

TOWN OF MILLBURY
BOARD OF SELECTMEN MINUTES
Zoom Meeting ID Meeting ID: 840 8773 2504

June 9, 2020

6:00 PM

Selectmen Present: Chairman Jon Adams, Vice-Chairman Mary Krumsiek, Scott Despres, Katie McKenna (Zoomed in late) , Chris Naff, Town Counsel Brian Falk, Acting Town Manager James Kelley, Andrew Vanni, Jayne Daviolo,

“Welcome to the June 9, 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.”

Executive Session 6:00 PM

Executive session in accordance with the Open Meeting Law, M.G.L. c. 30A, Section 21(a), pursuant to Purpose 2, to conduct a strategy session in preparation for negotiations with nonunion personnel, Acting Town Manager James Kelley, and to conduct contract negotiations with nonunion personnel, Acting Town Manager James Kelley.

7:00 PM Regular Session

Pledge of Allegiance

Chairman Adams stated it would be his last regular meeting and wanted to Thank Everyone. It has been an honor to work with everyone on the Board. He also wanted to Thank everyone at Town Hall and the constituents. Please reach out via email to any and all of the Selectmen, we are here to help you.

Citizens Speak

Michael O'Connor of Park Hill Ave commented on the Town Manager Screening Committee and the Millbury Charter.

7:07 PM Guest Presentation-Melanson & Heath -Zack Nowlan & Ed Boyd RE: Town Audit

Ed Boyd stated the Best of Luck & Thank You to Jon Adams. He also stated the Audit went well and we received the Certificate of Achievement. He then discussed how to improve Budgetary Reconciliation Procedures, Improve Sewer Billing, Prepare for the GASB Stmt No 84, Prepare for GASB Stmt No 87, Efforts to Decrease Liability, Funding Schedule, and to focus Concentration on OPEB.

Selectman Despres asked if any of our issues came to mind and what was the process for it to be fixed?

Ed stated there were recommendation for Ramshorn Dam and they were fixed by the Finance Director at the time Katie McKenna, also there was some clean up on the Student Activities fund which Denise cleared up immediately.

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7:50 PM Public Hearing

PH-1 Alcoholic beverages license issued to Perkins Entertainment, Inc. for the premises located at 49 Elm Street in Millbury, doing business as the Mill Towne Tavern

This hearing will concern the potential cancellation of the license for non-use, the potential surrender of the license, and the potential transfer of the license, as a result of the closure of the Mill Towne Tavern and the sale of the licensed premises to another party.

Due to the COVID-19 pandemic and the current State of Emergency in Massachusetts, this hearing may be conducted through remote participation (Zoom or similar platform). Details on how to access this hearing remotely will be provided on the Town of Millbury website, www.millbury-ma.org. Please call the Town Clerk's Office with any questions at 508-865-9110.

Selectman Krumsiek read the notice into record and opened the public hearing, seconded by Selectman Despres. Motion carried and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff, and Selectman Despres in favor.

There was discussion with the Town Clerk, Town Counsel and the Board.

Motion to close the public hearing made by Selectman Naff, seconded by Selectman Krumsiek and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff, and Selectman Despres in favor.

Motion to send Perkins Entertainment and his attorney a letter re: his intentions of his Alcoholic beverages license by Selectman Naff, 2nd by Selectman Despres and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff, and Selectman Despres in favor 4-0

8:00 PM Andrew Vanni, Finance Director-Discussion & Vote on 33B Transfers

Motion to accept the 33 B Transfers by Selectman Krumsiek, 2nd by Selectman Despres and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff, and Selectman Despres in favor, the following vote was approved 4-0.

Discussion & Vote to Approve the Salary for the New Town Manager Position

Motion to accept the New Town Manager salary as \$155,000 +/- by Selectman Krumsiek, 2nd by Selectman McKenna and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff, Selectman Despres and Selectman McKenna in favor, the following vote was approved 5-0.

Discussion & Vote on contract and status of Acting Town Manager James Kelley

On a motion by Selectman Krumsiek, seconded by Selectman Naff, the following vote was taken on the Motion:

WHEREAS, the office of Town Manager has been vacant since January 9, 2020; and

WHEREAS, pursuant to Section 4-4(b) of the Millbury Home Rule Charter, upon a vacancy in the office of Town Manager, the Board of Selectmen has authority to appoint an Acting Town Manager to perform the duties of the office of Town Manager on an acting basis for not more

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than two (2) terms of three (3) months each;

WHEREAS, pursuant to Section 4-4(b) of the Millbury Home Rule Charter, the Board of Selectmen appointed James Kelley as Acting Town Manager effective January 10, 2020 for 90 days;

WHEREAS, pursuant to Section 4-4(b) of the Millbury Home Rule Charter, the Board of Selectmen appointed James Kelley as Acting Town Manager for a second term of 90 days;

WHEREAS, James Kelley's second term of 90 days as Acting Town Manager expires on July 10, 2020;

WHEREAS, Section 4-1 of the Millbury Home Rule Charter and Section 2.20.020 of the Millbury Municipal Code provide that the Board shall appoint a permanent Town Manager from a list of nominees provided by a Town Manager Screening Committee;

WHEREAS, due to the ongoing COVID-19 state of emergency and Pandemic, the Board anticipates that the current Town Manager Screening Committee will not be able to provide the Board with a list of nominees for purposes of appointing a permanent Town Manager by July 10, 2020;

WHEREAS, under Massachusetts law, following the expiration of their term of office a public officer may continue to serve in a holdover capacity until the appointment and qualification of their successor.

NOW, THEREFORE, the Board of Selectmen of the Town of Millbury votes as follows:

1. The Board acknowledges that until a permanent Town Manager is appointed and qualified, James Kelley shall continue to serve as Acting Town Manager in a holdover capacity with all of the powers and duties of the office of Acting Town Manager provided under Section 4-4(c) of the Millbury Home Rule Charter;
2. The Board of Selectmen authorizes an Amendment to the existing Acting Town Manager employment agreement pursuant to M.G. L. Chapter 41 Section 108N to cover the holdover period;
3. The Board authorizes the Chair to execute the amendment on behalf of the Town.
4. The Chair shall file a copy of this vote with the Town Clerk.voted:

Yes - Selectman Adams, Selectman Krumsiek, Selectman Naff , Selectman McKenna and Selectman Despres

8:40 PM Discussion & Possible Vote on Town Counsel Contract

Motion to accept The present Town Counsel new one year contract by Selectman Despres, 2nd by Selectman Kumsiek and on a roll call vote with Selectman Adams, Selectman Krumsiek,

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Selectman Naff , Selectman Despres and Selectman McKenna in favor, the following vote was approved 5-0.

8:43 PM Appoint Francis B. King to The Board of Fire Engineers

Motion to appoint Francis B. King to serve on the Board of Fire Engineers effective July 1, 2020 by Selectman Kumsiek, 2nd by Selectman McKenna and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff , Selectman Despres and Selectman McKenna in favor, the following vote was approved 5-0.

Selectman Naff Thanked David Rudge for all his years of service.

8:44 PM Discussion on The Belfont Hotel re: Prior Issues before the Board

Mr. Kelley stated they are all set-everything is in order

Discussion & Vote on Reduced Quorum Requirements for the Annual Town Meeting

Motion to advertise the Reduced Quorum Requirement for the annual town meeting by Selectman Krumsiek, 2nd by Selectman McKenna and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff , Selectman Despres and Selectman McKenna in favor, the following vote was approved 5-0.

COVID: Discussion and vote on requests from establishments to have outdoor seating for food and alcoholic beverage service during COVID-19 emergency

Motion to approve the application process for outdoor dining, issue a temporary permit and for delegation of authority to amend the alcohol license to extend by Selectman Despres, 2nd by Selectman Krumsiek and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff , Selectman Despres and Selectman McKenna in favor, the following vote was approved 5-0.

Motion for Selectman Krumsiek to sign off on the permit by Selectman Kumsiek, 2nd by Selectman McKenna and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff , Selectman Despres and Selectman McKenna in favor, the following vote was approved 5-0.

ATM Report

Mr. Kelley updated the Board on Budget Deficiencies, FY 21 Budget, Expenses, Capital Reductions/Deletions, DPW Matters: Recycling & Transfer Station, Parks & Fields, Outdoor Dining, Covid/Cares Act and BVT Negotiations

Previous Minutes

Motion to approve the Minutes of April 28, 2020 with the correction of Dave Delaney under Mail by Selectman Krumsiek, 2nd by Selectman Despres and on roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff , Selectman Despres and Selectman McKenna in favor, the following vote was approved 5-0.

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On a Good Note

Selectman Despres asked to please support local businesses.

Roundtable Discussion and Citizens Feedback

Selectman Krumsiek wanted to thank the Park Dept for all their help on Butler Farm and also wanted to Thank Chairman Adams -it was a pleasure working with you!

Selectman Naff Thanked Jon for being a great leader!

9:50 PM Mail

Motion to Table the donation letter from Sunrise Detox by Selectman Despres, 2nd by Selectman Krumsiek and on a roll call vote with Selectman Adams, Selectman Krumsiek, Selectman Naff , Selectman McKenna and Selectman Despres in favor, the following vote was approved 5-0.

9:35 PM Adjourn Meeting

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

Respectfully submitted,

Amy Fleming, Secretary

Jon Adams	_____
Mary Krumsiek	_____
Scott Despres	_____
Katie McKenna	_____
Chris Naff	_____

These Minutes were approved at the July 14, 2020 Board of Selectmen Meeting. Signatures will be affixed after the State of Emergency.