

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

June 26, 2012

7:00 p.m.

Present: Board of Selectmen: E. Bernard Plante, Francis King, Brian Stowell, Brian Ashmankas, Sandy J. Cristo; Town Manager, Bob Spain, Chief Mark Moore, Brian & Anne Gasco, David King, Steven Kosiba, Edd Cote, Steve Baliesteiri, Richard Valentino, Susan Spencer, Tom Reilly and other concerned citizens.

Town Clerk-Jayne Davolio-Rules & Regulations for Transfer Station:

There will be a Hazardous Waste Day, September 8th 8:00 a.m. – 1:00 p.m. at the sewer plant on Providence Street. Must be a Millbury resident.

Town Clerk's office will be open until 5:00 instead of on Tuesday, July 3rd.

She wished the Town Manager a Happy Birthday!

She is here on behalf of the DPW Director. See attached Rules & Regulations*. The Transfer Station is for residential trash only. Recycling is mandatory.

Residential stickers: you must have a valid registration and proof that you live in Millbury; if it is a leased vehicle-have to show license in Millbury; if you just moved into town-you need justification that you are valid at a Millbury address; per law you have 30 days to change your registration. Pull the sticker off to get a free replacement; \$35 first; \$25 for 2nd vehicle; 65 or handicap card 1st card free-spouse \$7.50; after that \$25.

Homeowners in town who register their cars elsewhere are not residents of the town; their car registration is not registered in this town;

Commercial vehicles: The agreement with Wheelabrator is residential household trash only. We cannot have commercial trash.

Selectman Cristo got a call from a retired person who is an out of state resident who lives in Millbury for 6 months and cannot get a sticker because his car is registered in Florida. She suggested paying the amount of the excise tax.

A gentleman said the property taxes and being a homeowner in Millbury should be enough.

Mr. Spain said we need help drawing that line-someone is always on the other side of the line. Our tonnage is trending upward and the allowed tonnage is going down. Selectman King and Chairman Plante said we need to get a workshop together with the Town Clerk, the DPW Director and the Board.

Selectman Ashmankas asked why the resident requirement is a registration.

A gentleman asked why he can't get a sticker with his commercial vehicle.

Workshop meeting to set policies for the transfer station is Monday, July 2nd at 6:30 pm.

Selectmen Appointments:

Motion to appointment **Mirick O'Connell** as labor council made by Selectman Stowell, seconded by Selectman King.

Motion carried 4-0-1 Selectman Cristo abstained.

Motion to appoint **Kopelman & Paige** as legal counsel made by Selectman Stowell, seconded by Selectman King.

Motion carried unanimously.

Motion to appoint Bernie Plante to the **Financial Management Planning Committee** made by Selectman Ashmankas seconded by Selectman Stowell.

Motion carried unanimously.

Motion to appoint Matthew Ashmankas to the **Conservation Committee** made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried 4-0-1 (Selectman Ashmankas abstained)

Motion to appoint Paul DiCicco to the **Conservation Committee** made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to appoint Anthony Cameron to the **Conservation Committee** made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Board of Fire Engineers- Appointment to fill vacancy: Selectman King left the room.

David King spoke stating he has been a lifelong resident of Millbury; has 40 years on the department; been an inspector since 1987; he believes his dedication and experience speaks for itself.

Brian Gasco spoke stating he has been on the fire department out of headquarters for 26 years; the open position is a headquarters position; he does most of the training for the department; he will bring long-term service and stability to the department.

Chairman Plante explained what the Board of Fire Engineers do; they set policy, finances and strategy for the department. All the men work so hard and each member should be able to be an engineer before they retire. The Millbury Fire Department is the best bank for the buck.

Selectman Stowell read a letter from Headquarters in support of Brian Gasco; a letter from Station 3 in support of Brian Gasco; a letter from Station 5 in support of Brian Gasco; a letter from Station 2 in support of David King.

Motion to put Brian Gasco and David King in for Board of Fire Engineers made by Selectman Stowell, seconded by Selectman Ashmankas.

Motion carried unanimously.

The Board was polled:

Selectman Cristo: Brian Gasco

Selectman Ashmankas: Brian Gasco

Selectman Stowell: Brian Gasco

Selectman Plante: Brian Gasco

Motion to appoint Brian Gasco to the Board of Fire Engineers made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to reappoint David Rudge to the Board of Fire Engineers made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to reappoint Richard Hamilton to the Board of Fire Engineers made by Selectman Stowell, seconded by Selectman Ashmankas.

Motion carried unanimously.

Motion to reappoint Philip Day to the Board of Fire Engineers made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to reappoint Raymond Hobin to the Board of Fire Engineers made by Selectman Stowell, seconded by Selectman Ashmankas.

Motion carried unanimously.

Congratulations to all: Work together! Selectman King returned.

Informational Hearing-Perfection Auto Imports:

Attorney Carlos Sousa-represents Felipe Jose Ribeiro of Perfection Auto Imports: Mr. Spain explained when the license issued the license to Mr. Ribeiro the Board said that Mr. Bichalo should not be employed at the business and he received a similar the complaints that he got when Mr. Bichalo owned it. There is certain of standard of business that needs to be met. Atty Sousa asked for the specific complaint from the consumer. The complaint was that the service engine light was on in the vehicle; she was offered her money back or to service the vehicle. The consumer chose to get the vehicle repaired-sensors were faulty and they were replaced. He gave the consumer a loaner vehicle and sent the car to a Chrysler dealer for repair. He asks for the Board to look at each instance. Mr. Ribeiro did conduct his business in a good manner. Mr. Spain explained that Mr. Bichalo sold the vehicle and he asked Mr. Ribeiro to call him with the result of the complaint and he chose not to do so.

Atty Sousa explained that Mr. Ribeiro is a new owner and should be taken on its own.

Chairman Plante said the real issue is that they made it very clear to Mr. Ribeiro that they did not want Mr. Bichalo on the lot at all.

Selectman Stowell stated that we gave you this license on your word that Mr. Bichalo would not be involved in the selling of the vehicles. This is the last chance that you will be given. Mr. Ribeiro said that he appreciates all that the Selectmen did. He did see that he could not handle both the jobs-he gives his word that he will close the place if he does not work honestly. He does not want to have any complaints. He is working there full time now and his wife is helping him with paperwork. He is proud of his name and does not want any problems. Motion made by Selectman Stowell for 1) six months' probation; 2) Mr. Bichalo shall not be employed; and 3) If the manager/police chief call an answer is required in 24 hours seconded by Selectman King.

Motion carried unanimously.

Previous Minutes

Motion to approve the minutes of the June 6, 2012 meeting made by Selectman Ashmankas, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to approve the minutes of the June 12, 2012 meeting made by Selectman Cristo, seconded by Selectman Ashmankas.

Motion carried unanimously.

Motion to approve the minutes of the June 19, 2012 meeting made by Selectman Ashmankas, seconded by Selectman King.

Motion carried unanimously.

Town Manager's report:

Mr. Spain has appointed Linda Donovan to the Cultural Council.

Motion to concur with the appointment made by Selectman Stowell, seconded by Selectman King.

Motion carried unanimously.

Mr. Spain has appointed Steven Kosiba as the Emergency Management Director.

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

Motion carried 4-0-1 Selectman King abstained

Transfer Station Tonnage: We have gotten a little better but are trending higher. Need to keep an eye on it. Selectman Cristo asked if we get tonnage increases.

Sidewalk weed spraying will start soon.

Website is being updated and getting a facelift with our current provider; making it more user friendly. Selectman Ashmankas asked if there will be a better search function and better access to documents.

Civil Service chief is a bill-Senator Moore is watching this.

Last Thursday met with the citizens of Miles Street area-they are trying to work the issues. Chairman Plante thought it was a good meeting addressing the citizen's issues.

Still waiting on cell tower answers; working email trail.

DPW directors (Grafton and Millbury) are in talks for sharing a street sweeper.

Policies from the Police Chief Moore:

Selectman King asked Chief Moore how he implements the policies. Chief puts the policy together, asks for officer input, then brings the policy to the Board. Selectman King wants to make sure they cannot grieve it.

Policy on EMD (Emergency Medical Dispatching) Chief Moore went to a meeting Thursday in Grafton regarding AMR.

Selectman Stowell asked the manger to look at the contract with Alert stating that they are supposed to be handling this aspect and speak to owners of Alert. Selectman King asked if we would be putting our grant in jeopardy by doing the EMD ourselves. He does not think this would be a problem.

Motion to approve the Use of Confidential Informants policy made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to approve the Department Overtime Procedure policy made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to approve the Detail policy made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Selectman Ashmankas asked if the complaint form for the Internal Affairs policy could be put online.

Motion to approve the Internal Affairs policy with changes of putting form online and drop off at Town Clerk's office made by Selectman Stowell, seconded by Selectman Ashmankas.

Motion carried unanimously.

Motion to approve the Vice, Drugs, Criminal Activity policy made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to approve the Investigative Special Operations policy made by Selectman Stowell, seconded by Selectman Ashmankas.

Motion carried unanimously.

Motion to approve the Use of Force policy made by Selectman Stowell, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to approve the Use of Confidential Informants policy made by Selectman Stowell, seconded by Selectman Ashmankas.

Motion carried unanimously.

Mr. Spain needs a vote to allow the manager to sign the regionalization of the Board of Health agreement. It was approved by the Board of Health 3-0.

Motion made by Selectman Stowell to allow the Manager to sign the agreement, seconded by Selectman King.

Motion carried unanimously.

The Board and Committee openings were read by Selectman Stowell.

On a Good Note:

Congratulations to the Bicentennial Committee for the symphony orchestra concert-it was impressive! It's going to be a great year.

Mail:

A Letter from Chief Moore regarding no parking for fireworks July 3 & 4 with a raindate of the 5th.

Motion to approve no parking made by Selectman Stowell, seconded by Selectman King.

Motion carried unanimously.

Citizen Speak:

Tony Cameron-Thank you for the reappointment to the conservation commission. He was the biggest opponent of this project. After the meeting he thinks it is worse. He passed out 24 pictures that he took. He is not an engineer but believes the area was engineered wrong. He suggests having another engineer take a look at it. Mr. Spain explained that Mr. McNeil is addressing the issues and the project is still not complete.

Chairman Plante announced the Board would return only to adjourn.

Executive Session

Motion made by Selectman King, seconded by Selectman Stowell to move into Executive Session at 8:50 p.m. under Chapter 39, Section 23B, Paragraph 2 .

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

Adjournment

Motion made by Selectman Stowell to adjourn at 9:45 p.m., seconded by Selectman King
Motion carried unanimously.

Respectfully submitted,

Tish Hayes, Secretary

E. Bernard Plante

Francis B. King

Brian W. Stowell

Brian M. Ashmankas

Sandy J. Cristo

Board of Selectmen