

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

December 13, 2011

7:00 p.m.

Present: Board of Selectmen: Chairman E. Bernard Plante, Francis B. King, Kenneth I. Schold, Brian W. Stowell, Brian M. Ashmankas; Town Manager Bob Spain, Finance Director Brian Turbitt, Treasurer/Collector Denise Marlborough, Steve Balestrieri and concerned citizens.

Previous Minutes: December 6, 2011

Motion made by Selectman Stowell to approve the minutes, seconded by Selectman Schold.
Motion carried unanimously.

One Day Liquor License-Currier & Chives at Asa Waters on December 16, 2011

Motion to approve the license made by Selectman Schold, seconded by Selectman King.
Motion carried unanimously.

Laurie Connors-Town Planner: She is here to have Cronin Brooks Heights go through the acceptance process for remaining three roadways. The issues were the streetlights and concern for the sinkhole. It has been well over a year and it has set and has not had any problems. There is some open space land that will be conveyed to the conservation commission and they voted to accept that land. The Selectmen have to allow the conservation commission to accept it. It will make the areas more accessible for the DPW. The new owner, Russell DeDoming has really bailed us out and did a quality job.

Motion made by Selectman Stowell to authorize the Conservation Commission to accept the gift of land described in the foregoing deed, for conservation purposes pursuant to MA General Laws, Chapter 40, Section 8C, granted from Cronin Brook Heights LLC. The land is acquired for conservation and passive recreation purposes, and shall be subject to Article 97 of the Amendments to the Massachusetts Constitution, seconded by Selectman King.
Motion carried unanimously.

Motion made by Selectman Stowell to begin the process of laying out Cronin Brook Way, a way situated northwest of Braney Road located in the southeastern section of the Town of Millbury, in the County of Worcester. Said roadway is shown as Cronin Brook Way on a plan entitled "Roadway Acceptance Plan, Cronin Brook Way & Braney Road, Millbury, Massachusetts" prepared by S.E.C. & Associates, Inc., dated October 13, 2010, last revised December 14, 2010. The roadway will be conveyed subject to and with the benefit of all easements shown on the plan, seconded by Selectman Ashmankas.
Motion carried unanimously.

Motion made by Selectman Stowell to begin the process of laying out Diana Hill Drive, a way situated north of Cronin Brook Way located in the southeastern section of the Town of Millbury, in the County of Worcester. Said roadway is shown as Diana Hill Drive on a plan entitled "Roadway Acceptance Plan, Diana Hill Drive and Taft Circle, Millbury, Massachusetts" prepared by S.E.C. & Associates, Inc., dated October 13, 2010, last revised December 14, 2010.

The roadway will be conveyed subject to and with the benefit of all easements shown on the plan seconded by Selectman Schold.

Motion carried unanimously.

Motion made by Selectman Stowell to begin the process of laying out Taft Circle, a way situated northwest of Diana Hill Drive located in the southeastern section of the Town of Millbury, in the County of Worcester. Said roadway is shown as Taft Circle on a plan entitled "Roadway Acceptance Plan, Diana Hill Drive and Taft Circle, Millbury, Massachusetts" prepared by S.E.C. & Associates, Inc., dated October 13, 2010, last revised December 14, 2010. The roadway will be conveyed subject to and with the benefit of all easements shown on the plan, seconded by Selectman King.

Motion carried unanimously.

Motion made by Selectman Stowell to forward the petition to accept the proposed layout of Cronin Brook Way, Diana Hill Drive and Taft Circle to the Millbury Planning Board for comment as to whether the roadways are ready for acceptance, seconded by Selectman King.

Motion carried unanimously.

Motion made by Selectman Stowell to schedule a visit to view Cronin Brook Way, Diana Hill Drive and Taft Circle on January 8, 2012. The public meeting on the proposed acceptance of these roadways will occur on January 25, 2012, seconded by Selectman King.

Motion carried unanimously.

Motion made by Selectman Stowell to amend motion of site visit to January 7, 2012 at 10 am and public hearing January 24, 2012, seconded by Selectman King.

Motion carried unanimously.

Charles F. Minney Post-Public Hearing-Change of Manager

Selectman Schold read the notice into record.

Robert Roy appeared for the VFW. They have made some changes to better the establishment.

Motion to change the manager made by Selectman King, seconded by Selectman Stowell.

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

Town Auditors-Roselli Clark Associates: Tony Roselli spoke about the audit of the Town. In this town things are done well. All the things mentioned in last year's management letter have been fixed. The town's bond rating increased because of the levels the town has maintained.

This is a great reward for the town. See attached management letter*.

With the economy going down, fraud seems to be going up. Finance Director is already on top of this.

Chairman Plante would like to compliment Brian, Denise, Paula and the Manager.

Paul DiCicco wanted to give compliments to the financial team as a taxpayer. He spoke regarding the **Transfer Station Privatization Committee**. *see attached comments. Selectman Stowell said that they accomplished a lot in a short amount of time. They want to revisit the suggestions in 6 months and 1 year to follow through. Laurie Connors found a lot of grant money as part of our green community and other grants that we can apply for.

Mill Towne Tavern- Acting Chief Moore spoke regarding his concerns with the amount of calls to the police of over intoxicated patrons coming from the Mill Towne Tavern. Selectman Stowell asked if this compares to the previous establishment. There is no comparison to the last. Chairman Plante mentioned that at least they are calling the police when there are problems happening. Acting Chief Moore thought maybe they could call before the altercations start. Pam Perkins spoke regarding the staff; they do not want to put up with this type of issues. They want to work with the police. All bartenders are tips certified. Selectman King suggested they talk to Acting Chief Moore to get some help. Chairman Plante told them to keep up the good work.

2012 Liquor License Renewals:

Motion made by Selectman Schold to approve the **Restaurants-All Alcohol** renewals:

Applebee's Neighborhood Grill & Bar

Wheelock Inn

Twenty Nine Canal St., Inc. d/b/a DAR BAH

Golfview Corp. d/b/a Clearview Country Club

Liberty Heights Café

Rare Hospitality Int., Inc. d/b/a Longhorn Steakhouse

Round Robin of Millbury LLC d/b/a Red Robin, America Gourmet
Burgers and Spirits

Quincy Amusements, Inc. d/b/a/ Showcase Cinema De Lux

TGI Friday's Inc.

UR of Millbury MA LLC d/b/a Uno Chicago Grill

Karen A. McGovern d/b/a Puffin's Restaurant

Calabria Restaurant

Sixty Elm, Inc. d/b/a A&D Pizza

The Mill Towne Tavern

Feng Asian Bistro

seconded by Selectman King. Motion carried unanimously.

Selectman King made a motion to ask Puffins come in the 2nd meeting in January.

Motion made by Selectman Schold to approve the **Inn Holders** renewals:

The New St. Charles Hotel

Belfont House

seconded by Selectman Ashmankas. Motion carried unanimously.

Motion made by Selectman King to approve the **Club** renewals:
Charles F. Minney Post VFW 3329 d/b/a Foreign Wars 3329 Inc.
seconded by Selectman Ashmankas. Motion carried 4-0-1 (Selectman Schold abstained)

Motion made by Selectman Schold to approve the **Restaurant-Wine and Malt** renewals:
Elm Draught House Cinema
Qdoba Mexican Grill
seconded by Selectman Ashmankas. Motion carried unanimously.

Motion made by Selectman Schold to approve the **Package Store All Alcohol** renewals:
Douglas Package Store, Inc. d/b/a Lennys Liquors
HJMP Corp. d/b/a Roberts Package Store
BAK, Inc. d/b/a Scannels Package Store
seconded by Selectman Stowell. Motion carried unanimously.

Motion made by Selectman Schold to approve the **Package Store Wine and Malt** renewals:
Goretti Supermarket
J & T Beer & Wine
Riverside Mart
Village Knoll Variety, Inc.
WineNation
seconded by Selectman Ashmankas. Motion carried unanimously.

Town Manager report*see attached

Tax rate has been certified. Up .87 (\$15.42) but valuations went down.

Mr. Spain is happy for the individuals but sad for the town as Paula Aspinwall and Marie Boire have announced their retirements on January 13th. They are true professionals and very dedicated to the town.

Mr. Spain explained the roles of the Ponds & Lakes Committees. Mr. Spain will speak with the committees and bring the DPW Director.

We have to do a home rule petition regarding the newly elected officials take office after town meeting.

The safety committee is still a work in progress.

Selectman Schold asked what we do with the leaves at the transfer station. There is someone in Sterling would buy the Worcester leaves.

Mr. Schold would like the Dorothy Pond IEP Study of 1983ish.

The 2nd meeting in December is cancelled. Next meeting will be the 10th of January.

Mr. Schold asked why Farnsworth Court is not a public way. They have to go through the whole process.

Acting Chief Moore gave the Selectmen 2 bylaws regarding false alarms and enforcing fees, and Sex offender Residency to review. *see attached.

On a Good Note:

Selectman Stowell would like to commend the Chain of Lights-especially Mary Krumsiek and her crew. It was a good day.

Citizen Speak:

Ron Bordeau- 118 Grafton Street- Things at Autumn Gates are out of control with kids hanging around and throwing their trash out. He went on to object to the new plan being proposed by Mr. Gallo which would include low income housing. *See attached plan.

Chairman Plante announced the Board would return only to adjourn.

Executive Session

Motion made by Selectman King, seconded by Selectman Schold to move into Executive Session at 9:00 p.m. under Chapter 39, Section 23B, Paragraph 4.

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

Adjournment

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

Respectfully submitted,
Tish Hayes, Secretary

E. Bernard Plante _____

Francis B. King _____

Kenneth I. Schold _____

Brian W. Stowell _____

Brian M. Ashmankas _____