

**TOWN OF MILLBURY
BOARD OF SELECTMEN MINUTES
High School Media Center**

July 23, 2019

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TOWN CLERK
7:00 pm 2019 OCT -9 PM 2: 22

Selectmen Present: Chairman Jon Adams, Vice-Chairman Mary Krumsiek, Scott Despres, Katie McKenna, Chris Naff and Town Manager David Marciello

Pledge of Allegiance

Citizens Speak Bernie Plante, Stuart Mulhane, and Mathew Mulhane

Expressed their concern re: the condition of the cemeteries, only seasonal workers to do up keep, the lack of a day to day manager which lead to outsource services which now lead to a significant increase in burial fees. They also request to come in on Aug 13 to meet with the Board with the Cemetery Commission. Mr Plante had some budget questions.

Mr. Marciello stated the cemetery commission would be able to attend that meeting He also stated that he put in a significant amount for professional services in the cemetery budget thru DPW. He also said he gave more seasonal positions to the cemetery.

Shaw School Presentation Superintendent Greg Myers, Project Managers Dave Billings and Joseph Naughton of Hill International, and the architect Peter Turkowski went over the schematic Design for the new Shaw school, they went over the first and second floor plan, the sports fields, main entrance, media and social work space, media center, cafeteria, classroom neighborhood, classrooms, high school sized artificial turf fields and gym for community use. They also discussed the new RE Shaw School Project Budget, MSBA Reimbursement, and went over the three Alternates. The Total Project Budget is \$60,922,761. Selectman Krumsiek questioned the condition of the athletic field with a stream under it. They responded the stream would be heavily under drained. Selectman Naff went over the true cost for the taxpayers. Chairman Adams asked about the condition of Elmwood. Greg responded Elmwood is very well maintained, fire suppression and AC are both good. Chairman Adams asked about refurbishing /repair Shaw. They responded that the cost to renovate and bring the building up to code was higher than the new building-just on maintenance would be substantially more. Chairman Adams about the school being so close to the mall, what about security? They answered a buffer zone would be maintained with elevated security with the use of cameras and special glass.

8:05 PM Vote on Commendations for staff/ Governor's Visit James Kelley , HR Director recommended the Board Thank the following individuals: Laurie Connors, Chief Hamilton, Chief Desorcy, Kevin Krassopoulos, Keith Caruso, Lt Lewos, Joyce Sampson and the following departments Police, Fire, Facilities, Asa Waters, DPW staff and especially the seasonal DPW staff. He also recommended letters of commendations be placed in their file for the following: Justine Caggiano, Stephanie Collins, and Amy Fleming for arranging the events in several venues and coordinating all the activities with the Governor's office, public safety depts, DPW, and the press.

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Motion made by Selectman Despres to complete the recommended commendations, 2nd
by Selectman Krumsiek
Motion carried unanimously

8:07 PM Vote on Commendation for Director of Planning & Development

James Kelley, HR Director also recommended a letter of commendation for Laurie Connors to be placed in her personnel file for her superior efforts and commitment to the Town and its citizens in acquiring the \$1 Million grant for the Armory Village Green Infrastructure Project.

Motion made by Selectman McKenna to complete the recommended commendation, 2nd
by Selectman Krumsiek
Motion carried unanimously

8:10 PM Approve FY 20 Meeting Schedule

***see attached**

Motion made by Selectman Krumsiek to accept the FY 20 Meeting Schedule except for December 24, 2019 –delete that date, 2nd by Selectman McKenna
Motion carried unanimously

Discussion & Vote of Janus Bill

Discussion between the Board and James Kelley explaining the bill and the amendments. Governor Baker returned the Janus bill (H. 3854) to the legislature with the MMA's requested amendments. This bill is our legislature's response to the 2018 US Supreme Court decision prohibiting unions from charging non-members agency fees. Because this bill significantly amends Chapter 150E, the Massachusetts labor relations statute. The amendments would change the existing bill as follows:

- removes "mobile telephone number" from the list of personal information that may be disclosed to employee organizations under the labor relations statute, Chapter 150E
- makes meeting with a union representative an employee's choice
- requires written consent from the employee for employer to provide personal information on file to union
- limits personal information to personal email and home phone number
- requires that employee use of public email system to conduct union business comply with usage policies of the public employer
- requires that a union give "reasonable prior notice" to a government entity before using government buildings to conduct union business
- removes section that creates new unfair labor practices under Chapter 150E, Section 10 for any violation of any of the sections in the bill (our position is that Chapter 150E already provides recourse)

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- creates an unfair labor practice if the personal information obtained under the provisions of the bill is used to interfere with, restrain or coerce an employee in the exercise of any right guaranteed under the labor relations statute or the statute relating to payroll deductions for union dues, Chapter 180, section 17A

Motion made by Selectman Krumsiek to take no action, 2nd by Selectman Naff 4-1 Chairman Adams "Aye", Selectman Krumsiek "Aye", Selectman McKenna "Aye", Selectman Naff "Aye" Selectman Despres "Nay"

Town Manager Report

Mr Marciello read his report: SeeClickFix is now updated with the road program. There have been 13 hired seasonal workers, a float custodian Albert Russo was hired on July 15, Asa Waters Director job description is being finalized the posting will take place the last week in July, and the interview panel has been set.

TIP Project – a meeting with MassDOT 's Shirley Shriver is scheduled for 7/24.

As of 7/15 there was \$314,000 left in the levy capacity. Early estimates in new growth are projected to be \$725,000 +/- (\$425,000 more than what was budgeted in May).

However, I anticipate state aid will be lower than we projected as will the Town's receipts likewise be lower than budgeted in May. Therefore, when all of the additions and subtractions are calculated I project that the Town will have approximately \$550,000 in additional levy capacity that can be raised and appropriated at the November Special Town Meeting. I recommend that all this levy capacity be raised and appropriated for the purpose of funding TIP liabilities-VHB 100% design build \$339,000 Taking and associated costs \$211,000 +/- for a total of \$550,000 +/- . Obviously, \$211,000 is not going to be enough to cover all of the takings Therefore, the Town needs to plan on finding funding sources above and beyond said \$211K. One possibility will be to float another small BAN at the FY21 ATM with the understanding this should be the last BAN for the annual road program. Each of the last two years we have also made additional payments towards those BANs as well. We are well within a very comfortable debt ratio as it is under 5% and more importantly, it has been our intent to make these very temporary in nature. A soon as we start receiving the marijuana revenues it is the intent to pay them off rapidly. Marijuana revenues should start coming in FY21 and FY22 and the BANs should be fully paid off in less than 8 years. But BANs are not are only means of paying for these takings. We could use free cash as well. Nonetheless, those are decisions to be made during the budget process late fall/early winter. This report is just to put the Board on notice that at the November STM, it is available for current (VHB) and future TIP liabilities (takings). Appraisals –IFB for services: In August an IFB for appraisal companies need to go out. The awarding of this will be sometime around late September. However, the work cannot begin until the Town is given the approval. Appraisers to start in November after permission is given by MassDOT. Re: Takings: Once given the approval, (sometime in November) takings can occur, Donations to be solicited, Offers to be negotiated-Payments to be made at May Town Meeting from funding sources discussed above. Sewer Water & Gas Connections: At the same time of

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the TIP project, Aquarion/Eversource and the Town should put water/gas and sewer in the street. We need to verify on the plans that Aquarion and Eversource gas are both on record that they are going to do this and that the Town is ready and able to afford the cost of its obligation. At the time of this report, it is estimated that approximately \$300,000 will be needed for the installation of sewer pipes. This cost is 100% on the Town. I recommend that the Town preauthorize a BAN for this obligation at the November STM for this purpose. That is not to say that the Town utilizes the borrowing it merely means that we are guaranteeing a source of the funding will be available when the project gets to that point in 2022 +/- . On or about 2022, when the Tip project reaches that construction phase, free cash, raise and appropriate (within the levy limit) marijuana revenue or sewer enterprise funds could all be utilized to pay for this installation. Those are decisions for future budget discussions. But nonetheless, it is recommended to have the funding assured well in advance. A BAN would cover that. At the time of this report, a \$300,000 BAN would cost the Town approximately \$10,000 a year. Thus one can see it is a viable option. Economic Development – I want to give a significant thank you to Laurie, Fire, Police, EMA, the Building Inspector and other Department Heads that were heavily involved in the background.

MS4 Update- I was made aware of a grant that can be used for some limited MS4 permitting applications. I have our consultant/engineer, Weston & Sampson, Laurie and Keith are looking into it. If we can offset some of their costs I obviously want to. To this end I have scheduled a meeting with the consultant and the above listed people for 7/22 to discuss our option and strategy.

Chairman Adams asked if the sit downs with the Department Head are done-How many are complete? Mr. Marciello answered Yes, I have sat down with Department Heads and did their complete review, they acknowledged the review, and then the review went to the HR Director. Everyone can comment but if they don't want to add to their own record I'm fine with that.

Selectman Naff asked about the funding for the TIP Project

Mr Marciello answered that in his humble opinion raise and appropriate.

Chairman Adams stated he would speak to the Finance Director and get the max BAN to cover costs.

Previous Minutes

Motion made by Selectman Krumsiek to accept the Minutes of the May 14, 2019

Meeting, 2nd by Selectman McKenna

Motion carried unanimously

Dates to Remember Chairman Adams read the following:

July 27 & 28, 8 am-3 pm, The Millbury's Youth Camp's 2nd Annual Flea Mkt & Vendor Fair, 23 Herricks Lane

July 30, 6 pm Large Conf Rm at Town Hall, Update on Round Pond & Wheelock Ave Bridge

Selectmen Meeting

August 5-9, 9 am-11:45, Millbury Federated Church Vacation Bible School, 20 Main St

August 8th, 5:30-7:30 pm Eddie Forman Polka Band, Millbury Sr Center

On a Good Note

Selectman Despres wanted to Thank the local businesses & employees of the Town re: the heatwave- it is a great community. They volunteered the space and A/C at the library and Sudz City.

Roundtable discussion and Citizens Feedback Selectman Despres wants to schedule a walk through with DPW. Is money not being allocated correctly? Selectman Krumsiek stated the full-time Park/Cemetery worker is out on Workman's Comp- more help has to be hired and significantly hire more seasonal help. Chairman Adams stated it is totally mismanaged because there is no DPW Director. We have to do better-things are falling through the cracks.

8:58 PM Adjourn Meeting

Motion to adjourn by Selectman Krumsiek, 2nd by Selectman Naff. Motion carried unanimously.

Respectfully submitted,

Amy Fleming, Secretary

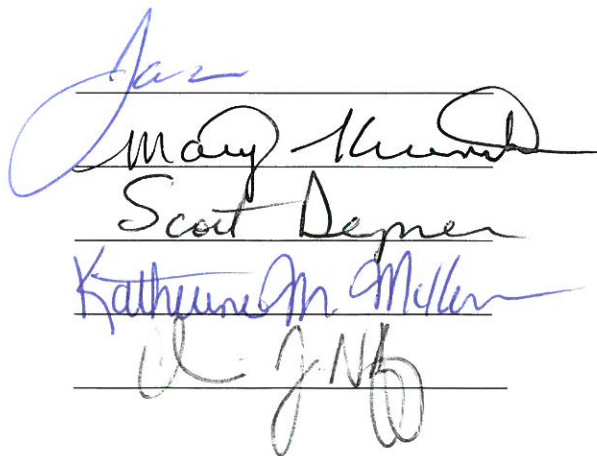
Jon Adams

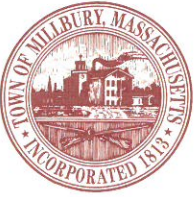
Mary Krumsiek

Scott Despres

Katie McKenna

Chris Naff

The image shows five handwritten signatures in blue ink, each written over a horizontal line. From top to bottom, the signatures are: Jon Adams (a stylized 'JA'), Mary Krumsiek (a cursive signature), Scott Despres (a cursive signature), Katie McKenna (a cursive signature), and Chris Naff (a cursive signature).



TOWN OF MILLBURY *Office of the Board of Selectmen*

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July 18, 2019

To: Jayne Davolio, Town Clerk

Re: Updated Fiscal 2020 Selectmen meetings

The Board of Selectmen meets at 7:00 pm the 2nd and 4th Tuesdays of each month in the Large Conference Room at the Municipal Office Building which falls on the following dates:

August 13, 2019	April 28, 2020
August 27, 2019	May 12, 2020
September 10, 2019	May 26, 2020
September 24, 2019	June 9, 2020
October 8, 2019	June 23, 2020
October 22, 2019	
November 12, 2019*(Special Town Mtg)	
November 26, 2019	
December 10, 2019	
December 24, 2019 ?	
January 14, 2020	
January 28, 2020	
February 11, 2020	
February 25, 2020	
March 10, 2020	
March 24, 2020	
April 14, 2020	