

TOWN OF MILLBURY
BOARD OF SELECTMEN MINUTES

Zoom Meeting ID: 817 6597 5373

August 24, 2021

6 PM

Present: Mary Krumsiek, Scott Despres, Chris Naff, David Delaney and Sean Hendricks

Absent: Katie McKenna

Zoom: Lisa Raymond, Amy Riordan, Deb's iPhone, Tina Brady, mtrottior, Laura (National Grid Representative), Raymond Hanna, Nick Brown, and Danielle

Regular Session 6 PM

Pledge of Allegiance

Citizens Speak

Terry Burke Dotson of 20 Salo Terrance expressed her concern about having difficulties communicating on the Planning board. She requests that she and other planning board members to go into executive session to talk about current issues in hopes of preventing them from further escalating. Selectman Krumsiek deferred the discussion to Sean Hendricks. Sean clarified that her request for executive session is not for the August 24, 2021 meeting. He also stated that in accordance with open meeting laws, employees in question must be notified at least 48 hours in advanced and are often allowed to be present at the meeting as well. Terry stated that she would give all the details to Sean. Selectman Despres asks if the executive session is in regards to a single member on the Planning Board or if it is the entire Board and if there needs to be a vote casted by the Planning Board. Sean then stated that if a quorum of the Planning Board were to attend then the Board would also have to post a meeting notice. In addition, only one of the Board members would have to go into Executive Session. Selectman Despres stated that he needed more information to see if it is a Human Resource issue, Planning Board issue or Town Manager issue. Sean stated that once the Board gathers information then will decide.

Steve Stearns of 12 Thomas Hill Road expresses concern on Phase I of the Downtown project catch basin. He stated that one catch basin has a substantial drop which could cause injury and is a potential liability to the Town. He also talked about the lack of communication with the Town Manager. Selectman Naff asked to clarify the catch basin issue. Selectman Delaney stated that he has spoken with other business owner's on the dangerous sidewalks. Laurie Connors stated that she has spoken with Mr. Sterns and that it is a rain garden and the point is to not have traffic going through it. She has stated that she would contact the design engineer but they have both been on vacation. To address Selectman Delaney's concern, she stated that she has spoken with the design engineer about the several-sloped areas of brick. They must comply with ADA guidelines. Selectman Naff stated that the concern with the rain garden is valid however, with these types of risks are impossible to eliminate all of them. Selectman Delaney stated that three people fell at the Calabria site. Laurie Connors stated that there has been a meeting held with Calabria, it has not been acted upon but is in the works, to move the fence out and keep people from walking into the brick area. Chairman Krumsiek asked if Laurie will be speaking with the design engineer? Laurie responded yes, but she believes that they will not be able to raise the basin due to the elevation as it has been graded. Mr. Sterns stated that he believes that the metal grate could be moved out and it would resolve the

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issue. Selectman Naff stated for the Board to speak with the Town Manger on the matter. Sean stated that he emailed Mr. Sterns today but due to email complications, he most likely has not received it yet. Selectman Despres stated that sloped brick is a bad design and needs to be fixed. Laurie stated that there were three problem areas where there were ramps and does not know what to tell the Board. Selectman Despres introduced the idea of adding or covering the bricks so that they could be less slippery and Laurie agreed. Selectman Naff stated that the curb and drain work perfect for storm water management but public safety needs to be addressed. Selectman Despres asks about hole in front of 95 Main Street. Laurie said it will be fixed as a part had just come in.

6 PM Public Hearing

The Millbury Board of Selectmen in the TOWN OF MILLBURY will hold a Public Hearing also via Zoom .com on August 24, 2021 at 6 PM at the Millbury Municipal Office Building, 127 Elm Street, and Selectmen's meeting room. The public is encouraged to attend this hearing to discuss a proposed FY 2021 application by the Town of Millbury to the Massachusetts Department of Housing and Community Development for up to \$800,000 in Community Development Block Grant (CDBG) funds.

Motion to open the public hearing made by Selectman Despres seconded by Selectman Naff and on roll call vote with Selectman Krumsiek, Selectman Despres, Selectman Naff and Selectman Delaney Motion carried unanimously.

Selectman Krumsiek asks if the town can still do something with the housing grant?

Andrew Lowe replied yes the housing rehab program has just gotten underway and since the state's grant award was delayed several months due to COVID. Selectman Naff asks if he has spoken with those in the neighborhood? Andrew Lowe responded yes. Selectman Despres what would be the next focus area on the list? Andrew Lowe responded they are entering the design phase for a project on Maple Street however; it was too expensive to fit in with this grant.

Selectman Naff stated it is a good area to improve and asks what if we go over \$800,000.

Andrew Lowe responded that based on Chapter 90 funding the town might be able to use that as well working with the engineer to change the scope of work. Selectmen Despres stated that it feels as though the projects are jumping around and not moving linearly to keep it in check?

Andrew Lowe responded CDBG doesn't always fit with linear plans since we have to work within the grant's eligibility.

Motion to close the public hearing made by Selectman Naff, seconded by Selectman Despres and on roll call vote with Selectman Krumsiek, Selectman Despres, Selectman Naff and Selectman Delaney Motion carried unanimously.

Motion to support and approve the submission of a FY21 CDBG application including the activity as presented today (with allowance for minor budget or program adjustments), and to authorize the Chair and Finance Director to sign all documents required for the application by Selectman Naff seconded by Selectman Delaney and on roll call vote with Selectman Krumsiek, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 4-0

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6:55 PM The Board of Selectmen in the TOWN OF MILLBURY will hold a Public Hearing via Zoom .com on August 24, 2021 at 6:15 PM at the Municipal Office Building, 127 Elm Street, to act upon the Joint Petition NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: West Main St - National Grid to install 2 JO Poles and relocate 1 JO Pole on West Main St beginning at a point approximately 42 feet northeast of the centerline of the intersection of West Main St and Harris Ave and continuing approximately 4200 feet in a northwest direction. Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked West Main St - Millbury - Massachusetts. No. 25477435

Motion to open the public hearing made by Selectman Despres seconded by Selectman Delaney and on roll call vote with Selectman Krumsiek, Selectman Despres, Selectman Naff and Selectman Delaney Motion carried unanimously.

Selectman Krumsiek stated that they had received an email from DPW and Keith was good with the move.

Motion to close the public hearing made by Selectman Naff, seconded by Selectman Delaney. and on roll call vote with Selectman Krumsiek, Selectman Despres, Selectman Naff and Selectman Delaney Motion carried unanimously.

Motion to grant permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: West Main St - National Grid to install 2 JO Poles and relocate 1 JO Pole on West Main St beginning at a point approximately 42 feet northeast of the centerline of the intersection of West Main St and Harris Ave and continuing approximately 4200 feet in a northwest direction by Selectman Naff seconded by Selectman Delaney and on roll call vote with Selectman Krumsiek, Selectman Naff, Selectman Delaney, and Selectman Despres all in the favor, the following vote was approved 4-0.

6:57 PM The Board of Selectmen in the TOWN OF MILLBURY will hold a Public Hearing via Zoom .com on August 24, 2021 at 6:20 PM at the Municipal Office Building, 127 Elm Street, in conformity with the requirements of Section 22 of Chapter 166 of the Massachusetts General Laws,

Motion to open the public hearing made by Selectman Despres seconded by Selectman Naff and on roll call vote with Selectman Krumsiek, Selectman Despres, Selectman Naff and Selectman Delaney Motion carried unanimously.

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Sean Hendricks questioned why a Grant of License is required instead of a pole petition for the Colton Road project? He also was confused about who Massachusetts Electric company was as it was referred to on the document. Laura from National Grid stated that National Grid needs permission to move one pole and install two new pole. Sean asked the meeting be deferred until the next meeting so that National Grid can send in the correct form in order to receive clearance for the project, Chairman Krumsiek agreed. Selectman Despres asked whether the solar farm would benefit the whole Town?

Motion to Table to September 14, 2021 made by Selectman Naff seconded by Selectman Delaney and on roll call vote with Selectman Krumsiek, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 4-0

Sign Bond Anticipation Notes for August 24, 2021

\$26,000,000 Shaw School (new)
\$1,266,000 Ramshorn Dam (renewal)
\$675,000 Roads (paving) 2020 vote (renewal)
\$430,000 Fire Truck (renewal)
\$360,000 McCracken Road (remaining balance of article) renewal
\$252,000 Fire Building (renewal)
\$280,000 Fire Building design (renewal)
\$900,000 McCracken Road (renewal)
\$675,000 Roads (paving) 2019 vote (renewal)
\$225,000 Roads (paving) 2018 vote (renewal)
\$725,000 Paving/salt shed (2021 vote) new
Total BAN \$31,818,000

Motion to vote and approve the actions detailed in the certification document in conjunction with the sale of \$31,818,000 in General Obligation Bonds by Selectman Despres, seconded by Selectman Naff and on roll call vote with Selectman Krumsiek, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 4-0.

Approve new Applications to Lay Drains in Millbury

Motion to approve new application to lay drains in Millbury by Vegan Builder, Berlin MA for East street excavation in North Grafton, MA. by Selectman Despres, seconded by Selectman Delaney and on roll call vote with Selectman Krumsiek, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 4-0.

Discussion and vote to adopt an order of taking for Jessica J Drive Extension Moore Drive, and Mogren Drive street layouts

Laurie Connors stated the documents have been approved by the Town Counsel all the paperwork is all set.

Motion to adopt the order of taking for Jessica J Drive Extension, Moore Drive and Mogren Drive as presented at this meeting by Selectman Despres, seconded by Selectman Naff and on a roll call with Selectman Krumsiek, Selectman Delaney, and Selectman Naff, all in favor, the following vote was 4-0

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Management Update

Sean Hendricks stated that he is appointing Michael Gilchrist to the Dorothy Pond Restoration.

Discussion & Vote on Scheduling the Special Town Meeting-October 26, 2021

Sean Hendricks stated that he has spoken with Board of Selectmen and discussed that members would not have any conflict with the date. Selectman Naff stated that he likes that they are in the habit of having two meetings, feels it speeds up their processes. Chairman Krumsiek agrees.

Motion to set the fall special town meeting on October 26, 2021 at 7:00 PM at the Millbury Memorial High School by Selectman Naff seconded by Selectman McKenna Motion carried unanimously.

Management Update (cont.)

*See Attached

Review and Approve Previous Minutes

Motion to approve the Minutes of July 13, 2021 by Selectman Krumsiek, 2nd by Selectman Naff and on a roll call with Selectman Krumsiek, Selectman Delaney, and Selectman Naff, all in favor, the following vote was 4-0

Dates to Remember

9/11 Vigil at the Senior Center at 6:30 PM

Concert on Thursday night

Mail

Motion to accept the donation for the Millbury Police K-9 Program by Selectman Despres, 2nd Selectman Delaney and on a roll call with Selectman Krumsiek, Selectman Delaney, and on a roll call with Selectman Krumsiek, Selectman Delaney, and Selectman Naff, all in favor, the following vote was 4-0

Motion to accept a donation deposited in the Fire Department's Gift Account by Selectman Despres, 2nd Delaney and on a roll call with Selectman Krumsiek, Selectman Delaney, and Selectman Naff, all in favor, the following vote was 4-0

Motion to accept a donation deposited in the Fire Department's Gift Account by Selectman Despres, 2nd Delaney and on a roll call with Selectman Krumsiek, Selectman Delaney, and Selectman Naff, all in favor, the following vote was 4-0

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7:41 PM Executive Session

The Board will now consider entering executive session in accordance with the Open Meeting Law, MGL Ch. 30A, Sec. 21(a)(3), to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares. The Board will reconvene in open session at the conclusion of the Executive Session. The following items are to be discussed:

Item #1: Collective Bargaining strategy: DPW bargaining unit

Item #2: Litigation strategy: personnel issue

Motion to go in Executive Session and to include HR as amended by Selectman Naff, 2nd By Selectman Delaney and on a roll call with Selectman Krumsiek, Selectman Delaney, and Selectman Naff, all in favor, the following vote was 4-0

The Board came out of Executive Session

Motion to approve and ratify the contract as written by Selectman Despres, 2nd Delaney and on a roll call with Selectman Krumsiek, Selectman Delaney, and Selectman Despres in favor, Selectman Naff opposed the following vote passed 3-1.

8:55 PM Adjourn Meeting

Motion to adjourn the meeting by Selectman Krumsiek, 2nd by Selectman Despres. Motion carried unanimously.

Respectfully submitted,

Amy Fleming, Secretary

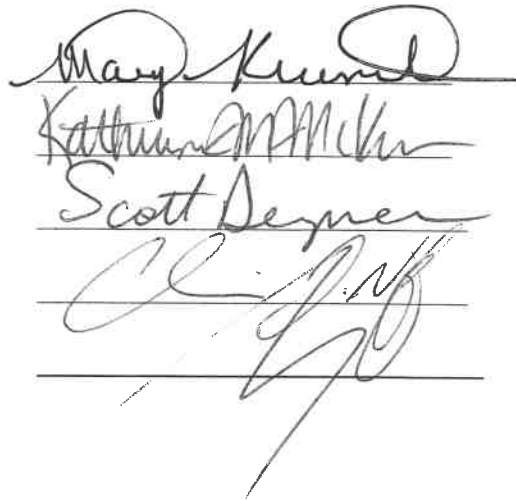
Mary Krumsiek

Katie McKenna

Scott Despres

Chris Naff

David Delaney

The image shows five handwritten signatures stacked vertically on a lined background. From top to bottom, the signatures are: Mary Krumsiek, Katie McKenna, Scott Despres, Chris Naff, and David Delaney. Each signature is written in dark ink and is clearly legible.



TOWN OF MILLBURY

Office of the Town Manager

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MANAGEMENT UPDATE

To: **Board of Selectmen**
Municipal Staff

From:


Sean Hendricks

Date: **August 24, 2021**

Updates:

- **Special Fall Town Meeting:** STM will be at 7pm on October 26.
- **Paving/Roads:** Road improvements are ongoing in Town in spite of unpredictable weather and occasional staff shortages. This is DPW's busy season, but it is also the season that our dedicated workers get to take time off. We continue to make headway.
- **McCracken Rd TIP:** Easements for the project will appear on the warrant at the Special Town Meeting. The resident who is being displaced as a result of this project will be relocated on September 8.
- **Legislators:** We continue to meet regularly with Sen. Moore, who has been a great advocate for the Town. We continue to pursue money through the Small Bridge grant program, and he will be helpful in ensuring that Millbury gets funds from any federal infrastructure/transportation legislation that may be passed.
- **ARPA:** The Town received its tranche of county funds through ARPA. I will be meeting with our Sewer Commission next month to discuss utilization of some of these funds. I will also meet with leaders from other towns—we hope to identify successful ideas for the use of ARPA funds, and we will be investigating any opportunities to work together on regionally-based projects.
- **Culture:** The big polka band show will happen at the Senior Center this week. Originally scheduled for last week, but rescheduled due to weather, this show could bring as many as 250-300 people to town.
- **Town Hall:** Town Hall has been very busy; we are recommending face coverings for all visitors. All employees are wearing face coverings in any common areas. Residents are very cooperative and appreciative that we are open to help them face-to-face.
- **Shaw School construction:** The Shaw School site is virtually unrecognizable; an amazing amount of work has taken place since ground was broken. I recently forwarded the Board an email containing a powerpoint presentation from the last Shaw Building Committee meeting. The project is on schedule, despite various supply chain issues and some utility easement hiccups.
- **Hurricane Henri:** The hurricane was much less severe than predicted. The Town fared very well; there were no DPW or EM callouts, and law enforcement reported little activity, as well.
- **Fire HQ:** We received eight responses to the RFQ. The committee has created a short list of three. I will be working with the Fire Chief and Finance Director to continue the process.
- **9/11 commemoration:** We are planning a short ceremony to recognize the 20th anniversary of the terrorist attacks on September 11, 2001. It will take place on 9/11/21, at 6:30pm, in the Senior Center garden. The event will be moved indoors if we encounter inclement weather.

- **MPL:** We received insurance proceeds resulting from building damage resulting from the vehicle that hit the library. All repairs have been made, and the sign is under construction. The Friends of Library will be holding a used book sale on 9/11. More information to follow.
- **Personnel/HR:**
 - Public Access Assistant- reposted July 8th
 - Equipment Operator II- hired a Laborer- Noah Auclair—been with the Town three Summers as a seasonal employee in the Parks Department; started 8/16
 - Part Time Dispatcher- interview scheduled 8/25
 - Special Police Officer- Joshua Rahn started 8/18
 - we will resume negotiations with the clerical and dispatcher bargaining units next week

Be well.

SH