

**BOARD OF SELECTMEN  
REGULAR SESSION MEETING MINUTES  
December 3, 2012  
Veterans Memorial Building Room 229  
900 Main Street, Millis, MA 02054**

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

**ANNOUNCEMENTS:** \$7,500 grant from Mass DEP for an additional container for the Transfer Station. Mr. Aspinwall recognized Mr. McKay for obtaining two grants in a short period of time.

**TAX CLASSIFICATION HEARING:** Sel. Wagner read the hearing notice. Assistant Assessor Paula Dumont reviewed the purpose of the hearing and stated that the Board needs to set a tax rate and decide whether it would be a single or split tax rate. She noted that the value of single family homes has risen slightly over last year while the value of condominiums has dropped slightly, likely due to the fact that she completed some revaluating. Mr. Aspinwall reviewed the LA5 form and the excess levy capacity of just over \$9,000. Ms. Dumont clarified that the proposed tax rate which is Single \$16.34. Sel. Hendon noted that the new Library is now on board and reflected in the tax rate for the next 20 years.

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

**Motion by Sel. Vecchi, seconded by Sel. Wagner, that we adopt a single tax rate or factor of 1. The motion passed unanimously.**

**CHARLES CAFE:** Tricia Cook from the Charles Café appeared and asked for permission to start serving alcohol at 10:00 a.m. on Sundays.

**Motion by Sel. Vecchi, seconded by Sel. Wagner, to approve a change of hours on Sunday for the serving of alcohol at the Charles Café to 10:00 a.m. The motion passed unanimously.**

**LIBRARY CHANGE ORDER:** Mr. Wayne Klocko reviewed the change ordered comprised of a number of changes to the project. He noted that there are a couple of major points which include the work in the attic and data conduits for the public stacks room. He explained that there is some disagreement with the contractor on the cost of the attic work. Mr. Klocko then went on to review items 1-8 and noted there are still approximately \$65,000 pending in further change orders with the balance of the contingency fund currently holding in the \$120,000 area.

Mr. Klocko stated that the contractor is projecting that the building will be open sometime in April of 2013. He noted that the Contractor has estimated their daily labor costs to be \$1362/day. He feels that there will be a disagreement at the end of the project between what the Town feels they owe and the Contractor feels that the Town owes.

Mr. Klocko informed the Board that the external portion of the new Library is almost complete with the stone work currently being done. He stated that temporary heat is currently being set up inside.

**Motion by Sel. Vecchi, seconded by Sel. Wagner, that we approve the amount of \$20,168.72 as listed in Change order #6 which includes items 1-8. The motion passed unanimously.**

**WATER SYSTEM MATERIALS:** Mr. Aspinwall reviewed the conversation which took place at the last BOS meeting where a resident came forward to request that the Town allow him to use plastic piping for the connection to his home. He noted that the Town does not have the type of equipment which would allow us to detect a leak in plastic piping, that some outside firm would need to be brought in. He stated that he does not recommend the change primarily because of the leak detection issue. He read a letter from himself and Mr. McKay addressing the concerns of the homeowner as well as conditions that would be recommended if the Board were inclined to grant the homeowner

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permission to use plastic pipe. Sel. Wagner clarified that any leaks that occur from the curb stop to the house it would be the responsibility of the homeowner to fix it.

The Board discussed what, if any, cost savings there would be if the homeowner were to be allowed to use the plastic piping. Sel. Wagner clarified that this is not the role of the Board. She further clarified that it would be the responsibility of the homeowner to correct a leak if one should occur and that there would be no unaccounted for water if the meter pit was installed.

**Motion by Sel. Vecchi, seconded by Sel. Wagner, that we allow Mr. Coviello to install plastic pipe at his lot on Ridge Street with the following conditions: that the service pipe leaving the water main up to the meter pit be of copper material; that a meter pit satisfactory to the DPW be installed after the curb stop at the property line and that the owner be responsible for maintaining the meter, meter pit and remote reader; meter will be replaced by customer every 15 years or sooner if the DPW requires replacement; no groundwater or surface water shall infiltrate the meter pit; plastic pipe may be used after the meter pit; tracer line must be installed; the homeowner shall be responsible for all leak detection costs incurred by the town for locating a leak on their property and an agreement regarding same shall be placed on file with the DPW. The motion passed with Sel. Hendon voting in the negative.**

**DEPARTMENT ASST. I/RECREATION:** Mr. Aspinwall reviewed the interview process and noted that the recommendation by Ms. Fogarty and Ms. Cederberg is that the position be offered to Susan Vara. He noted that several disclosures were recommended by Town Counsel and that following a conversation between Ms. Vara and the State Ethics Commission, further disclosures were recommended. He pointed out that the position would need to be designated as a Special Municipal Employee. It was recognized that Ms. Fogarty also filled out disclosures as recommended by Town Counsel.

Mr. Aspinwall reviewed each disclosure form for the Board noting which they would have to approve and which are just put on record with the Town Administrator.

**Motion by Sel. Vecchi, seconded by Sel. Wagner, that we approve the Town Administrator's appointment of Susan Vara as a Special Municipal Employee as a Department Assistant I in the Town Clerk's Office, as a Department Assistant I in the Recreation Department and as a member of the Recreation Committee and I also further move that we approve the disclosures that were required and submitted. The motion passed unanimously.**

**NOTE RENEWAL:**

**Motion by Sel. Vecchi, seconded by Sel. Wagner, that the Board authorize the Treasurer to borrow \$84,000 for the culvert improvements for one year at a rate of .60%. The motion passed unanimously.**

**WATER/SEWER COMMITMENT:**

**Motion by Sel. Vecchi, seconded by Sel. Wagner, that we commit to the Collector water and sewer commitments the amount of \$541,229.45. The motion passed unanimously.**

**PROJECT UPDATE:** Mr. Aspinwall reviewed a list of ongoing projects that are listed on an agenda for a Board/Department Coordination Meeting. This list will serve as an official attachment to these minutes.

**FOUR WAY STOP/MIDDLESEX:** Mr. Aspinwall reviewed the study that was conducted at the four way stop at Middlesex and Orchard Streets. He noted that the engineer's recommendation was to improve the sight distance from

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Middlesex Street and check it every month to keep the distance open. He noted it would require the clearing of trees and brush on the side of the road. He noted that if accidents continue, the engineer recommended a four way stop be installed or the intersection be reconstructed. Mr. Aspinwall stated that one of the proposed tree to be removed is on Orchard Street which is a scenic road and that there is a public hearing to discuss this possibility tomorrow night.

**SEALER GRANT SUBMITTAL:** Mr. Aspinwall reviewed the grant submittal from the Sealer of Weights and Measures. He noted that the Sealer has asked for permission to submit the grant which would purchase equipment to be utilized by multiple towns.

**Motion by Sel. Vecchi, seconded by Sel. Wagner, that we grant the Sealer of Weights and Measures permission to apply for a grant for electronic weights and measures in the amount of \$21,550. The motion passed unanimously.**

**REQUEST TO PURCHASE TOWN PROPERTY:** Mr. Aspinwall reviewed a letter from Thomas McDonough where he requests to purchase a piece of land adjacent to property he already owns. Mr. McDonough stated that he is unsure of how he would utilize the property but that it would just add to the property he currently owns and could be used to help with drainage, etc. Mr. Aspinwall stated that it is close to Wells 1 and 2 and provides for some recharge but that the Town has no plans for the parcel which is only approximately 3,000 sq. ft. The Board reviewed a plan that Mr. McDonough brought forward. Mr. Aspinwall said that if purchasing this property allows the 40B project to move forward, the Board needs to be cognizant of this as neighbors may have objections or concerns. The Board decided to take this under advisement.

**MINUTES:**

**Motion by Sel. Vecchi, seconded by Sel. Wagner, to approve the regular session meeting minutes from 11/19/12. The motion passed unanimously.**

**Motion by Sel. Vecchi, seconded by Sel. Wagner, to approve the executive session meeting minutes from 10/15/12. The motion passed unanimously.**

**ADJOURN:** At 9:35 p.m.,

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

*Respectfully Submitted,*

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*Jennifer G. Cederberg, Administrative Assistant*