

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
November 21, 2011
Millis Middle/High School Library
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Chair Andrea Wagner called the meeting to order at 7:32 p.m. The following persons were present: Chair Andrea Wagner, Clerk Charles Vecchi, Town Administrator Charles Aspinwall and Administrative Assistant Jennifer Cederberg.

ANNOUNCEMENTS: Launch of the Town's new website; groundbreaking for the new Library; revised Transfer Station hours for the Christmas holiday.

MILLIS FOOD PANTRY PROCLAMATION: Mr. Vecchi read a proclamation to recognize the Millis Food Pantry's 20 years of service. Elizabeth Darwin from the food pantry thanked the Board for recognizing their anniversary and recapped the history of the Millis Food Pantry. She took the time to recognize the volunteers who regularly participate as well as local businesses who make regular donations.

CHARLES RIVER POLLUTION CONTROL ASSESSMENT: Cheri Cousens from the CRPCD presented the Board with a printed out presentation on their Capital Improvement Plan. Mr. Aspinwall clarified the reason behind why Ms. Cousens was asked to come in and talk about the Town's future assessment. Ms. Cousens reviewed the history of the District as well as what their treatment and average daily flows are. She stated which Towns are part of the District and what the District's treatment processes are.

Ms. Cousens stated that in 2008, it was determined that the treatment plan needed to be updated. She highlighted the areas that were to be part of this capital improvement plan as well as the costs associated for each of these initiatives. She reviewed the implementation of the capital improvement plan and the funding that was applied for to make it happen. Ms. Cousens spoke concerning Phase A which includes headworks and primary treatment improvements. She informed the Board that this phase should be finished by December of 2012 and reviewed the costs associated with Phase A.

Ms. Cousens spoke concerning Phase B which includes landfill closure of 2.5 acres. She reviewed the timeline for bidding and awarding the contract for this closure and anticipates that this will be completed by August of 2012. She then went on to review Phase C which includes NPDES permit compliance and other facility improvements. She reviewed in detail what specifically is addressed in Phase C.

Ms. Cousens reviewed a typical snapshot of a GIS program and stated that they are focused on the sewer system. She then spoke about the phosphorus effluent limits of which the goal is to reach .10 mg/l in the summer and .30 mg/l in the winter. She then reviewed the schedule for Phase C which includes a project evaluation report, the design, the bidding, and construction in September, 2013 – September, 2015. She noted that the cost for Phase C is over \$15,000,000.

Ms. Cousens stated that the total costs for Phases A, B, and C will be approximately \$19,300,000. She reviewed how these changes will impact the Town of Millis. She stated that the assessment is based on 11% ownership of plant capacity and stated that there will be no additional assessment in 2012 but from 2013-2032 there will be an additional assessment of approximately \$126,000. Mr. Aspinwall stated that this would amount to approximately \$100/year per household increase. Ms. Cousens stated that the bids are coming in lower than projected and that the \$126,000 is the worst case scenario.

Mr. Aspinwall reviewed how the district got to the point where these capital improvements need to be made and stated that much has to do with the age of the facility. Ms. Cousens stated that they are in the process of putting together a district-wide GIS system with their focus being on the sewer layer. She reviewed what the more stringent reporting mechanisms are in place with the DEA and DEP. In particular, she spoke about the Town of Medfield and their NPDES permit.

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Ms. Cousens stated that these improvements should take care of the plant for at least another 20 years. Mr. Aspinwall questioned what would happen if bid prices come in significantly less than what they are attempting to borrow. Ms. Cousens said that they would aim to borrow less. The Board was invited to come for a tour to see how the operation runs.

BONFIRE REQUEST: Ms. Wagner reviewed the written request to hold a bonfire on Monday night the 28th. The plan is to have the fire behind the high school parking lot with the base being sand donated by the DPW, donated pallets from local businesses as well as a few bales of hay. It was noted that permission has been obtained by the necessary school officials and the Fire Department but the Board of Selectmen also need to approve it.

Motion by Sel. Wagner, seconded by Sel. Vecchi, to authorize the Fire Chief to issue a permit to the Millis Student Council to have a bonfire on 11/28/11. The motion passed unanimously.

RECREATION DEPARTMENT: Kris Fogarty requested that 5 additional hours be granted to the Recreation Director position. She read from her letter dated 11/21/11. She reviewed her typical work week which exceeds the 30 hours for which she is being paid. She illustrated the many after-hours programs for which she is responsible for and noted that the programs are flourishing which require the building to be open for longer periods of time. She spoke about chaperoning the ski club program and overseeing the carnival. She also talked about the soccer games which must be monitored to ensure that they run on time and referees are present. She spoke about the basketball program which runs every night as well as Saturdays.

Ms. Fogarty stated that the money for the increase in hours would equal approximately \$7,000 per year and this would not come out of the Town budget but rather out of the Recreation Department Revolving Fund.

Sue Vara stated that Ms. Fogarty goes above and beyond her required duties and deserves the extra hours that she is requesting.

Mr. Vecchi stated that he wasn't aware that Ms. Fogarty was working so many extra hours. Mr. Aspinwall reviewed the increases resulting from the reclassifications that were approved at Town Meeting and noted that Ms. Fogarty only received a \$.04 raise. He stated the reclassification brought the position to a step 6 and recommended that it go to a Step 7 instead.

Ms. Wagner stated that this issue should have been discussed when the Personnel Plan was being reviewed but accepted responsibility for the fact that this did not happen. She noted that the reclassification resulted in a minimal raise which was disastrous. Mr. Aspinwall stated that the increase would go from a Step 6 at 30 hours to a Step 7 at 35 hours if approved which is a move from \$808.01 to \$963.84.

Mr. Hendon arrived at the meeting.

Mr. Hendon clarified what was being asked for.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the step increase for the Director of the Park and Recreation from a Grade 10 Step 6 to a Step 7. The motion passed unanimously.

Motion by Sel. Wagner, seconded by Sel. Hendon, that the Recreation Directors hours be increased to 35 hours per week. The motion passed unanimously.

WATER ABATEMENT REQUEST: Mr. Aspinwall reviewed the history of the account at 50 Union Street and noted that this bill has been attributed to a leak at the property. He reviewed the amounts of the bills as well as the

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interest that has accrued. He further notified the board that a previous board who faced a similar situation charged the property owner the rate for the lower consumption. He also noted that the bulk of the sewer could be abated. He stated that using this methodology, the bill would drop to approximately \$1,500.

Ms. Fontaine stated that the minutes do not accurately reflect that the sewer charges would be abated. Ms. Wagner stated that this was not voted on though she may have indicated that this would be an option in the future. The Board reviewed the minutes and agreed that the minutes reflect that a vote was taken that the Board would waive any future interest or penalties regarding the unpaid water/sewer bills at their property. Ms. Fontaine stated that her insurance company gave her a verbal denial but did not put it in writing.

Ms. Wagner stated it is not the policy of the Board to waive the water portion of the bill with the exception of the interest charges as this was water that was consumed though it not the fault of any one person. She further suggested that the water rate be recalculated to the lower rate/smaller pipe which would bring the bill down to approximately \$1,543.80 not including payments that have already been made in the amount of \$77.66. Ms. Fontaine stated that it appears the Board only bases their decisions on what has been done in the past and have not taken her mother's situation or specifics into consideration. Mr. Aspinwall stated that water that goes through the meter is considered water that has been used and it is water that incurs costs to the Town.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to reduce the water and sewer bill on 50 Union Street to \$1,543.80 broken down by \$447.16 per quarter for FY11 4th quarter and FY12 1st quarter and a base sewer charge in FY2011 \$33.02 calculated twice for each quarter and a sewer charge of \$4.93/1,000 for 2,000 gallons of ordinary use for FY11 4th quarter and FY12 1st quarter and to waive the interest charge and set up a payment plan for up to 3 years determined through the Tax Collector's Office. The motion passed unanimously.

VMB FACADE CONTRACT: Mr. Aspinwall reviewed the history with the contractor repairing the façade of the VMB. He noted the completion date was suppose to be 11/25 which will not be met. He stated that there is a new construction schedule which outlines that they will be finished the first week in December. Mr. Aspinwall said he would agree that they would finish by that time given their performance over the past two weeks. He noted that there will be a change order coming forward from the Architect for the number of times that they have had to come out and inspect the work being done. He stated that recently, the work has commenced and at this point he would not recommend pulling the bond but this could change in the weeks to come.

PERSONNEL PLAN REPORT: Mr. Aspinwall reviewed the history of the Personnel Plan and the report provided by the consultant including job description and title changes.

Motion by Sel. Hendon, seconded by Sel. Vecchi, that we do approve and adopt the Personnel Plan Report submitted by Mary Flanders Aicardi. The motion passed unanimously

DOWNTOWN ADVISORY COMMITTEE: Mr. Aspinwall reviewed a letter from the MAPC referencing a \$35,000 grant the Town received. He noted that this correspondence has been forwarded to other Town boards for comment. He stated that part of the scope of work would be to create a steering committee to oversee this process. He suggested potential members of the committees from various boards throughout the Town to help guide the study on how we can redevelop the downtown area in the way we would like to see it.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to create a Town Center Feasibility Study Steering Committee with no more than 7 members consisting of a member of the Board of Selectmen, the Zoning Board of Appeals, the Planning Board, and members at large from the business community or as we feel appropriate. The motion passed unanimously.

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TOWN BUILDING CLEANING CONTRACT:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to rescind the cleaning contract for Town Buildings with Integrity Services out of Stoneham, MA. The motion passed unanimously.

STRATEGIC BUDGET SUBCOMMITTEE:

Motion by Sel. Hendon, seconded by Sel. Vecchi, that the BOS decommission the Strategic Budget Subcommittee. The motion passed unanimously.

SIGN PERMIT REQUEST:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve a permit to erect a sign on Town property, at the New Millis public Library to be set on 4x4 posts in front of the fence but before the sidewalk, the sign to be approximately 8' wide by 4' high. The motion passed unanimously.

HOLBROOK SQUARE: The Board was presented with an updated drawing of the new sign for Holbrook Square. Ms. Cederberg will be the contact person for the sign permit.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve a new sign to be located at Holbrook Square donated by North East Signature Properties subject to coordination with the Town Administrator's Office. The motion passed unanimously.

LIBRARY CHANGE ORDERS: Mr. Craig Schultze from the Permanent Building Committee appeared to speak concerning the change orders before the Board. He explained how change orders work and what Change Order #2 was for. There was some confusion about which change orders needed to be voted vs. which change orders had been previously voted. The Board reviewed the minutes from the 10/3 and 10/17 meetings and determined that two of the change orders being requested had not yet been approved.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the change order for the Millis Public Library for \$1,400 for 10 hours of senior project manager time and parking expenses which would take it from contract amount \$176,267.50 to \$177,667.50. The motion passed unanimously.

Mr. Schultze reviewed Change Order #3 in the amount of \$14,175 and stated that the purpose for this change order was for demolition and soil remediation. The Board discussed what was voted on in the past and requested that prior change orders that have been voted on and approved be included in future packets to avoid duplication.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve change order #3 for Design Techniq in the total amount of \$14,175 for the time period 1/1/11 to 3/15/11 for 98 hours at a rate of \$105 for a total of \$10,290; from 3/16/11 to 3/31/11 for 14.5 hours at a rate of \$105 for a total of \$1,522.50; from 3/16/11 to 3/31/11 for LEED hours, 6 hours at a rate of \$105 for a total of \$630; and for Demo/LEED Hours from 4/1/11 – 6/30/11 for 16.5 hours at a rate of \$105 for a total of \$1,732.50; bringing the total change order to \$14,175.00. The motion passed unanimously.

MEETING MINUTES:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the regular session meeting minutes from 11/7/11. The motion passed unanimously.

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EXECUTIVE SESSION: At 10:30 p.m.,

**Motion by Sel. Wagner to enter into Executive Session 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; and to discuss the deployment of security personnel or devices.
By Roll Call Vote: Hendon – aye, Vecchi – aye, Wagner – aye.**

Respectfully Submitted,

Jennifer G. Cederberg, Administrative Assistant