

BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
January 9, 2012
Veterans Memorial Building Room 229
900 Main Street, Millis, MA 02054

CALL TO ORDER: Chair Andrea Wagner called the meeting to order at 7:30 p.m. The following persons were present: Chair Andrea Wagner, Vice Chair Donald Hendon, Clerk Charles Vecchi, Town Administrator Charles Aspinwall and Administrative Assistant Jennifer Cederberg.

FIRE SERVICE CHARGE: Mr. Aspinwall reviewed the fire service charge rate and why some towns have them. He noted that the technical memorandum explaining the history of the fire service charge was prepared by Tighe & Bond whose engineer was supposed to appear tonight but did not show up. He stated that there are three alternatives to how the Town can assess fire service costs to customers including assessing to the Town, assessing to the hydrant owner, assessing to customers through water rates, or assessing to a building's owner. Mr. Aspinwall stated that for residential customers the cost of protection is similar for each customer so the cost for residential customers is often incorporated into the base water service charge. He noted that the cost for non-residential customers is highly variable based upon such things as building size and construction materials and uses including other factors such as service pipe size.

Mr. Aspinwall reviewed the summary of the memo prepared by Tighe & Bond which stated that the demand for fire service is there all the time. He said that the Board could change the current policy if they so choose as they are the rate commissioners. Ms. Wagner stated that the Town only charges commercial customers who have sprinkler systems who put them in sometime in the 1990's. Mr. Aspinwall stated that the base charge is \$44.26/quarter plus the capital assessment charge.

Att. Ellen Rosenfeld stated that there are many businesses that are not in the system. Mr. Aspinwall stated that many of the commercial buildings mentioned have been added within the last 6 months. Att. Rosenfeld stated that in new commercial properties there are now two lines: one domestic and one fire line service of which there is 0 usage of the fire line. She stated that she paid for the fire service including the piping, the meter, the hydrant, etc., and that if there is a fire she will pay for the water but she does not understand why she is paying a usage fee for water she is not using but rather for the water being "available". Mr. Aspinwall stated the theory is that the commercial users are paying for the availability of the water in the event the water is needed for fire purposes. He said that triggering events such as construction or re-construction would prompt the Town to add more commercial properties to the system.

Sel. Hendon stated that he would like to know what accounts are in the system and whether or not those accounts that were added late have been issued back bills and have those bills been paid. Ms. Wagner stated that she does not agree with the theory of why commercial users are being charged the fire service charge since their domestic line is already being assessed a fire service charge. Att. Rosenfeld stated that the Town is "double-dipping".

Mr. Aspinwall stated that if the Board doesn't agree with the theory, they can choose to build the existing commercial fire service charges into other areas of the system. Ms. Wagner asked for clarification on what the Board would need to do if they wanted to change their charge. Mr. Aspinwall stated that typically the Board would hold a hearing. Sel. Vecchi stated that it is his opinion that as long as the rate is uniformly charged, he agrees with the current system and theory.

This issue will be brought back for discussion at the next BOS meeting after further research is done on which commercial customers are paying a fire service charge that have a separate line and when did they start paying that charge.

RECAP SHEET SIGNATURES:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the Assistant to the BOS to electronically sign the Tax Recap Sheet and all related forms for the Board of Selectmen. The motion passed unanimously.

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VACATION TIME CARRYOVER: The Board reviewed a request from Sgt. Myers but noted that she did not specify the number of additional days she is requesting to carry over. Mr. Aspinwall will ask Sgt. Dwyer his opinion on the job-related circumstances outlined in the memo and report back to the Board.

APPOINTMENT/DOWNTOWN DEVELOPMENT:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to appoint Rich Malloy to the Downtown Development Steering Committee. The motion passed unanimously.

GIFT ACCEPTANCE:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the gift acceptance from AT&T in the amount of \$4,000 for tree trimming purposes. The motion passed unanimously.

COMMITMENT:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the water/sewer commitment to the Collector for final water bills and special commitments in the amount of \$700.01. The motion passed unanimously.

VACATION TIME CARRYOVER:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the vacation time carry over for Mr. Charles Aspinwall in the amount of 57.75 hours to be carried over from last year to the current employment year 2012. The motion passed unanimously.

LIBRARY CHANGE ORDER: Mr. Craig Schultze from the Permanent Building Committee appeared before the Board to review Change Order #4 for \$40,993 to do the design for the FF&E for the finishings for the Library. He noted that this cost came in under budget.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve change order #4 for OEA Architects for interior design for the library in the amount of \$40,993 to bring the new contract price to \$588,233. The motion passed unanimously.

CONTRACT APPROVAL: Mr. Aspinwall reviewed the two projects outlined in a quote from Woodard and Curran including chlorination system improvements and chlorination contact loop improvements. He noted that his recommendation at this time is to award the loop improvements only tasks A-D due to concerns with costs. He noted that the total of these tasks would be \$29,900.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to award the contract to Woodard & Curran for Chlorination system improvements tasks A-D for a total of \$29,900. The motion passed unanimously.

TA'S PERFORMANCE REVIEW: Mr. Aspinwall informed the Board that his annual performance review is due and that typically, the Board meets individually with him and then brings the results forward to a meeting. He noted that he will be contacting board members to schedule appointments over the next couple of weeks.

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MEETING MINUTES:

Motion by Sel. Hendon, seconded by Sel. Vecchi to approve the regular session BOS meeting on 12/19/11 and the executive session meeting minutes on 12/19/11. The motion passed unanimously.

ADJOURN: At 8:52 p.m.,

Motion by Sel. Hendon, seconded by Sel. Vecchi, to adjourn. The motion passed unanimously.

Respectfully Submitted,

Jennifer G. Cederberg, Administrative Assistant