

TOWN OF MILLBURY
BOARD OF SELECTMEN MINUTES

Zoom Meeting ID: 894 1961 0383

July 13, 2021

6 PM

Present: Mary Krumsiek, Katie McKenna, Scott Despres, Chris Naff, David Delaney, Sean Hendricks, Justine Caggiano, Jayne Daviolo, Jeff Raymond, Joe Silk, Rich Lagerholm, Dr. Plumb, Gabby Jerman

Zoom: Amy Riordan, iPad, Lisa Redmond

6 PM Regular Session

Pledge of Allegiance

Citizens Speak

Jeff Raymond of 1 Coldbrook Rd spoke on his concern about the entertainment license discussion from a previous BOS meeting. He would like more community input on the \$100.00 fee associated with the entertainment license. Mr. Raymond also stated that the license limits the number of venues to produce entertainment. He had previously run two events in which fell under the audio event category and had difficulty finding a venue to host. Selectman Krumsiek stated that it is \$25.00 for the license this year and \$50.00 for years subsequent. The license would be for those with a common victuallar license, also stated. Mr. Raymond requests the entertainment licenses to be combined into one application with the common victuallar license. Another concern Mr. Raymond had was the indefinite appointments made at a pervious BOS meeting.

Selectman Naff stated that he was not present at the meeting when the entertainment license was discussed. He stated that he finds it is not beneficial to install a fee to be associated with the entertainment license. He also expressed that there are small businesses that are faced with challenges. It will be put on the agenda for the next BOS meeting to be discussed.

New Drainlayer to Lay Drains in Millbury

Motion to approve Craig Faulkengren Excavating of 29 Eddy St, Auburn for a drainlayer license by Selectman Despres seconded by Selectman Delaney. Motion carried unanimously. Selectman Krumsiek questioned if the Board of Selectmen should be the one approving the drainlayer licenses. Sean stated that he will look into it.

Vote to approve a Junk Dealers License – Gino's Boutique 69 Elm St

Motion to approve a Junk Dealers License – Gino's Boutique 69 Elm St by Selectman Naff seconded by Selectman McKenna. Motion carried unanimously.

Review & Approve Previous Minutes

Motion to approve the Minutes of June 8, 2021 by Selectman Despres 2nd by Selectman Delaney. Motion carried unanimously.

RECORDED
TOWN CLERK
2021 AUG 31 PM 1:07
MILLBURY, MASS.

Selectmen Meeting

Mail

Motion to accept the donation for the Millbury Police Dept. K-9 Program of \$200.00 by Selectman Despres, seconded by Selectman McKenna. Motion carried unanimously.

Dates to Remember

*See Attached

On a Good Note

Selectman Delaney thanked Paul Stringham and the Assistant Wiring Inspector who handled a major power outage issue.

Jayne Davolio thanked a citizen who had brought her back a Toy Story souvenir and gave it to her while he was at Town Hall getting his transfer station sticker. She also stated that it was nice to see community coming back in.

Selectman Naff was able to visit 12 Latti Farm Road and stated it is a “state of the art facility.” The facility will start growing soon probably by the fourth quarter.

6:15 Dog Hearing – Cleber and Carly Albino 4 Colton Road – “Gunner”

Chairman Krumsiek turned the hearing over to the Town Manager, Sean Hendricks. Sean stated that he has been designated as the hearing officer by the Chairman of the Board of Selectmen.

It being 6:15 PM pursuant to the provisions of General Laws Chapter 140 Section 157 and Millbury’s bylaws . Sean stated I am opening a public hearing concerning a possible violation of Chapter 140/Section 157 of Millbury’s Bylaws regarding a pit bull named Gunner owned by Cleber and Carly Albino of 4 Colton Road. The Albinos were notified of this meeting by the delivery of a notice on June 14, 2021.

Witnesses were sworn in.

Ragnar Gustafson of 4 Colton Road, Millbury, Danika Gibson of 216 Hill Street, Whitinsville, Clever Albino of 4 Colton Road, Millbury, Carly Albino of 4 Colton Road, Millbury, Julie Lagerholm of 5 Burbank Street, Millbury, Bill Sousey of 3 Colton Road, Millbury, Debra Maturi of 3 Colton Road, Millbury, Daniel Chauvin- Animal Control officer

Sean Hendricks asked Daniel Chauvin to speak on the events.

Daniel Chauvin stated on May 20th he received a call from Mrs. Maturi indicating that Gunner was loose on Colton Rd and had attacked and killed their cat. He stated that he was also aware of the killing of a goat and woodchucks. The complaint is the dog is loose and has a tendency to attack other animals. Daniel Chauvin had issued citations to Clever Albino for failure to retain Gunner and for the killing of a cat. He stated the citation was done by phone. He then stated he visited the property just prior to the meeting, but that was the first time. He has never met the dog.

Selectmen Meeting

Selectman Despres asked if on May 20th you didn't go out there? Dan stated No, he did not.

Selectman Despres asks if the owners of the deceased goat and cat had no restitution. They stated No.

Selectman Delaney notified Sean Hendricks that he signed a disclosure form filed with the Town Clerk, not recusing himself.

Daniel Chauvin stated he had a complaint from 5 years prior about a dog on the same road being loose, but he did not know the name of the dog. There were citations issued but they came back because they were unable to confirm who owned the dog and where it was. He stated that he had issued a citation in hopes that the families would talk amongst themselves and figure it out.

Selectman Krumsiek asks if the dog is licensed? The owners stated Yes.

Daniel Chauvin stated the dog was not registered before receiving the citation but now it is. He then stated that upon receiving another phone call from Mrs. Maturi he was going to issue another citation, but was out of them.

Selectman Despres asks if the citation was paid. The Town Clerk stated Yes.

Carly Albino of 4 Colton Road stated that her husband and dog went across the street to play with neighbor's dog and run free as they usually do. Her dog, Gunner, had gotten a hold of the neighbor's cat and killed it. She contacted the neighbors immediately and attempted to follow them to the vet, but the cat died on the way there. She offered flowers and a statue as a peace offering, but they were returned to her. She paid the citation immediately. She had hired a pet sitter at the time the dog was supposed to be in quarantine but somehow it got out. She stated that she was not made aware he was in quarantine until she received a citation. She was aware that the dog had attacked the goat in previous years. She then presented pictures of Gunner with the neighbor's dog, receipt of the electric fence and an apology card that was gifted to the cat's owners. She then stated that the family has a functioning electric fence installed now.

Selectman Naff asks if dogs can run free on private property? The owners answered Yes.

Selectman Naff stated there should be other safety precautions in place if the electric fence fails.

Selectman Despres ask if Gunner was playing with the animals and taking it too far? Carly Albino stated she was not present and does not know.

Daniel Chauvin stated that he does not agree with the electric fence and a majority of dogs he has picked up still have the special collars on them.

Debra Maturi of 3 Colton Road stated that Gunner is a dangerous dog. She wants to live in a place where she, her livestock, neighbors and family are safe. She fears that Gunner will attack again. She then presented a letter from her neighbor that stated Gunner has charged at her neighbor's front door to go after her cats and pictures of Gunner on their property.

Selectmen Meeting

Bill Sousey of 3 Colton Road stated Gunner killed his goat and cat. He stated he warned Clever Albino the day prior to the incident that Gunner was attempting to get his cat. He stated that his cat was sitting with him when Gunner had come running attacked the cat and then continually hit his head and the cat into a stonewall.

Selectman Delaney asks if Gunner has access to the property of 3A Colton Rd, where a 3 year old and 7 year old live? The Owners stated Yes.

Selectman Despres asked when Gunner is running around all the properties is it with other dogs? The owners answered sometimes.

Selectman Naff asked if the dog shown aggression towards children or adults? The owners stated No.

Julie Alagerhone of 5 Burbank Street stated that she has known Gunner since she picked him up from the shelter at 6 months old. She does not feel threatened by Gunner and allows for her young children around him. She then asked the Board not to take action, but to let the families discuss amongst themselves.

Danika Gibson of 216 Hill Street, Whitinsville stated Gunner is not a dangerous dog and she believes that the child of the Albinos needs the dog and feels it poses no threat.

Selectman Despres asked what are the options? Euthanized, restraint, deem dog dangerous or a nuisance dog.

Selectman Krumsiek asked to keep dog on the owner's property because it had only attacked when off property.

Selectman Naff agrees and suggests a fence fenced in area.

Selectman McKenna stated she has been in a similar situation previously and she does not want see the owners back in front of the Board.

Selectman Despres expressed concern for the quality of life for victims and that they will not be able to use their yards safely. He then asked what happens if there is another call about Gunner? Mr. Chauvin recommended that the owners must take into accounts all possibilities. If the dog gets out then it will be a warrant, not a citation, to seize the dog.

Daniel Chauvin states that a 30x10 ft. chain-link kennel would be adequate for 100+ lb. dog.

Selectman Naff motioned to deem the dog Gunner as a dangerous dog and instructs the homeowners to install a chain-link kennel if the dog is outside the dog must remain in the kennel or be leashed, second by Selectman Delaney. Selectman Despres no, Selectman McKenna asked for an amendment to the motion to include a tether.

Selectmen Meeting

Motion to deem Gunner as a dangerous dog and to have the Albino's install a chain link enclosure also when Gunner is outside the enclosure he is to be leashed or tethered by Selectman Naff, 2nd by Selectman McKenna and on a roll call vote with Selectman Krumsiek, Selectman McKenna, Selectman Naff, and Selectman Delaney all in favor, Selectman Despres opposed the following vote was approved 4-1.

7:41 PM Declared the Hearing Closed

5 Minute Recess

Management Update

*See Attached

Selectman Naff requested a list of all occupancy permits for the building that the CARE Factory is in. Selectman Despres stated that he can't sign into his email. Sean stated that he contact Worldband. Selectman Despres stated the municipal parking lot has a lot of trash, and trash & weed removal needs to be done on the islands near the bike path and mall. Selectman Naff also stated the entrance to bike path needs attention. Selectman McKenna stated she saw on video seen on social media about a drain that was not working properly and asked what the Town is doing to fix it. Sean replied that they are working on it.

8:21 PM Adjourn Meeting

Motion to adjourn the meeting by Selectman Naff, seconded by Selectman McKenna
Motion carried unanimously.

Respectfully submitted,

Amy Fleming, Secretary

Mary Krumsiek

Katie McKenna

Scott Despres

Chris Naff

David Delaney





TOWN OF MILLBURY

Office of the Town Manager

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MANAGEMENT UPDATE

To: Board of Selectmen
Municipal Staff

From:


Sean Hendricks

Date: July 9, 2021

TM:

- Attended Charter Review Committee meeting
- Attended Zoom hearing re: Town's request for injunctive relief vs. Care Factory
- Attended 6/22 BoS meeting
- Attended kickoff meeting w/ ArchiveSocial—a new vendor which will help indemnify the Town against any claims involving social media posts on any of the Town's various platforms
- Attended WRTA Advisory Board meeting
- Attended annual review meeting w/ CivicPlus, the Town's website service provider
- Attended webinar on ARPA reporting requirements
- With Finance Director, attended FinComm meeting
- Attended MBTA Advisory Board meeting
- Attended BoS policy review workshop
- Attended Shaw Building Committee meeting
- Attended ZBA meeting
- With HR Administrator, began conducting FY22 goal sessions with department heads
- Attended kickoff meeting with Granite Government Solutions

Updates:

- **IT operations:** Worldband has begun behind-the-scenes work on transitioning all Town employees to Microsoft Office 365. The Town will also be removing its onsite servers; we will transition to a Cloud-based backup/records maintenance system, which will be more secure and cost-effective.
- **New email addresses:** We are in the process of purchasing the millburyma.gov domain. Once that is completed, we will move the Town's official email to that domain. The Town's current domain is an inconvenient throwback to the early days of municipal email.
- **Downtown paving:** Downtown paving was completed. We expect the striping to take place Tuesday evening, July 13.
- **ARPA:** The Town received its first tranche of US Treasury funds passed through the state. We are still developing an efficient and effective spending plan for these funds, but it's encouraging that we have seen some funds at this early date.
- **Transit:** The Town has always been an active participant in WRTA activities and on its boards. I recently reappointed former Town Administrator Bob Spain to that Advisory Board. I have determined

that it may benefit the Town for it to have a voice on the MBTA Board, as well. I am actively participating in that Board's activities, and I recently volunteered for, and was appointed to the MBTA Budget Committee.

- **New partner:** The Town recently engaged Granite Government Solutions to aggregate our phone services. We will realize a savings of nearly \$1000 in the first year, prior to any audit of numbers/services.
- **Millbury Public Library:** We are getting final quotes for repairs to the damage caused to the library by a motorist who fell asleep at the wheel.
- **Grants:** Congratulations to Ann and the MPL staff, which received a \$10,000 Mind in the Making grant. Only seven libraries in MA received this grant. Ann will use the funds to create a new play space for children aged 0-5.

Kudos to Laurie and the Planning department staff---two grants were awarded to the Town, which will be used for Phase II of the Downtown Revitalization project: a \$225,000 Complete Streets grant and a \$50,000 Shared Streets & Spaces grant. Both grants are awarded through the DoT. Great work, everyone!!

- **Personnel/HR:**

- Congratulations to Scott Elie, who is being promoted to Equipment Operator III
- Congratulations to Justine Caggiano, who was selected as a MMA-Suffolk MPA Municipal Fellow
- Public Access Assistant- reposted June 2nd
- Assistant Treasurer/Collector- references being checked.
- Equipment Operator II- reposted June 16th
- Goals Meetings with Department Heads for FY 22 will be finished by 7/15
- DPW, Clerical, and Dispatcher Contract Negotiations in progress

Be well.

SH

Town of Millbury & Millbury Cultural Council Present the

Summer Concert Series 2021

Thursdays at 6pm

6/17/21	Senior Center	Elvis Tribute by Robert Black
6/24/21	Asa Waters Mansion	Far from Eden
7/1/21	Town Common	Mindrift
7/8/21	Asa Waters Mansion	Grand Republic Fifes & Drums
7/15/21	Senior Center	Fab 4 Beatles
7/22/21	Town Common	Dezi Garcia
7/29/21	Asa Waters Mansion	Knock on Wood
8/5/21	Town Common	Against The Green & The Promise is Hope
8/12/21	Town Common	Jesse & Courtney
8/19/21	Senior Center	Eddie Foreman Polka Band *5:30pm Start Time

For more information visit www.millbury-ma.org

Town wide Meet & Greet with Town Manager, Sean Hendricks and Chief of Police, Brian Lewos.

**Come say
hello**

Wednesday, July 28, 2021

5:00 - 7:00 PM

Asa Waters Mansion

**Ask your
questions**

For any inquiries, please email jcaggiano@townofmillbury.net