

TOWN OF MILLBURY  
BOARD OF SELECTMEN MINUTES

Zoom Meeting ID : 894 2850 1817

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MILLBURY, MASS.

**April 13, 2021**

**6 PM**

**Present:** Mary Krumsiek, Katie McKenna, Scott Despres, Chris Naff, David Delaney, Sean Hendricks and Jayne Daviolo

**Zoom:** Brian F, iphone, Matt, Laurie Connors, Justine Caggiano, Clayton Williams, Matt, Michael , Stuart Mulhane,

**6 PM Regular Session**

Pledge of Allegiance

**Guest Presentation**

**Department Head Report-Jayne Marie Davolio, Town Clerk**

Jayne stated her department is working on State Ethics for all employees, Census, Vitals are strong and issuing Dog Tags. She also stated that we have new voting machines.

**\*See Attached**

**Compliance Report for Clearview Development- Laurie Connors, Director of Planning & Development**

Laurie updated the Board on complaints, fines & violations and stated Eastland Partners has a good reputation. She also stated they investigate every complaint. Sean stated our engineers are making weekly site visits and wanted to get in front of this as the Planning Dept is doing their job. Laurie also makes pop in visits and is on top of this project

**Discussion and possible vote on an eminent domain taking of 24 McCracken Road as part of MassDOT TIP Project**

Motion to adopt the Order of Taking presented at this meeting for 24 McCracken Road, taking by eminent domain the entire fee simple interest in that property for the purposes set forth in the Order, and to award damages to the owners of the property in the amount of \$269,500 by Selectman McKenna, 2<sup>nd</sup> by Selectman Delaney and on roll call vote with Selectman Krumsiek, Selectman McKenna, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 5-0.

**Sign Bond Anticipation Notes**

\$3,500,000 Shaw School (new)

\$1,583,000 Ramshorn Dam (renewal)

\$750,000 Roads (2020 vote) new

\$575,000 Fire Truck (renewal)

\$400,000 McCracken Road (remaining balance of article) new

\$350,000 Fire Building (new)

\$315,000 Fire Building design (new)

**Total BAN\$ 7,473,000.00**

## Selectmen Meeting

### VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Millbury, Massachusetts, certify that at a meeting of the board held April 13, 2021, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$7,473,000 1.50 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated April 23, 2021, and payable September 3, 2021, to Jefferies LLC at par and accrued interest, if any, plus a premium of \$34,375.80.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated March 31, 2021, and a final Official Statement dated April 7, 2021, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

## Selectmen Meeting

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the agenda for the meeting, a copy of which is attached hereto, was posted on the bulletin board of the town at least 24 hours before the meeting in compliance with Section 7-7(b) of the Town Charter.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended, and as further suspended, supplemented or modified by the Executive Order of the Governor of The Commonwealth of Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated March 12, 2020 by Selectman Despres, 2<sup>nd</sup> by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman McKenna, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 5-0.

### **Sign the Annual Town Meeting Warrant**

Selectman McKenna thanked the Town manager for looking into the reserve policy and hopes in the future there would be more set aside for roads. She also asked why the articles had sponsored by the BOS and how does the Board feel about that?

Sean stated he would look at the charter language and that was put in per Town Counsel

Motion to approve the Warrant for the May 4, 2021 Annual Town meeting by Selectman McKenna, 2<sup>nd</sup> by Selectman Naff on roll call vote with Selectman Krumsiek, Selectman McKenna, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 5-0.

### **Reappointments**

Motion to reappoint **Richard Hamilton, Brian Gasco, Steven Piscitelli, Robert Silva & Steve Kosiba to the Board of Fire Engineers** by Selectman McKenna, 2<sup>nd</sup> by Selectman Naff and on roll call vote with Selectman Krumsiek, Selectman McKenna, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 5-0.

## **Selectmen Meeting**

### **Appointment Paul Hernandez to the Board of Registrars**

The Clerk stated this was for the Democratic Party

Motion to appoint Paul Hernandez to the Board of Registrars by Selectman McKenna, 2<sup>nd</sup> by Selectman Delaney and on roll call vote with Selectman Krumsiek, Selectman McKenna, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 5-0.

### **Memorial Day Update-Justine Caggiano, HR Admin**

The following ceremonies are scheduled as part of the Town of Millbury's observance of Memorial Day, Monday, May 31, 2021:

- 8:30 AM - Dwinell Cemetery
- 9:00 AM - Providence Street Cemetery
- 9:20 AM - Central Cemetery
- 10:00 AM - West Millbury Cemetery
- 10:40 AM - Town Memorials:
  - War Memorial
  - Fire Department Memorial

### **Management Update**

Sean appointed Bruce DeVault, Cameron Graves, Michele Piselli, Jean Graves & Raymond Keddy to the Trails Committee.

Selectman Naff thanked the Town Manager and Police Chief for meeting with Sunrise. The neighbors seem happy & pleased. Selectman Delaney asked for a report of calls from Sunrise for the past year.

Chairman Krumsiek asked about the Cricket Group and wanted to personally Thank DPW and especially John Pedone for their help with the canon wheels.

Sean stated a cricket pitch is being set up at the Greenwood St Park

Selectman Naff stated it is a great sport!

\*See Attached

### **Review & Approve Previous Minutes**

Motion to approve the Minutes of March 9, 2021 & March 20, 2021

by Selectman Despres, 2<sup>nd</sup> by Selectman McKenna and on roll call vote with Selectman Krumsiek, Selectman McKenna, Selectman Despres, Selectman Naff and Selectman Delaney all in favor, the following vote was approved 5-0.

### **Dates To Remember**

\*See Attached

## **Selectmen Meeting**

### **Roundtable**

Chairman Krumsiek asked the Town Clerk who sets the fee for dog incidents. The Town Clerk stated she would call the ACO officer and check the by laws.

### **On A Good Note**

Selectman Naff stated the mansion is in very good financial condition – Good Job Kristen! We appreciate the Town's support.

Selectman Despres wanted to thank Aquarion and DPW for their quick response on a flooding issue. Aquarion did call him back and it was a ground water issue. Selectman McKenna stated we have to be careful to get the Town involved in private property issues as it may be a potential liability.

### **7:43 PM Adjourn Meeting**

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

Respectfully submitted,

Amy Fleming, Secretary

Mary Krumsiek

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Katie McKenna

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Scott Despres

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Chris Naff

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David Delaney

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These Minutes were approved at the May 25, 2021 Board of Selectmen Meeting. Signatures will be affixed after the State of Emergency.