

**BOARD OF SELECTMEN  
REGULAR SESSION MEETING MINUTES**

**August 6, 2012**

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

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

**ANNOUNCEMENTS:** Condolences to the Sikh community; resignation from the Conservation Commission; openings on other boards/committees.

**STORMWATER HEARING:** Sel. Wagner read the public hearing notice. Mr. Aspinwall reviewed the letter of review and findings submitted by Town Engineer Barbara Thissell. He stated that there were three recommendations by Ms. Thissell which are listed in italics in her correspondence dated 8/5/12. These recommendations include the creation of stormwater management easements, the requirement of a surety bond, and that site inspections be required and funded by the applicant.

Mark Rosenfeld reviewed the history of Radio Frequency and what the company produces. He highlighted the proposed addition to their current building on a map and noted that this addition disturbs 1.4 acres of land which triggers the need for a Stormwater and Land Disturbance Permit from the Town. He stated that he is in agreement with Ms. Thissell's recommendations and that a draft decision has been compiled and given to the Board for consideration.

There was discussion surrounding #11 on the Draft Decision. Mr. Aspinwall recommended adding some language requiring the applicant to have an erosion control inspection and stormwater conveyance inspection in addition to review of the as-built drawing and final inspection, all funded by the applicant.

**Motion by Sel. Wagner, seconded by Sel. Vecchi, to close the hearing. The motion passed unanimously.**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that the Board make the following findings relative to the Stormwater and Erosion Control Permits submitted by Radio Frequency of 150 Dover Road in Millis, MA, and after review by Barbara J. Thissell, P.E., an outside consultant retained by the Board, the Board determined the following:**

- 1. That the applicant has provided a Stormwater Management Plan meeting the requirements of Section 7.1 of Article I, and more specifically that the proposed stormwater treatment system is consistent with the DEP Stormwater Standards and Handbook and meets the requirements of Section 7.1.B of Article I ("Standards").**
- 2. That the applicant has provided an Erosion and Sediment Control Plan meeting the requirements of Section 7.2 of Article I.**
- 3. That the applicant has provided an Operations and Maintenance Plan meeting the requirements of Section 8 of Article I.**
- 4. That the application with the conditions imposed hereunder generally complies with the requirements of Article I and Article II.**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that the Board to grant a waiver from the requirement of Article I.8.C to create and provide stormwater easements to the Town of Millis over the proposed private stormwater management systems. The Board grants this waiver in light of the fact that the conditions enumerated below provide for access by the Town should maintenance of the applicant's stormwater management system become necessary.**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that the Board vote unanimously to grant the following the following to the Radio Frequency Company for the proposed addition to the existing building at 150 Dover Road:**

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1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit,
2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit,

All permits and approvals granted above are subject to the following conditions:

1. This permit shall run with the land and shall apply to all future owners of this lot. In the event of a change of ownership, the owner shall send the Millis Board of Selectmen a notice indicating the name, mailing address, and phone number of the new property owner(s).
2. The project shall be constructed in accordance with the 7-sheet plan set submitted, entitled "Proposed Site Plan, 'Radio Frequency Company,' 150 Dover Road, Millis, Massachusetts," prepared by GLM Engineering Consultants, Inc., and dated April 6, 2012, with a latest revision date of July 31, 2012, herein referred to as the "Approved Site Plan."
3. All construction activities and future use of the site shall be in accordance with the provisions of the document submitted by the applicant entitled "Stormwater Report, 150 Dover Road, Millis, Massachusetts" prepared by GLM Engineering Consultants, Inc., dated April 6, 2012 with a latest revision date of July 31, 2012. This document contains a variety of provisions which will apply to construction activities as well as to the long-term maintenance of the site. Appended to this document for easy reference are the approved Stormwater Operations and Maintenance Plan and the approved Long-Term Pollution Prevention Plan.
4. Dust control shall be by water truck, calcium chloride shall not be allowed.
5. All hazardous construction products and wastes shall be stored in accordance with the Stormwater Pollution Prevention Plan submitted by the applicant, which is included in the document referenced in condition #3 above.
6. Wherever plans and conditions differ, conditions of the permit shall govern.
7. This decision shall be recorded by the applicant prior to issuance of a building permit for the project.
8. All bills for consultants used by the Town to review this permit shall be paid by the applicant prior to the permit being issued.
9. Construction shall commence within two years of obtaining all necessary permits or from the resolution of appeals action, whichever occurs later. If construction does not commence within that time period, this permit shall lapse.
10. In lieu of requiring a surety bond, the applicant is required to complete the construction of the proposed stormwater management systems and to have them be fully operational before a Certificate of Occupancy is issued for the proposed building addition.
11. The Town of Millis shall have the right to enter the site to inspect the site's stormwater management systems at their cost and expense. Should the property owners fail to maintain the stormwater management systems in accordance with the approved Stormwater Operations and

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**Maintenance Plan, The Town shall notify the property owner of the deficiency and provide them with at least 14 days to remedy said deficiency. If, after the 14-day notice period, the owner has not remedied the deficiency, the Town shall have the right to enter the site to perform the referenced stormwater management system maintenance per the approved Stormwater Operations and Maintenance Plan. The owner shall be responsible for reimbursing the Town for the costs of said maintenance. In the event of an emergency that requires immediate maintenance of the site's stormwater management systems, the Town shall have the right to enter the site to perform the emergency maintenance and the owner shall reimburse the town for the costs of said emergency maintenance.**

- 12. The project will require two construction inspections and one as built plan review, the cost of which will be borne by the applicant.**

**The motion passed unanimously.**

**BANDSTAND PROJECT UPDATE:** Nathan Maltinsky from the Bandstand Committee/Historical Commission spoke concerning the progress of plans on how to proceed with rehabilitating the Town Park bandstand. He noted that the cost to relocate the bandstand is cost prohibitive. He asked permission to open a revolving fund for the donations coming in to rehabilitate the bandstand. Mr. Aspinwall suggested that the fund be set up as a gift fund. Mr. Maltinsky suggested that the gift fund be under the jurisdiction of the Historical Commission. He reviewed what the proposed rehabilitative project would consist of including steel railings, roofing, etc. He also informed the Board that a former local resident whose grandfather and father built the original bandstand has offered to match the funds which are brought in by donation so that the Bandstand Committee would need to raise approximately \$4,000-\$5,000 to fund the renovation. Sel. Vecchi questioned whether or not access to the bandstand would be improved.

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that the TOM establish a gift fund for the purpose of collecting donations to restore the bandstand and that the gift fund be managed by the Historical Commission. The motion passed unanimously.**

**PUBLIC HEARING ON STOP SIGNS:** Sel. Wagner read the hearing notice. Mr. Aspinwall reviewed the need to have stop signs placed at various intersections around Granite Drive noting that a bicyclist was almost hit recently. He stated that Sgt. Dwyer and Chief Edison recommend placing these stop signs. It was noted that Sandstone Drive was not on the recommended list and Sel. Vecchi noted that there is limited traffic in this area.

**Motion by Sel. Wagner, seconded by Sel. Vecchi, to close the hearing. The motion passed unanimously.**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that the BOS do ask the Public Works Department to install stop signs at the intersection of Granite Drive and Himmelfarb Street and one at the intersection of Granite Drive and Myrtle Street as well as the painted white stop line. The motion passed unanimously.**

**FALL ANNUAL TOWN MEETING WARRANT:**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, to open the Warrant for the 2012 Fall Annual Town Meeting scheduled for November 5, 2012. The motion passed unanimously.**

**EXPEDITED PERMITTING:** Mr. Aspinwall informed the Board that a group meeting took place with a representative from the state. He reviewed what the term "Expedited Permitting" means and what sites need to have in order to be qualified to be designated. He stated that the consensus of the group meeting is that adopting this permitting option would not greatly impact Boards and Committees as they are essentially already following the

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timelines set forth in the statute. Sel. Wagner re-expressed her concerns for the strict time periods set and the relationship to the timing of Town Meeting. Mr. Aspinwall stated that Town Meeting would need to first approve every parcel that is brought forward for designation. Sel. Vecchi suggested waiting until the next BOS agenda to vote to put it on the Town Meeting warrant as Sel. Hendon was not present at tonight's meeting.

**LEPC APPOINTMENTS:**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that we do appoint Rick Barrett, Fire Chief, to the Local Emergency Planning Committee and Keith Edison, Police Chief, to the Local Emergency Planning Committee. The motion passed unanimously.**

**SAFETY COMMITTEE APPOINTMENTS:**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that we do appoint Fire Chief Rick Barrett and Police Chief Keith Edison to the Safety Committee. The motion passed unanimously.**

**EMPLOYEE IAC AND PUBLIC EMPLOYEES COMMITTEE APPOINTMENTS:**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that we do appoint Dale Olmstead to the Employee Insurance Advisory Committee and to the Public Employees Committee. The motion passed unanimously.**

**FINANCIAL MANAGEMENT COMMITTEE APPOINTMENT:**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, to appoint Marc Conroy as the School Committee representative to the Financial Management Committee. The motion passed unanimously.**

**COMMITMENT TO THE COLLECTOR:**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that we commit to the Collector the sum of \$1,675.43 for final water bills and special commitments for the month of July in fiscal year 2013. The motion passed unanimously.**

**WATER & SEWER RATES:** Mr. Aspinwall reviewed the history of the adoption of the rates for the Fire Service Lines at the last BOS meeting. He clarified for the Board that if water is used through the fire service, it would be charged for.

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that the Town of Millis water/sewer rates, specifically those for the fire service charges, also include a water use charge 0-25,000 gallons: \$2.61/thousand; 25,001-50,000 gallons: \$4.15/thousand and 50,001 and up: \$6.64/thousand. The motion passed unanimously.**

**STATE PRIMARY WARRANT:**

**Motion by Sel. Wagner, seconded by Sel. Vecchi, that the BOS do sign the warrant for the state primary election to be held on September 6, 2012. The motion passed unanimously.**

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**MEETING MINUTES:**

**Motion by Sel. Vecchi, seconded by Sel. Wagner, to approve the regular session meeting minutes from 7/23/12. The motion passed unanimously.**

**EXECUTIVE SESSION:** At 8:50 p.m.,

**Motion to enter into executive session to consider the purchase, exchange, taking, lease or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body and the Chair so determines and we will emerge only to adjourn. By Roll Call Vote: Wagner – aye, Vecchi – aye.**

*Respectfully Submitted,*

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*Jennifer G. Cederberg, Administrative Assistant*