

**TOWN OF MILLBURY  
BOARD OF SELECTMEN MINUTES  
SELECTMEN MEETING ROOM**

**October 10, 2017**

**7:00 pm**

Selectmen Present: Chairman Francis B. King, Vice-Chairman Sandra Cristo, Mary Krumsiek, Scott Despres; Town Manager David Marciello.  
Steve Balistreri-*Millbury Sutton Chronicle*.

Absent: Jon Adams

Chairman King wanted to reflect on the many lives lost over the last few months, hurricane after hurricane, mass shooting, the wildfires and Police Officers from Sommerville and Webster. He asked for a Moment of Silence

**One Day Liquor License**-October 13, 2017 7:00 pm – 12:00 am

Garden Fresh Courthouse Café- Asa Waters Mansion

Motion to approve the one-day license made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

**Ishmal Rodrigues: Flee's Cupcakes**- 26A Main Street- Mr. Rodrigues said that he will be selling coffee, pastry, cupcakes, and breakfast items. Selectman Cristo asked if he bakes all of his own pastry. Yes, he does. She then asked if he had been in business before. No, he has not. Steve Balistreri said that his cupcakes are out of this world!

Motion to approve the Common Victualler License pending Board of Health and Building department signoff made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

**Town Counsel Access Policy**- 2<sup>nd</sup> Reading- Selectman Despres would like a break in the run on sentence; section C starting at Chairman (line 9).

**Previous Minutes:** September 26, 2017

Motion to approve the minutes of the MK SC

**Town Manager Report:**

Mr. Marciello wanted to address an anonymous letter who complained about our Police Chief doing a detail- He does not do investigations on anonymous complaints, but he wanted to address this. The Chief of Police did a detail at the block party. He followed protocol, offered to everyone on the list, he volunteers so much of his own time to this town, Mr. Marciello has no problem with the Chief doing a detail.

Mr. Marciello is appointing James F. Kelley as the Human Resources Director. Selectman Despres ask if the new office is ready for use. It will be done soon, if not by Monday, just a day or two after that. Chairman King asked if the offices will interfere with the heating/AC. Mr. Marciello said that he and Mr. Frederico designed the offices so that they would have a heater

and a return. Selectman Krumsiek asked about a case that comes up when you google Mr. Kelley. Mr. Marciello said that there was a court case he was involved in; he was an acting town administrator at the time; he was the liquor license agent in that town and the Chief of Police thought that he interfered with someone getting a license. The case was dismissed. He is willing to discuss it with anyone. He will be coming to our next meeting.

Motion to concur with the appointment James F. Kelley as the Human Resource Director made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

Superintendent Greg Myers said that he followed up with the superintendent in Stoughton; it is good to have someone with that much experience for our brand new department. He will build this from the ground up as he has been there, done that.

Mr. Marciello is appointing Keith Nastasia and Paul Stringham to the Energy Advisory Committee.

Motion to concur with the appointments made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

Mr. Marciello would like to discuss ongoing negotiations with the Finance Director in executive session as well as discussing the recreational marijuana laws as it relates to our host agreement and future marijuana at that facility.

The stair project is complete; they will be sealed and caulked weather permitting.

The RAC is meeting now; Mr. Nastasia put out quotes for a small side road so we can get one road done before the plants close. The bids will be ready and out so that as soon as 'winter' clears, paving can start.

Mr. Marciello met with WS Development, Katie Wetherbee, regarding Phase 2 money for the McCracken Road TIP project.

He met with Weston & Sampson, the DPW Director and the Planner. Town are only mandated to do work in an area that is urbanized or a watershed area that needs remediation. Because we are right outside of Worcester, we are urbanized; because we have the River and the Lakes - everywhere else. We do not have to do best practices in West Millbury; but it would be fool hardy not to protect our aquifer. Year 1 we have to spend \$80-90,000; Years 2-10 we are looking at \$300,000/year.

Selectman Krumsiek went to a MMA meeting today and the Town of Dighton uses molasses over the salt so that it sticks to the ground.

Ramshorn Dam spillway railings are in. Guard rails are coming in Monday/Tuesday. Posts in next week. Tarring will be done and road open by November. There will be a temporary fence along the wall until the new fence comes in.

He did have a Cell Tower Overlay District meeting. They will be Wednesdays at 7:00 pm.

Chairman King asked where we are on Round Pond. One is in litigation regarding the ownership and the other one is an ownership question as well. Mr. Marciello said that the DPW budget is going to get bigger this year as we have roads, culverts, bridges and many other things that need to be done.

Mr. Marciello said that a \$1.5 million debt exclusion would add \$254/year on an average home (\$258,000). He has spoken to Grafton's Town Manager, Tim McInerney. He said that you wouldn't want to spend \$8 million at once. Mr. Marciello would like to use like a "home equity line of credit". The selectmen would have to vote to use the line of credit. It is like a \$1 million credit card that the selectmen can use for roads/bridges, big project, etc. Grafton has been doing this since 2014. Chairman King asked if Mr. McInerney would come to our next meeting.

**61A 13 Stone Road\***attached- the cemetery commission does not have the money to buy the land so they are not interested in it. Selectman Krumsiek asked if this could be a big development? Yes, it could. Mr. Marciello said that there is value in buying any open space in the town, maybe we should start up a community preservation committee.

Motion to deny our right of first refusal made by Selectman Despres for the property located at 13 Stone Road, Worcester Registry of Deeds in Book 57392, Page 258 and Board of Accessors Map 66 Lot 26 Lot 6R, seconded by Selectman Krumsiek.

Motion carried unanimously.

Plastic Bag Ban- the Recycling Education Committee will be meeting at the end of the month to discuss this.

Selectman Cristo asked if the crack sealing is being done.

**Chairman King read Dates to Remember:**

October 14, 2017- Wheelabrator Sponsors "Millbury Days" at Broad Meadow Brook

Free days: October 14, 2017; January 13, 2018; April 14, 2018

October 14, 2017-Boy Scout Troop 109 & Millbury Federated Church-Puerto Rico Hurricane Relief Clothing Drive 9am – 2pm- in the church basement

**On a Good Note:**

Tomorrow is the Fire Department Open House-

**Mail:**

National Grid will be doing vegetation management throughout the transmission right of ways. Letter from Earth Removal Board regarding contaminated soil being trucked in to town. Help them decide if Millbury needs a by-law regarding this.

Chairman King added that a Webster Police officer also passed.

Convene Executive Session at 8:05 pm pursuant to G.L. c. 30A, section 21A, ¶2, to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel re: contract negotiations for new Finance Director; approve minutes of executive session meetings of August 15, 2017, September 12, 2017 and September 26, 2017.

The Chairman declared

The Chairman announced the Board will be going into Executive Session and will come to adjourn.

Motion made by Selectman Cristo, seconded by Selectman Krumsiek to move into Executive Session at 9:00 p.m. under Chapter 39, Section 23B, ¶2 to discuss strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, re: Human Resources Director contract.

The Chairman declared.

Selectman Despres	- Yes
Selectman Krumsiek	-Yes
Vice-Chairman Cristo	-Yes
Chairman King	-Yes

Returned to open session at 9:00 pm

Motion to adjourn by Selectman Krumsiek at 9:01 pm, seconded by Selectman Cristo.  
Motion carried unanimously.

Respectfully submitted,

Tish Hayes, Secretary

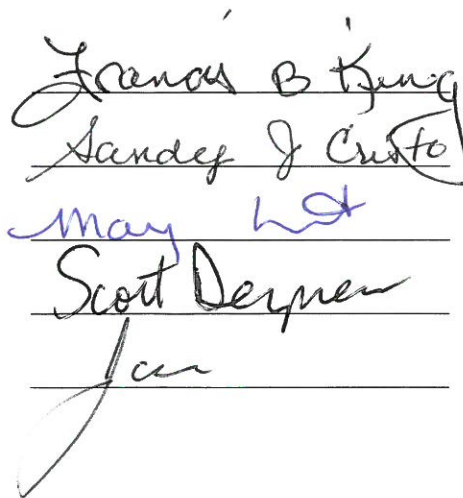
Francis B. King

Sandy J. Cristo

Mary Krumsiek

Scott Despres

Jon Adams





RECEIVED  
AUG 25 2017  
BY: \_\_\_\_\_

**PETERS & SOWYRDA**

ATTORNEYS AT LAW

1 Mercantile Street, Suite 540

Worcester, MA 01608

Telephone (508) 755-4300

Telefax (508) 754-9541

A Professional Association of Individual Attorneys and Not a Partnership

R. Norman Peters  
Michael W. Sowyrda  
James M. Cahn

August 23, 2017

Via Certified Mail, R.R.R.

Francis B. King, Chairman  
Board of Selectmen  
c/o Town Clerk  
Town of Millbury  
127 Elm Street  
Millbury, MA 01527

Board of Assessors  
Town of Millbury  
127 Elm Street  
Millbury, MA 01527

Richard Gosselin, Chairman  
Planning Board  
Town of Millbury  
127 Elm Street  
Millbury, MA 01527

Donald R. Flynn, Chairman  
Conservation Commission  
Town of Millbury  
127 Elm Street  
Millbury, MA 01527

Leo Roy, Commissioner  
Dept. of Conservation and Recreation  
Commonwealth of Massachusetts  
251 Causeway Street, Suite 900  
Boston, MA 02114-2104  
ATTN: State Forester

Re: 13 Stone Road, Millbury, MA  
Notice of Intent to Convert  
Kevin Starr

Dear Members:

Please be advised that I represent Mr. Kevin Starr, who owns the property located at 13 Stone Road, Millbury, MA by deed recorded with the Worcester District Registry of Deeds in Book 57392, Page 258 (the "Premises"), a copy of which is enclosed. The Premises contain, per the Millbury Board of Assessors records, 8.92 acres. At time of purchase, the property was



Bk: 57302 Pg: 258

Page: 1 of 3 06/22/2017 03:24 PM WD

## QUITCLAIM DEED

MASSACHUSETTS EXCISE TAX  
 Worcester District ROD #20 001  
 Date: 06/22/2017 03:24 PM  
 Cit# 169488 27055 Doc# 00065039  
 Fee: \$3,214.80 Cons: \$705,000.00

I, KATHY P. ALLAIRE, an unmarried person, of Millbury, Worcester County,  
 Massachusetts

For consideration paid, and in full consideration of Seven Hundred Five Thousand Dollars  
 (\$705,000.00)

*Grant to Kevin Starr,*  
 of 130 Commonwealth Avenue, Boston, Massachusetts

## WITH QUITCLAIM COVENANTS

The land located in Millbury, Worcester County, Massachusetts, more particularly  
 described as follows:

A certain parcel of land situated on the westerly side of Stone Road in Millbury, MA and  
 being shown as Lot 6R on a plan of land owned by Ann M. Los and Paul R. Chaffee, dated  
 October 1, 2004, by Donald A. Para Land Surveyor, Inc. and being recorded in the  
 Worcester District Registry of Deeds in Plan Book 825, Plan 10.

Beginning at a point the northeasterly corner of lot to be described on the westerly side of  
 Stone Road and at the southeasterly corner of land of Paul Chaffee recorded in Book 5366,  
 Page 131;

THENCE South 10° 45' 40" East along the westerly side of Stone Road, 188.00 feet to a  
 point;

THENCE South 44° 59' 12" East along the westerly side of Stone Road, 12.00 feet to an  
 iron pipe.

THENCE South 88° 05' 52" West along Lot 5-R, 431.74 feet to a point;

THENCE North 70° 50' 37" West along Lot 5-R, 494.19 feet to a point in a stone wall;

THENCE North 6° 43' 58" East along a stone wall and land now or formerly owned by  
 Robert W. Hansen, 257.21 feet to an iron, pipe;

Property Address: 13 Stone Road, Millbury, Massachusetts

JB

Signed and sealed this 9 day of June, 2017

Kathy P. Allaire  
Kathy P. Allaire

COMMONWEALTH OF MASSACHUSETTS

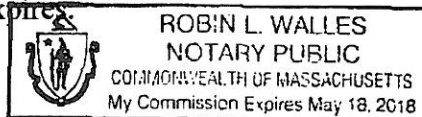
Worcester County

June 9, 2017

Before me, the undersigned notary public, personally appeared Kathy P. Allaire, proved to me through satisfactory evidence of identification, which were Massachusetts license, to be the signer of the attached document, and who swore or affirmed to me, under the penalties of perjury, that the contents of said document are truthful and accurate, to the best of his knowledge and belief and that he signed it voluntarily for its stated purpose

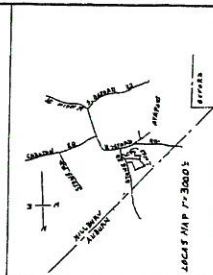
Robin L. Wallis  
Notary Public

My Commission Expires



ATTEST: WORC. Anthony J. Vigliotti, Register

Register



ASSESSORS MAP 46 PARCELS  
11112,  
ZONE 5 SUBURBAN T. DISTRICT  
AQUICUT, WATER-SHED  
PROTECTION OVERLAY DISTRICT.

REFERENCE: WORKSHEET OF  
DEEDS: PARCELS A1B, BOOK  
22113, PGS. 94  
SEE PLAN BOOK 754 PG. 31

NOTED LAND SHOWN IS IN  
CHAPTER 41A

NOTE: ENDORSEMENT DOES NOT  
CONSTITUTE A DETERMINATION  
OF COMPLIANCE WITH ZONING  
REGULATIONS AND BUILDING  
REQUIREMENTS.

THIS SURVEY PLAN CONFORMS WITH THE TECHNICAL AND PROCEDURAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. I CERTIFY THAT THE WITHIN PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

PLANNING BOARD APPROVAL UNDER  
SUBDIVISION CONTROL, LAW NOT REQUIRED.



# MAJORITY OF THE MILLBURY PLANNING

DATE: DEC 7, 2024

SCALE 1"=60'

5N35-109:49-124 MILB007

