

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

**November 28, 2023**

**6 PM**

**Present:** Mary Krumsiek, Katie McKenna, Scott Despres, Chris Naff, Jennifer Barrett, Julie VanArsdalen, Mark Hollis, Keith Caruso, Jayne Davolio, Steve Stearns, Ginny, Melissa, Terry Burke Dotson

**Zoom:** Brian Sora, me, Mike Mann, ariordan, Tim Watson, mnordstorm

**Regular Session 6 PM**

**Pledge of Allegiance**

**Citizens Speak**

Terry Burke Dotson of 20 Salo Ter asked for more information about the Chain of Lights and asked to keep the Senior Center open until 4:30pm during the event.

**Chain of Lights-Heather Trudell of Keenan & Trudell**

Heather Trudell and Lynn Feiz presented the Chain of Lights. Heather stated the 24th Annual Millbury Chain of Lights will take place on 12/3 from 10:30am to 4:30pm. The trollies will be available for transportation. This year there will be 40 stops. Santa and Mrs. Claus will be at the Mansion, Hayrides at Bank Hometown, Gingerbread man decorating at the Senior Center, Gingerbread house contest at the Cake Shop cafe, carolers will be walking around town, Buddy the Elf and Frosty the Snowman and the Grinch will be present, Balloon artist at the Felter's Mill, and Vinny the Bubble Guy at the Town Commons, Kim Webster will be at the Senior Center performing a puppet show, and the library will have events as well. A local musician and vendors will be available. Lynn Feiz shared the history of the Chain of Lights. The event will allow businesses and families to enjoy together. Over the years the event has grown exponentially. Lynn and Heather plan to step down from the Chain of Lights committee. They are hoping that other volunteers will step up and they will guide the newcomers with the process. They thanked all the businesses and sponsors for their work. The Board thanked them both for their great work!

**Citizen Speak continued**

Fran Desimone of 1 Weldon Dr stated that on 11/29 there is a ZBA meeting and the Board should attend it as town residents regarding the LIP agreement and brought up the Attorney Generals decision regarding an article. Chairman Naff stated the Town can appeal the AG's decision, he is discussing options with the Town Counsel, appealing it to court would be expensive and our chances of winning are low.

**Stormwater Enterprise Account-Jaurice Schwartz of Weston & Sampson**

Chairman Naff stated it comes down to the implementation of new fees. Jaurice stated she has presented to the Board previously. Karyn Clark, Julie VanArsdalen, Keith Caruso, Mark Hollis and Conor McCormack created a group to address the Stormwater system. The Group has worked on Stormwater system related topics. The MS4 is the Municipal Separate Storm Sewer System. Millbury's system is 34 miles of drain pipes and outfalls. The permit has a 5 year cycle, the new permit needs to be renewed. The intent is to improve water quality and control pollutant

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discharge. More permit requirements equals more money. There are 6 control measures on the permit. In order to meet requirements, the Town did take out a loan and it will need to be paid back. Other stormwater needs are flooding, frequency of storm events, failing infrastructure and overall maintenance. The payback process would be through the state revolving fund loan. Future funding options can be through increasing taxes, loans, partnerships and grants and the Stormwater enterprise fund. This fund is reliable and it is a fee collected by property owners depending on the properties impact on the stormwater system. Jaurice shared the general fees in Massachusetts such as small residential, other and non residential fees, tiered fees and collected revenues. The Group discussed different structures and rates for Millbury residents. The next step would be to adopt a rate and create a Stormwater commission. Fees can be collected July 1st and a bylaw could be created to enforce the fee.

The Board discussed if they want to implement the fee and what the fee structure would be.

Jennifer Barrett stated the cost distribution is the main topic of discussion regarding the fee. The Board discussed a fair way for residents to pay the fee.

### **Public Hearing**

**7:15PM** In conformity with the requirements of Section 22 of Chapter 166 of the Massachusetts General Laws, you are hereby notified that a public hearing will be held in the Millbury Town Hall, 127 Elm Street, Millbury on Tuesday, November 28, 2023 6 PM on the Petition Massachusetts Electric company dba NATIONAL GRID requests permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Elmwood St- National Grid to install 1 SO Pole on Elmwood St beginning at a point approximately 625' feet west of the centerline of the intersection of Beech St and continuing approximately 15' feet in a northerly direction, National Grid is installing Pole 38-2 with a 35 Class 2 Pole for a new service to both 82 and 84 Elmwood St homes. 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 plan filled herewith marked-Elmwood St-Millbury- Massachusetts. No# 3085916

Motion to open the PH by Selectman Krumsiek, seconded by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

DPW and the Tree Warden were ok with the plan

Motion to close the PH by Selectman Krumsiek, seconded by Selectman McKenna and on roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

Motion to approve National Grid to install pole 38-2 with a 35 Class 2 Pole for a new service to both 82 and 84 Elmwood St homes by Selectman Krumsiek, seconded by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

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**7:22PM** The Millbury Board of Selectmen will hold a Public Hearing on Tuesday, November 28, 2023 at 6:15p.m. at the Municipal Office Building, 127 Elm Street, Millbury, MA to act upon the application for a Change of Manager to Nicole Ann Crosby of TGI Friday's Inc at 70 Worcester Providence Turnpike Millbury, MA 01527

Motion to open the PH by Selectman Krumsiek, seconded by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

The Town Clerk stated all the paperwork is in order

Motion to close the PH by Selectman Krumsiek, seconded by Selectman McKenna and on roll call vote with Chairman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

Motion to act upon the application for a Change of Manager to Nicole Ann Crosby of TGI Friday's Inc at 70 Worcester Providence Turnpike Millbury, MA 01527 by Selectman Krumsiek, seconded by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

**7:25PM** The Millbury Board of Selectmen will hold a Public Hearing on Tuesday, November 28, 2023, at 6:20 p.m. at the Municipal Office Building, 127 Elm Street, Millbury, MA to act upon the application for a new On-Premises All Alcohol license for Yard House USA, Inc. d/b/a Yard House, 70 Worcester Providence Turnpike, Millbury MA 01527

Motion to open the PH by Selectman Krumsiek, seconded by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

The Yard House will be a part of the Shops at the Blackstone Valley on the lower level. The group will discuss their further during their meeting with The Planning Board. Jayne stated we have a liquor license available, but it will be contingent upon other inspections.

Motion to close the PH by Selectman Krumsiek, seconded by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

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Motion to act upon the application for a new On-Premises All Alcohol license for Yard House USA, Inc. d/b/a Yard House, 70 Worcester Providence Turnpike, Millbury MA 01527 contingent upon all site plan reviews and permitting process by Selectman Krumsiek, seconded by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

**Resolution Authorizing The Acting Town Manager to file Application with the Massachusetts Department of Environmental Protection for the State Financial Assistance for Water Pollution Abatement Project-Sewer Rehabilitation Project**

Motion to Authorize The Acting Town Manager to file Application with the Massachusetts Department of Environmental Protection for the State Financial Assistance for Water Pollution Abatement Project-Sewer Rehabilitation Project by Selectman Despres, seconded by Selectman Krumsiek and on roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

**Accept a deed of gift for AWM**

Motion to Accept a deed of gift for AWM by Selectman Krumsiek, seconded by Selectman Despres and on roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

**Management Update**

Appoint Matthew Evans to the Millbury Dog Park Committee

Karyn stated she attended the Blackstone Valley Chamber of Commerce breakfast to present an award to the Spicy Water Distillery. To address Terry Burke Dotson's concerns, Karyn talked to Laurie Keefe about opening the Senior Center during the Chain of Lights.

**Review & Approve Previous Minutes**

Motion to approve the Minutes of October 24, 2023 by Selectman Krumsiek, 2<sup>nd</sup> by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

**Dates to Remember**

-Cookies and Cocoa at Asa Water 12/15 5pm-7pm

-Library Adult Class: Reiki Night 12/13

**Roundtable Discussion and Citizens Feedback**

Terry Burke Dotson brought up the Planning Boards request regarding the LIP agreement. Chairman Naff stated the Town Counsel cannot overturn the Attorney General's decision and it would cost a high amount to appeal the decision. Terry discussed her comments and concerns with the Board. Steve Stearns, 12 Tainter Hill Rd, discussed the Housing Production plan and the 40B procedure. He addressed that zoning bylaws and definitions should be updated. Fran Desimone agreed with Steve.

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**On a Good Note**

The MPD's Toy Drive was very successful. Thank you MPD!

**Mail**

Motion to accept the donation from Northeast Security and authorize the Chief of Police to expend the funds by Selectman Krumsiek, seconded by Selectman McKenna roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

**8:05 PM Executive Session**

Executive Session in accordance with M.G.L. C. 30A, Section 21 (a), Purpose 2, to conduct strategy sessions in preparation for negotiations with non union personnel and to conduct contract negotiations with non union personnel, Police Chief Brian Lewos

Executive Session in accordance with M.G.L. C. 30A, Section 21 (a), Purpose 6, to consider the purchase, exchange, lease or value of real property, 26 McCracken Road, Millbury, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the Board.

Motion to enter the Executive Session by Selectman Krumsiek, seconded by Selectman McKenna and on roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

**8:58 PM** Motion to exit the Executive Session by Selectman Krumsiek, seconded by Selectman Sora and on roll call vote with Selectman Naff, Selectman Despres, Selectman Krumsiek, Selectman McKenna and Selectman Sora, all in favor, vote was approved 5-0.

**8:59 PM Adjourn Meeting**

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

Respectfully submitted,

Amy Fleming, Secretary

Chris Naff

Scott Despres

Katie McKenna

Mary Krumsiek

Brian Sora

