

TOWN OF MILLBURY
BOARD OF SELECTMEN MINUTES

Zoom Meeting ID: #898 2054 5232

August 25, 2020

6 PM

Selectmen Present: Mary Krumsiek, Katie McKenna, Scott Despres, David Delaney, Chris Naff, Acting Town Manager James Kelley and Town Clerk Jayne Daviolo,

Zoom Guests: Superintendent Greg Myers, School Committee Chair Jen Nietupski, Planner Laurie Connors, DPW Keith Caruso, Rob Pelletier

“Welcome to the August 25, 2020 meeting of the Millbury Board of Selectmen. This meeting is being recorded and streamed by Millbury Public Access Cable Television. This Meeting is also available through Zoom.us/download. Anyone who is participating through Zoom.us/download should state their name and address when speaking.”

6:00 PM Executive Session

Executive session in accordance with the Open Meeting Law, M.G.L Ch 30A s. 21 (a) purpose 3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the or litigation position of the public body and the Chair so declares. (MCOP, Police Unit). The Board will reconvene in open session at the conclusion.

7:00 PM Regular Session

Pledge of Allegiance

To Discuss and Vote to Ratify the Police Contract

Mr. Kelley asked this be taken off the agenda and placed on the September 8, 2020 agenda

Sign Bond Anticipation Note for a Total \$9,205,000

\$4,500,000	fields
\$2,500,000	Shaw School Building Project
\$1,000,000	McCracken Rd
\$ 750,000	Roads (2019 article)
\$ 455,000	Roads (2018 article)

The following was read by Selectman Despres:

I, the Clerk of the Board of Selectmen of the Town of Millbury, Massachusetts, certify that at a meeting of the board held August 25, 2020, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the R.E. Shaw Elementary School project authorized by votes of the Town passed on November 12, 2019 (Article 7) and November 19, 2019 (Question 2) not being paid by the school facilities grant is \$36,261,896.00 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c. 708.

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Further Voted: to approve the sale of a \$4,500,000 2.00 percent General Obligation Bond Anticipation Note, Series A (the "Series A Note") of the Town dated September 4, 2020, and payable March 4, 2021, to Jefferies LLC at par and accrued interest plus a premium of \$37,035.00.

Further Voted: to approve the sale of a \$4,705,000 2.00 percent General Obligation Bond Anticipation Note, Series B (the "Series B Note" and, together with the Series A Note, the "Notes") of the Town dated September 4, 2020, and payable September 3, 2021, to Jefferies LLC at par and accrued interest plus a premium of \$78,808.75.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated August 17, 2020, and a final Official Statement dated August 24, 2020, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 13c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that at any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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I further certify that the agenda for the meeting, a copy of which is attached hereto, was posted on the bulletin board of the town at least 24 hours before the meeting in compliance with Section 7-7(b) of the Town Charter.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended, further suspended, supplemented or modified by the Executive Order of the Governor of The Commonwealth of

Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated

March 12, 2020. by Selectman Despres, 2nd by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

Discussion on Back to School

* Return to Learning Plan attached

Mr. Kelley stated it was a hybrid system-in for two days remote for two. The Town would mirror the school as we go forward.

Selectman Despres asked if the document was unique to Millbury. Superintendent Myers stated it was the same across Central Massachusetts as there are not many options once you decide to go hybrid.

Chairman Krumsiek asked what is the first day of school? Superintendent Myers stated the week of September 14th. It will be a staggered start.

Selectman Delaney asked what are the steps that will be taken if a faculty member or student gets COVID? Superintendent Myers stated they will follow the protocol for contact tracing interactions. Immediately identify the people and they would go home to quarantine. Contact Tracing would be done with the Board of Health.

Discussion & Vote on Transfer Station Issues

The Town Clerk stated she could start implementing tomorrow.

Motion accept the Millbury Recycling Center Family Use Permit by Selectman McKenna, 2nd by Selectman Naff and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

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Discussion on Dorothy Pond

Mr. Kelley stated he would like to create a working group and find out who owns what as the State is involved and the Rail Trail. We have received several complaints.

Selectman Despres stated he did not want a ton of time/money spent on this issue

Acceptance of Streets

MOTION to accept a quitclaim deed of the fee in Skyview Drive (Station 0+00 to Station 16+44.74) shown on a plan entitled "ACCEPTANCE PLAN 'SKYVIEW DRIVE' CASA VERDE VILLAGES STATION 0+00 TO STATION 16+44.74, MILLBURY, MA" dated August 20, 2019, revised October 10, 2019, prepared by GLM Engineering Consultants, from HAYR LLC. by Selectman Naff, 2nd by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

MOTION to accept a quitclaim deed of a 20' wide sewer easement shown on a plan entitled "EASEMENT PLAN MILLBURY, MASSACHUSETTS (WORCESTER COUNTY) SCALE: 1"=40' OCT. 10, 2019 PREPARED FOR: HAYR LLC & SENEK LLC 12 DUDLEY ROAD MENDON, MASSACHUSETTS PREPARED BY: GLM Engineering Consultants, Inc. 19 EXCHANGE STREET HOLLISTON, MA 01746" from Casa Verde Villages Homeowner's Association Trust. by Selectman Naff, 2nd by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

MOTION to accept a quitclaim deed of the fee in "Autumn Gate Circle" and "Parcel B" shown on a plan entitled "A Definitive Subdivision Plan for Autumn Gate Estates in the Town of Millbury, Massachusetts for Taylor Armstrong Realty Trust, 16 East Main Street, Milford, MA 01757" dated May 18, 2004, prepared by Heritage Design Group, from Fox Gate LLC. by Selectman Naff, 2nd by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

Social Media Policy- Second Reading

Motion to approve Second Reading of the Social Media Policy waiving the actual reading by Selectman Naff, 2nd by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

Discussion & Vote on Fire Headquarters Building Committee

Mr. Kelley read the charge and appointed the members of the Fire Headquarters Building Committee

Committee Charge: The Fire Headquarters Building Committee shall be tasked with providing direction, consultation, and pertinent information to architectural firms, consultants and subject matter experts, who are under contract to the Town of Millbury for this project, for the purpose of working on design and associated construction plans and documents for all aspects of a new Fire Department Headquarters. The *Fire Headquarters Design Plans* and *Fire Headquarters*

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Construction Documents will be presented to the Board of Fire Engineers and the Town for final approval. The preferred site is 130 Elm Street. The Committee will report to the Town Manager and the Board of Selectmen quarterly, with a final report due by February 10, 2021.

FIRE HEADQUARTERS BUILDING COMMITTEE

Richard P. Hamilton
Brian K. Gasco
Steven P. Piscitelli
Bruce M. Devault Paul
T. Concemi
David J. Rudge
Maxine J. Mann

Motion to approve the Charge of the Fire Headquarters Building Committee by Selectman McKenna, 2nd by Selectman Despres and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

Co Grow Agreement

Selectman Naff updated the Board with an extension being request. The Build out will take approximately one year.

Motion to extend the HCA with Co Grow for 12 months and to execute any documents necessary by Selectman Despres, 2nd by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

Disposition of Fire Truck 3

Keith Caruso and Rob Pelletier updated the Board with their plan.

Motion to accept the proposal as outlined by Rob Pelletier for the reuse of Engine 3, as long as there is no conflict with the Green Community Policies by Selectman McKenna, 2nd by Selectman Naff and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

Accept Sunrise Detox Donation

Motion to Table the acceptance of the Sunrise Detox Donation by Selectman Naff, 2nd by Selectman Despres and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

ATM

***See Attached**

Selectmen Meeting

Selectman Delaney asked if a public statement can be made by Mr. Kelley to the opening of Town Hall.

Selectman McKenna explained the process in the Town of Oxford they has designated times and days for the public to come in and a walk up “window”.

Mr. Kelley stated Town Hall will be open by appointment only, with temp scan, and all precautions taken. Mr Kelley also spoke about the vegetation plan that has been budgeted & implemented and we might get a donated Welcome to Millbury sign. He then suggested a meeting/workshop on bump outs.

Previous Minutes

Motion to approve Minutes of August 25, 2020 by Selectman Despres, 2nd by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman Despres Selectman McKenna Selectman Delaney and Selectman Naff all in favor, the following vote was approved 5-0.

Dates to Remember

*See Attached

Roundtable Discussion and Citizens Feedback

Residents of Stratford Village zoomed in as they were upset since the developer has not finished the punch list and has not been seen or heard from for three weeks. There is poor drainage, roads are not complete, sagging floors, water in the basement.

Mr. Kelley and Selectman Delaney will be going up there to “take a look at the issues”.

Selectman Despres wanted to thank the Fire Dept for diverting traffic and the DPW crew for getting rid of the fallen tree during Sunday night’s storm.

The Board also thanked our Tree Warden for all he has done.

Chairman Krumsiek wanted to Congratulate Keith on the birth of his baby girl! And Happy 90th Birthday Doris!!

Selectman Delaney want to wish Happy 95th Birthday to Sister Jean!

Selectman Despres want to thank everyone involved with the High School Graduation Ceremony

Chairman Krumsiek asked for the next meeting to include the Charter Review, and wishes Good Luck with the Planning Board on the 31st to Greg and Jen!

Selectmen Meeting

8:43 PM Adjourn Meeting

Motion to adjourn the meeting by Selectman McKenna seconded by Selectman Naff and on a roll call vote with Selectman Krumsiek, Selectman Despres, Selectman McKenna, Selectman Delaney and Selectman Naff, all in favor, the following vote was approved 5-0.

Respectfully submitted,

Amy Fleming, Secretary

Mary Krumsiek	_____
Katie McKenna	_____
Scott Despres	_____
Chris Naff	_____
David Delaney	_____

These Minutes were approved at the October 13, 2020 Board of Selectmen Meeting. Signatures will be affixed after the State of Emergency.