of Lights

**Mail:**

Letter from Chief Howell regarding a FY2014 Pedestrian and Bicycle Safety Enforcement and Equipment grant in the amount of \$2,900.00.

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

Motion carried unanimously

Letter from Chief Rudge regarding a 2004 Ford F350 truck obtained from DCR for the Fire Department's use.

Motion to accept the truck by Selectman Ashmankas, seconded by Krumsiek.

Motion carried unanimously.

Letter from Laurie Connors regarding donations to the Bark Park totally \$2,532.00.  
Motion to accept the donations by Selectman Ashmankas, seconded by Selectman King.  
Motion carried unanimously.

Letter from Leonard Mort regarding having some type of award for people in town who donate.

**On a Good Note:**

Congratulations to Scott Elie and Kayla on having a new boy Jordan

Thank you to Patricia Wade for having the catholic diocese to clean up the graves that were covered with brush and trees in St. Brigid’s Cemetery, she worked very hard on that.

Congratulations to Mr. Tarka for growing his hair for charity and for starting a food drive.

Congratulations to Bill Kane and Roger Desrosiers for being honored by the old timers of Millbury.

Thank you to all of our Veteran’s as yesterday was Veteran’s Day.

**Executive Session**

Motion made by Selectman King, seconded by Selectman Krumsiek to move into Executive Session at 10:10 p.m. under Chapter 39, Section 23B, Paragraphs 3 to discuss strategy with respect to collective bargaining or litigation and Paragraph 6 to consider the purchase of real estate.

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

Chairman Plante announced the Board would return only to adjourn.



**Adjournment**

Motion made by Selectman King to adjourn at 10:30 p.m., seconded by Selectman Ashmankas.  
Motion carried unanimously.

Respectfully submitted,

Tish Hayes, Secretary

E. Bernard Plante

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Francis B. King

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Brian M. Ashmankas

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Sandy J. Cristo

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Mary Krumsiek

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The Board of Selectmen