

**BOARD OF SELECTMEN  
REGULAR SESSION MEETING MINUTES**

**April 23, 2012**

**Veterans Memorial Building Room 229  
900 Main Street, Millis, MA 02054**

**CALL TO ORDER:** Chair Andrea Wagner called the meeting to order at 7:33 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:** Microphone adjustments.

**CARNIVAL/CASSIDY FIELD:** Recreation Director Kris Fogarty stated that they would like to hold the annual carnival beginning Friday, June 22<sup>nd</sup> for 3 days and have a parade on Saturday, June 23<sup>rd</sup>. They would also like to have a fireworks display at 9 pm that same evening (6/23). She noted that bracelets to go on carnival rides will be offered on Saturday and Sunday. Ms. Fogarty requested that ½ of the electrical and plumbing fees be waived for the required inspections. Sel. Hendon questioned when the carnival would leave town and Ms. Fogarty responded by saying that they would begin leaving as soon as the carnival closed on Sunday. Ms. Fogarty stated that the parade would begin at the High School.

**Motion by Sel. Hendon, seconded by Sel. Vecchi, that we approve the permit for the Millis Recreation Department to hold its annual carnival at the Town Park from June 22-24th and also approve the parade that will begin on June 23<sup>rd</sup> from 12-4 and approve the fireworks on June 23<sup>rd</sup> at 9 p.m. with the coordination of the Fire and Police Department and also approve ½ of the plumbing and electrical fees be waived. The motion passed unanimously.**

Ms. Fogarty reviewed requests for field usage in Town and noted that the Town fields are constantly rented out. She stated that she went before the CPC and was told that they were not able to help in the creation of new fields on existing Town property. She stated that there is a real need for fields and asked for some direction on how to begin researching this possibility.

Mr. Aspinwall reviewed an old map from 1998 where the Cassidy property was looked at to develop into sports fields. He noted that any land under the Conservation Commission's jurisdiction cannot be developed for active recreation purposes. He stated that a list of town-owned properties can be obtained from the Assessor's Office and then Ms. Fogarty should review the list to see which are under the jurisdiction of the Conservation Commission or other agencies who may need to be involved in future talks to develop the property. He then went on to review the map of the Cassidy property.

Ms. Fogarty stated that she would like to do further research on the feasibility of using Verderber Farm. Mr. Aspinwall stated that this is conservation/protected land. Sel. Vecchi agreed. He further suggested researching the option of utilizing portions of Oak Grove Farm. Finance Director Kathleen LaPlant stated that CPC funds cannot be used to maintain existing Town owned land but rather can be used to purchase land not already owned. Mr. Aspinwall stated that the CPC funds are limited as the next five years the majority of those funds will be used to pay for the Dewey property.

Ms. Fogarty will review potential options and come back to the Board for further discussion.

**EXPEDITED DEVELOPMENT:** Mr. Aspinwall stated that he met with state officials regarding expedited local permitting and reviewed a summary of the statute. He stated that it would add marketing ability to the property owner if prospective clients were told the property was covered under 43D. He noted that Mr. Alpert at 1073 Main Street is very interested in doing this and that his property meets the qualifications. Mr. Aspinwall explained the process of determining whether or not properties meet the statutory guidelines. He stated that meeting the guidelines would allow the property owner to come in and apply for expedited permitting. He stated that the designation stays with the property.

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Ms. Wagner asked about the impact of expedited permitting on other Town boards and committees. Mr. Aspinwall suggested inviting the impacted boards to a future meeting for discussion. Mr. Jim McKay stated that the Planning Board is very interested in moving forward with this process and would like to meet with the Selectmen to discuss it further. Mr. Aspinwall suggested also inviting Town Counsel, Mr. Alpert and any other interested, eligible property owners. Sel. Vecchi clarified that this would not need to be voted on by Town Meeting.

**BUDGET HEARINGS:** Patty Kayo, COA Director, reviewed the purpose and function of the Council on Aging. She then went on to review her FY13 budget submission. She noted that her request included adding van drivers into their payroll. Ms. Kayo further clarified that the Council also requested additional hours (10) for the COA Director and noted that there has been a merging of sorts with this position and the position of Respite Program Director. Mr. Aspinwall informed the Board that the additional 10 hours was not recommended for FY13.

Vice Chair Mary Skilling spoke concerning the separate roles of the Director of the Council on Aging and the Respite Program Director. She noted that the COA Director is responsible for over 1,600 citizens in the Town. She further stated that surrounding Towns have full-time directors who have no responsibilities for the supportive day program.

Ms. Skilling asked that the COA be allowed to paint the walls a color other than beige. She noted that there are professional painters ready to do the job and that the COA Board would like to spruce the area up and make it more inviting for the people who seek out its services. Mr. Aspinwall reviewed the history of the uniform color decision and stated that this was decided on by a previous board. Ms. Kayo specified that they would like to paint the lunch room and the room next to the kitchen that is considered a "club house". She noted that Room 18 is also used by many other groups and not designated specifically for the COA so that they would not be seeking to paint this room nor the rooms designated for the Youth Commission.

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant permission to the Council on Aging Board to paint those rooms under their jurisdiction. The motion passed unanimously.**

Ms. Cederberg presented the Selectmen/Town Administrator and Town Building budgets.

**FY11 SCHOOL AUDIT:** Ms. Wagner stated that the Board would be re-broadcasting the presentation given by the auditors at an earlier BOS meeting.

Ms. Wagner reviewed the audit process. Marc Conroy from the School Committee walked through the three audits and addressed the findings and corrective action that will be taken to clear up those findings. He began with the single audit with regards to the excessive number of journal entries and missing descriptions to define why those entries were made. He stated that there is a manual log/notebook being kept to describe all journal entries and in the general ledger, there is a description field that is being populated when an entry is being posted. He stated that he fully anticipates that these findings will be corrected this year.

He then went on to address the Student Activity Funds. He clarified that there is a policy book that was adopted in 2000 but that this book was not readily available when the auditors came through. He stated that there will be a formal policy book presented to the School Committee in the fall of 2012 so that it can be adopted. He noted that adoption of this book will address all of the issues raised concerning Student Activity Funds management. Mr. Conroy also noted that the School Department will be having an audit by the MA Association of School Business Managers but that they are not available until early FY14.

Mr. Conroy addressed the last report of Agreed Upon Procedures of which amendments to the report have been filed which address each issue noted.

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Ms. Wagner indicated that she was very concerned about the significant deficiency findings and the Board wants to be assured that the School Department is addressing the items that need to be fixed so that the Town can get back on track. Ms. Wagner explained why the auditors report their findings to the Board of Selectmen when the findings are only concerning the School Department. Mr. Conroy asked if next year the School Committee and BOS can have a formal joint meeting when the auditors are ready to present their reports. The Board agreed with this request.

Sel. Hendon asked who is responsible for the issues the auditors discovered. Mr. Conroy noted that it is one person. Mr. Hendon asked if checks and balances have been put in place to re-check the work. Sel. Wagner stated that the policies and procedures manual has been noted in the past and it has always been identified as being worked on. Sel. Vecchi clarified for the home audience that there has been no malfeasance or missing funds but what is being discussed are policies for performing certain accounting functions. He did note that federal grant awards could be effected in the future if these issues are not resolved.

Finance Director Kathy LaPlant reviewed the issues that she has been having with coordinating the receipt of appropriate grant paperwork from the School Department and the Department of Education. She noted that the deficit accounts come into question when free cash is certified. Ms. LaPlant addressed the issue of the timing of the audit of the School and noted that she has discussed this issue with the School Business Manager. She stated that the Board can expect that many of the issues noted will be addressed in the next audit which will take place in the fall of 2012.

Mr. Aspinwall and an auditor representing Melanson Heath spoke concerning deficit spending and noted that most state education grants are in the deficit until the last payments are received in June or July.

**CHAPTER 90 ALLOCATION:** Mr. Aspinwall reviewed a list of streets in town that are prioritized for improvement. These streets include Grove Street, Daniels Street, Village Street, Dover Road, Pleasant Street, Forest Road, Curve Street and Exchange Street. In addition, he noted the need for an additional \$30,000 for crack sealing and updating the Town's road study for a cost of approximately \$10,000. He noted that he and Mr. McKay are requesting Daniels Street and Curve Street be fixed which would leave some funds left over for crack sealing or the requested study.

Mr. John Griffin of Ross Ave. spoke concerning his street and the list of streets and their condition that were discussed last year. He noted particular concern about the dirt and gravel roads in Town. He said that the Town needs to take a fair and honest look at the gravel roads. Sel. Wagner reminded the Board that there are drainage issues related to the paving of Ross Ave. and that in considering roads, they need to consider how much the roads are traveled.

This matter will be discussed again at the next Board meeting, giving the Board a chance to travel down some of the proposed roads.

**CROSS CONNECTION CONTROL:** Mr. McKay began by reviewing the Town's regulations for outside watering and noted that these regulations are in effect as of May 1<sup>st</sup>.

Mr. McKay noted that the cross connection regulation was put in place in 1994. He stated that the Town has 106 current cross connections and explained what a cross connection is. He noted that they are located in large commercial businesses, schools, dentists, funeral homes, etc. He said the devices get tested twice per year at a cost to the property owner: it gets charged to their water bill. Mr. McKay stated that the Town has always done bi-annual testing but now the DEP is mandating it along with keeping a strict paper trail.

Mr. Aspinwall stated that this mandate could lead to shut off hearings as a handful of property owners have refused to allow the DPW to get onto the property for survey purposes. He noted that water shut off is only considered after

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numerous attempts to gain access to the property are made. He said there are currently 9 accounts that fall into this category.

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the cross connection control program and to approve the hearings before the Town Administrator that are in violation of said program. The motion passed unanimously.**

**FIRE CHIEF RECRUITMENT:** Mr. Aspinwall reviewed his memo recommending the recruitment process for the replacement of outgoing Fire Chief Champagne. He noted that the Town might first consider reviewing internal candidates as there is more than one candidate that can fulfill the duties of the position. He stated that if this process does not yield a suitable candidate, that then they can expand it to include candidates from outside the Department. He recommended that the Board appoint a committee to undertake the review of potential candidates of the position. Mr. Aspinwall stated that retired Chief Ranieri from Bellingham would be willing to work in Millis on a contractual basis, 3 10-hour days to cover in the event a candidate is not on board before Chief Champagne retires. He suggested that the committee that is formed would consist of the Town Administrator, a member at large, a Selectman and two area fire chiefs.

Firefighter/Union President Chuck Bishop asked for clarification on when the recruitment process would begin. Sel. Wagner stated that the hope is to have the search completed in 60-90 days. She stated that a committee should be in place by the next BOS meeting in 3 weeks and then the search would begin.

**Motion by Sel. Hendon, seconded by Sel. Vecchi, that the BOS adopt a recruitment process outlined in the memo dated 4/23/12 to the Board of Selectmen and authorize the Town Administrator to negotiate a contract for an interim Fire Chief. The motion passed unanimously.**

**FIRE UNION NEGOTIATIONS:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to designate Mr. Charles Vecchi as the Selectmen's representative to the Fire Union negotiations. The motion passed unanimously.**

**TOWN MEETING WARRANT:** Mr. Aspinwall reviewed that the Board has already signed the warrant and asked their pleasure in reviewing the warrant articles. The Board agreed to divide the warrant articles into three sections and each take 16 in the event that questions arise at Town Meeting which need to be publicly addressed.

**ONE-DAY ALCOHOL LICENSES:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the one-day alcohol license requests for the Boggestowe Fish and Game Club concerning the following dates: 5/6/12 Chili Fest from 12-6 p.m.; 6/16/12 Family Reunion 11-6 p.m.; 8/19/12 Annual Clambake 12-8 p.m.; 9/15/12 Boggestock 12-7 p.m.; 10/6/12 Ham & Bean Supper 12-10 p.m. The motion passed unanimously.**

**WAITES MILL PARK:** Mr. Aspinwall noted that the Pleasant Street Bridge would be open shortly. He highlighted the area on a map where there is a curb cut to Waites Mill Park. He proposed four hour parking signs for those who park in the area to fish, use the grounds, etc. The Board agreed, by consensus, to notify the business in the area that they are considering installing this signage.

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**COMMITMENT:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, that we sign a commitment to the collector for final water bills and special commitments for March 2012 in the amount of \$519.05. The motion passed unanimously.**

**FIOS BUILDOUT:** Mr. Aspinwall stated that the Town was contacted by Verizon to discuss and layout the process for continuing the rollout of FIOS in the Town. He stated that there may be a delay in the rollout because Verizon has not yet shown the Town that they have secured access to residential locations to install the necessary underground utilities.

**NOTE RENEWAL:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, that we approve the signing of a note renewal to Eastern Bank for \$20,000 with an interest rate .75% for one year. The motion passed unanimously.**

**FLOURIDATION EQUIPMENT CONTRACT:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the fluoridation equipment contract award to Ti Sales of Sudbury MA in the amount of \$12,949.20. The motion passed unanimously.**

**APPROVAL OF MEETING MINUTES:**

**Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the regular session meeting minutes from 4/2/12 and the executive session meeting minutes from 4/2/12. The motion passed unanimously.**

**EXECUTIVE SESSION:** At 10:35 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*