

**BOARD OF SELECTMEN  
REGULAR SESSION MEETING MINUTES  
February 27, 2012  
Veterans Memorial Building Room 229  
900 Main Street, Millis, MA 02054**

**CALL TO ORDER:** Chair Andrea Wagner called the meeting to order at 7:32 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.

**ANNOUNCEMENTS:** Sel. Vecchi read the recognition of Robert Yered and the article that was published in the Milford Daily news. It read that Mr. Yered would have a Coast Guard rescue cutter named after him in March in honor of his actions in Vietnam. Mr. Yered's brother, George, was present in the audience and spoke concerning his brother and his family who still reside in Millis.

Mr. Steve Campbell and Ms. Karen Spash from the Millis Garden Club spoke concerning the planning of the Millis Beautification day on April 14, 2012, coinciding with the Millis Lions sponsoring the eyemobile on the site. Mr. Campbell asked for volunteers and noted that the event will start at 8 a.m. and should be done by noon.

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the permit for the annual Don Reynolds Beautification Day on April 14, 2012 beginning at 8 a.m. and ending around noon with the event being coordinated with the Town Building Department. The motion passed unanimously.**

Mr. Aspinwall read a letter of recognition from FEMA concerning the performance of Deirdre Gilmore from the DPW. He noted that this letter was written by a Public Assistance Coordinator and that Ms. Gilmore coordinated the submissions of reimbursement applications for a number of departments. He thanked her for a job well done.

Mr. Aspinwall recognized Kris Fogarty for being nominated as the MA Recreation and Park Association's New Professional Award and read a letter from a member of that Association congratulating Kris.

Ms. Wagner reminded the audience that the new Police Chief will be starting on Thursday and took a minute to thank Sgt. William Dwyer for his service.

**FIFTH AVE WINE & SPIRITS:** Sel. Vecchi read the hearing notice at 8:48 p.m. for an expansion of the premises for Fifth Avenue Wine and Spirits on Millston Road. Attorney/property owner Ellen Rosenfeld explained the expansion of 3,350 sq. feet into the former tack shop area which is another additional 1,400 sq. ft. She explained it will create more open display for product.

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to close the hearing at 8:51 p.m. The motion passed unanimously.**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the permit for the expansion of premises for the alcohol license for Fifth Avenue Wine and Spirits for an additional 1,400 sq. ft. The motion passed unanimously.**

**AUDIT PRESENTATION:** Scott McIntyre from Melanson and Heath spoke concerning the Financial Statements and Management letter that he stated he would review with the Board. He noted that a Single Audit Report and the Student Activity Report would be forthcoming. He informed the Board that the audit went well and that the books and records were well maintained.

Mr. McIntyre stated that during the fiscal year there was a significant grant received to pay down school debt. He noted that this would help to quickly pay down existing debt. He then went on to review the Annual Financial Statements and pages 11 and 12. He reviewed page 13 which is the balance sheet of the General Fund. He noted that now this number is combined with your Stabilization Fund but tracked separately. He noted that he considers the year to be about break even from 6/30/10.

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Mr. McIntyre reviewed page 15 and stated that the inflows of cash exceeded the outflows of cash. He reviewed intergovernmental revenue which is about 4.5 million higher than the previous year because of the MSBA grant received. He went on to describe what the unassigned fund balance consists of which is not free cash.

Mr. McIntyre went on to review some departmental policies and procedures recommendations where duties are not segregated the way they should ideally be. He went on to review Current Year Recommendations including improving and automating school department compensated absences and developing a more formal risk assessment process.

Mr. Aspinwall recognized the Finance Director and her staff as well as Department Heads for implementing the financial policies necessary to provide the Town with a favorable audit report.

**BRAUN PROPERTY:** Mr. Aspinwall reminded the Board that the Town received a letter from Mr. Braun that he intends to sell his property to a private party for \$35,000 but that the Town has 120 days from this point to exercise their right of first refusal. Mr. Braun informed the Town that the new owner will continue the parcel in Chapter 61A and asked for input from the Board and audience as to whether or not the Town should look to purchase the property. It was noted that the parcel in question is about 85% wetlands and has 1,200 ft. on the Charles River. Sel. Wagner stated that under the right of first refusal, there is a 120 day period where the Town may meet the current offer of \$35,000 but that the Town does not have to wait the full 120 days if it is decided one way or the other definitively what way the Town would like to go. Mr. Aspinwall stated that the 120 days is not dependent on where the funds would come from to pay for the property or to continue the environmental testing.

Mr. Nathan Maltinsky stated that the soil testing shows that the land is not contaminated. He stated that the CPC's initial vote was to purchase the property but not at the price that Mr. Braun is selling it to a private party for. Loretta Fitzgerald of the Conservation Commission stated that the Commission was in favor of purchasing the land particularly since part of the property is along the Charles River. She urged the Town to consider purchasing the land if the CPC does not express support.

Mr. Kevin Curry spoke being the party that has the purchase and sale agreement with Mr. Braun. He informed the Board that he would like to purchase the land and intends to keep it in 61A and use it as a bee farm. He stated that he has been working with Mr. Braun for over 6 months and would like to finalize the sale. Sel. Vecchi stated that he thought Town Counsel did not view the notice of purchase as being sufficient.

**Motion by Sel. Hendon, seconded by Sel. Vecchi, that the TOM invoke the 120 days right of first refusal under MGL Ch. 61A regarding the Braun property of Turner Street ending on May 30<sup>th</sup>. The motion passed unanimously.**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, that the Notice from Mr. Braun is deemed satisfactory. The motion passed unanimously.**

**BUDGET HEARINGS:** Building Commissioner Mike Giampietro spoke concerning the Building Department budget. He reviewed the various functions of the Building Department. He noted that the budget put forth for FY13 is level funded and explained who is paid out of the salaries line item and what is paid for out of the expense budget. Mr. Giampietro noted that on his Form 8 he is requesting additional hours for a Department Assistant. He noted that he has received assistance from the Council on Aging but that he is requesting an additional 7 hours for office help to bring the total to 12 hours for a Department Assistant. He stated that the Building Department takes in fees which meet or exceed what is spent in the Department budget.

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Fire Chief Warren Champagne addressed the condition of the Department's ladder truck. He noted that 27 deficiencies were found when the truck was inspected and some of them were serious. The initial quote to get the truck certified was \$4,200 but then when work began, it crept up beyond \$5,000 and work stopped because of the Ch. 30b laws. He noted that the truck is now back in service and it was just over \$10,000 to repair. Chief Champagne went on to review the proposed salaries and expenses for the Fire Department for FY13. He noted the decrease in the salary line item which was intentionally created in order to try to make up enough money to make up paying for the position created at the November 2008 Town Meeting.

Chief Champagne reviewed his capital requests which include replacement of the Chief's vehicle and the ladder truck with a quint which is a combination ladder truck/pumper. The price for the Quint is approximately \$675,000. Sel. Vecchi asked for the delivery time for a Quint and Chief Champagne noted it would take 8-9 months. He further noted that the current ladder truck and Engine 1 would not have any trade in value. Mr. Aspinwall reviewed the options for funding a Quint including a capital override vote which would go on the tax rate one year and come off the following year.

Animal Control Officer spoke concerning the Animal Control Department budget. She noted that there are a few small increases which include the reclassification of her position at the May, 2011 Town Meeting plus a 2% increase for the deputy salaries. She noted that the increase in expenses is due to the increase in gas prices. Ms. Hamelin reviewed the calls that she receives on a yearly basis. She closed by requesting additional help to cover on-call services during the week at night, especially during the summer hours. She stated that this coverage would be approximately \$3,000 for the Town of Millis.

Tricia Perry, Library Director, spoke concerning the Library's FY13 proposal. She noted that the increase in the salary line item is due to the increases received during the current fiscal year plus additional hours for the Children's and Youth Services Librarian. Ms. Perry noted that due to the expanding size of the Library, she estimated additional custodial hours to care for the building. She went on to talk about the rationalization behind increasing the hours for the Youth Services Librarian who is one of two professional librarians in the Town. She stated that this person currently works 24 hours and that most Librarians who have come into this position eventually leave to move to a full-time position.

**AMBULANCE RATE HEARING:** Sel. Vecchi read the hearing notice. Sel. Hendon recused himself from the discussion. Mr. Aspinwall reviewed the history of the ambulance billing rates and noted that Comstar recommended adopting a schedule of 200% of what Medicare will pay. He noted that since this was recommended last year, insurance companies have been paying this amount to other towns. He noted the number of costs associated with keeping an ambulance running. He noted that the increases would go into effect in March in hopes to restore the eliminated position in January of 2013. Mr. Aspinwall reviewed the current rates that we charge as well as the proposed rates at Medicare + 200%. Chris Smith of the Finance Committee urged the Board to support the increased rates.

**Motion by Sel. Vecchi, seconded by Sel. Wagner, to close the hearing at 10:10 p.m. The motion passed (2-0-1) with Sel. Hendon not voting.**

**Motion by Sel. Vecchi, seconded by Sel. Wagner, to accept the Comstar agreement and accept the new rates at Medicare +200% effective March 1, 2012, being the BLS Emergency Rate at \$1,160; the ALS1 Emergency Base Rate of \$1,377; the ALS2 Emergency Base Rate of \$1,993 and Mileage \$25. The motion passed unanimously.**

**SENATE BILL #1019:** Sel. Wagner reviewed the history of the request from the MAPC to support Senate Bill #1019. Kathy McInness, Chair of the Planning Board, stated that the Board did not receive a copy of MAPC's comments. The

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Board agreed, by consensus, to have a discussion between Chair to Chair or member to member and then respond to the MAPC.

**ADMINISTRATOR'S REVIEW:** Ms. Wagner reviewed the Town Administrator's performance review process and noted that 2011 was a very busy year with a lot of good things happening. She noted that his performance was exemplary. Mr. Aspinwall thanked Ms. Cederberg and all of the Department Heads who provided support to him and the Board over the past year. He recognized the financial staff and noted that their performance is highlighted in the audit and the bond rating. He stated that this performance will be particularly important, in particular, over the next few years as we move forward with more projects and more borrowing.

**CROSSING GUARD APPT:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, that we approve the Town Administrator's appointment to appoint Mary Coveney of Baltimore Street in Millis as a School Crossing Guard subject to a CORI and a physical. The motion passed unanimously.**

**WATER & SEWER RATE STUDY:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the contract award for the Water and sewer rate study to the Abrahams Group of Framingham, MA in the amount of \$14,000. The motion passed unanimously.**

**LIBRARY CHANGE ORDER:** Mr. Craig Schultze from the Permanent Building Committee explained Change Order #3 and noted that there was a defect in advertising which brought about the need for additional funds for the architect.

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the change order for the library with the contractor Oudens Ello Architecture the extended bid phase additional services in the amount of \$7,9907.50 changing the contract price from \$540,210 to \$548,117.50. The motion passed unanimously.**

**WELL 3 CLEANING PROJECT:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to award the contract for the Well #3 cleaning to DL Maher from Woburn, MA, in the amount of \$23,932. The motion passed unanimously.**

**MEETING MINUTES:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi to approve the regular session meeting minutes from 2/13/12. The motion passed unanimously.**

**ADJOURN:** At 10:30 p.m.,

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

*Respectfully Submitted,*

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*Jennifer G. Cederberg, Administrative Assistant*