

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, September 28, 2015 7:00 PM
Veterans Memorial Bldg. Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. Smith called the meeting to order at 7:05 pm. The following persons were present: Chair Christopher Smith, Vice-Chair James Neville, Clerk James McCaffrey, Operations Support Manager Karen Bouret, and Town Administrator Charles Aspinwall.

ANNOUNCEMENTS

Mr. Aspinwall said the DPW received the 2014 Water Fluoridation Quality Award from the U. S. Centers for Disease Control and Prevention. Mr. Aspinwall said the award recognizes the DPW's hard work and time and ensures that our residents are receiving the health benefits of community water fluoridation, and thanked them for their continued service to the Town.

Mr. Aspinwall said Ms. Paula Dumont, Assistant Assessor, received a note from John Sauer of Berkshire Hathaway Realty thanking her for her help whenever he goes to the Assessor's office. Mr. Aspinwall thanked Paula for her hard work.

Mr. Aspinwall said Brenda Hamelin, Regional Animal Control Officer, received a thank you card from a family who had a problematic cat who she was able to return to the family. Ms. Hamelin provided shelter and vaccination services for the cat taught the family how to properly take it. Mr. Aspinwall said Ms. Hamelin went above and beyond to reach out to the family and the Town greatly appreciates her efforts.

Barbara Thissell, Director of Public Health, announced that there will be a Health Fair on Saturday, 10/17/15 from 10:00am-1:00pm at the Town Hall. Ms. Thissell said the event will be in conjunction with the Flu Clinic. The Fair will have glucose and BMI screenings, a representative from the Sheriff's office where wellness check services can be established, as well as Sergeant Soffayer from the Millis Police and representatives from the Council on Aging. Ms. Thissell encouraged all to attend.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

15-289 Energy Manager's Work Plan

Robert Weiss, Energy Manager, presented his Work Plan Summary for the BOS. Mr. Weiss said the Department of Energy Resources (DOER) requires that he have a plan but he also wants to share it with the Town. Mr. Weiss said it is a two year plan which encompasses tasks moving forward from his first year and new tasks for year two. (See attached) Mr. Weiss said working towards the Green Community Designation and reducing the Town's energy usage at the public level are the two major goals. Mr. Weiss said he and the Energy Committee have already worked towards actively reducing energy use on the Public side which includes Town and School use encompassing Town buildings, vehicles, street/traffic lights, well pumps, etc. The BOS thanked Mr. Weiss and said they look forward to continued improvements in energy efficiency.

15-290 Safety Committee Appointments – MacDuff and Lent

Mr. Aspinwall said the Safety Committee should have a representative from every Town building, and recommends appointing Timothy MacDuff from the Schools and Alex Lent from the Library as members.

Sel. Neville made a motion to approve the Town Administrator’s recommendation to appoint Timothy MacDuff and Alexander Lent to the Safety Committee. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-291 LEPC Appointment – MacDuff

Mr. Aspinwall recommended that Timothy MacDuff, School Operations Director, be appointed as a member of the Local Emergency Planning Committee (LEPC).

Sel. Neville made a motion to approve the Town Administrator’s recommendation to appoint Timothy MacDuff and Alexander Lent to the LEPC. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-292 Board of Assessors Warrant Article Presentation

Paula Dumont, Assistant Assessor, presented three proposed articles for the fall Town Meeting. Ms. Dumont said the first article would allow the Assessors to change the maximum qualifications for Chapter 41C senior citizens which allow them to take \$1000.00 off their tax bill. The next would be for the purchase of Personal Property software for the office. Ms. Dumont said the last was a directive from the Department of Revenue at the last revaluation which is implementing a neighborhood map on the GIS database. Ms. Dumont said the last request is the most crucial and is a one-time charge of \$1200.00. The BOS said the first two requests seem better suited for the spring town meeting but the last request for a GIS update should be addressed.

15-293 Application for Abatement – Conlon

Mr. Aspinwall said the Town received an application for adjustment/abatement from Jessica and John Conlon of 20 Clewes Road. Mr. Aspinwall said the Conlons would like an abatement applied to their sewer charge since a large quantity of their water use was for watering the lawn. Mr. Aspinwall provided a letter dated 9/16/1999 which he wrote to a resident explaining why an outside water meter is not recommended. (See attached) The BOS agreed that there is no real hardship associated with the abatement request.

Sel. Neville made a motion to deny the adjustment/abatement request from Jessica and John Conlon of 20 Clewes Road for water/sewer charges. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-294 Police Station Project Status Update

Wayne Klocko, Chairman of the Permanent Building Committee, addressed the BOS regarding the site contamination issues at the new Police Station site. Mr. Klocko said construction debris, transite pipe, asphalt shingles, and tar, among other things, have been uncovered during excavation. Mr. Klocko said there is also an organic layer which cannot be built on since the building would settle. Pat Sheehan, PBC member, spoke about the testing done at the site and said the consultants are working through the project architect. Mr. Klocko said the contamination is significant and a plan will be submitted to the DEP tomorrow for approval, which can take up to 30 days. Project Manager Brian Main showed photos of the contamination at the site and said it has been covered with plastic as a precaution. Mr. Klocko said only what is uncovered must be remediated and added that full safety measures will be taken to make sure the contamination doesn’t become airborne or a risk for the public in any way.

Mr. Klocko provided a chart showing the estimate of costs associated with the unforeseen subsurface conditions at the site. (See attached) Mr. Klocko said all anticipated costs have been shown including

two worst case scenarios shown in Note #1 and #2. The projected worst case grand total is \$1,831,904 which includes \$628,250 in budget items that were value engineered out of the project. Mr. Klocko stressed that the PBC feels shortchanging the Fire Station side of the project is not an option. Sel. Smith said priority number one is dealing with the site contamination and then as more information comes in building back in the items value engineered out of the project can be looked at. The BOS agreed. A resident asked why this was not caught ahead of time. Mr. Sheehan said they are looking into how the test pits were done initially to see if there is some responsibility behind why some of the contamination and organic layer were not picked up. Sel. Smith said any other questions could be brought to the PBC at their next meeting on Tuesday night or addressed to Project Manager Brian Main. Sel. Smith asked that the school vans be moved from behind the job site to another location.

15-295 Acorn Street Subdivision/Pocket Park

Dan Merrikin of Merrikin Engineering said originally the Town wanted a playground or pocket park to be included in the Acorn Street subdivision on the Dmytryck land. Mr. Merrikin said a plan was developed and brought to the Planning Board, but the Board did not like the location in the center of the cul de sac nor do they even see a real need for a new playground. Robert Cantoreggi, Chairman of the Planning Board, said although the initial thought was that a playground could benefit residents in that area the Board sees it as another park and public way the Town would need to maintain, and would prefer to see the mitigation funds go towards existing parks. The BOS agreed. Mr. Merrikin said his client would be amenable to setting up a gift account to go towards park maintenance. Mr. Aspinwall will work with Mr. Merrikin to get an account set up.

15-296 Proposed Warrant Article – Zoning /Signage

Mr. Aspinwall said the Planning Board proposed a Zoning Bylaw Amendment article for Section VII Signs, F. Illumination. Mr. Aspinwall said Ilana Quirk, Town Counsel, sent an email to Mr. Aspinwall regarding the zoning article and feels is not in proper form. (See attached) Mr. Cantoreggi said the Planning Board is withdrawing the request at this time and will work with counsel to amend the proposal for resubmittal for the spring annual town meeting.

15-297 Repairs to 1994 Mack Truck

Jim McKay, Deputy DPW Director and Chief of Operations, presented quotes for the repair of the DPW's 1994 Mack RD 690S from Ballard Mack Sales & Service, Inc., of Worcester, MA. Mr. McKay said the truck is old and in rough shape and although it can be repaired he feels the DPW is in need of a replacement vehicle. Mr. McKay said he has a quote for a new ten wheeler for \$216,000+/- and one for a new six wheeler for \$179,000+/- . Sel. Smith said in order to make a decision as to whether to repair the vehicle or purchase a new one, more detailed numbers are required. Sel. Smith asked Mr. McKay to shore up the numbers and come back to the next BOS meeting on 10/5. The BOS said they are leaning towards waiting to add the purchase a vehicle on the spring town meeting agenda, but want to see all the facts first.

NEW BUSINESS

15-299 Phase II Investigation Proposal, Millis Library

Mr. Rich Niles, Water Resources Project Manager, of Amec Foster Wheeler spoke about the remaining contamination at the edge of the new Library property. Mr. Niles submitted a proposal to conduct the Phase II Site Investigation and prepare the report to meet the Massachusetts Contingency Plan (MCP) deadlines. Mr. Niles said investigation to define the limit of petroleum compounds in the soil and groundwater at abutting private properties is needed and that the DEP can step in if we are granted

access from the property owners. The not to exceed cost is a total of \$36,000.00 and will be included on the fall town meeting warrant.

15-300 Veterans Memorial Project Quotes

Mr. Aspinwall said the new Veterans' War Memorial location in front of Town Hall was redesigned by Brian Main, the Town's Project Manager. Mr. Aspinwall said the Town would like to provide a fully accessible site so that veterans who have served as well as the general public can view the memorials. Mr. McKay received quotes from local contractors although the quote for the walkways came in higher than anticipated. Mr. McKay said the CPC gave \$28,000.00 towards the project and a grant of \$10,000.00 from Veterans' Services has been received. Sel. Smith said maybe the project can be done in phases. Karen Bouret will post the proposed walkway sketches on the website for the public to view.

15-302 Potential Millis Water Study

Mr. Aspinwall said that after meeting with BOS and Drinking Water Committee on 9/14, he sent an email to Kleinfelder asking that their scope of work be forwarded to the Town. Mr. Aspinwall hasn't received a detailed scope yet. Sel. McCaffrey added that we need a written commitment showing that Excelon will pay for any studies done by the Town in relation to this potential project. Residents added concerns about the Town supporting expansion of a power plant in Medway by providing water, but Sel. Smith said right now this is just a feasibility study to see if this is an appropriate avenue to use to provide a new revenue stream for the Town.

15-303 Kleinfelder – Award of Stormwater Management Contract

Mr. Aspinwall said Kleinfelder has written a proposal to assist the Town with stormwater management planning under the National Pollutant Discharge Elimination System (NPDES) Small Municipal Separate Storm Sewer Systems (MS4) Program. Mr. Aspinwall said money was appropriated at the Spring 2015 Annual Town Meeting.

Sel. Neville made a motion that the BOS authorizes the Town Administrator to enter into a contract agreement with Kleinfelder for NPDES MS4 Program Assistance for a not to exceed amount of \$21,500.00. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-306 Commitment QB0716 Correction

Sel. Neville made a motion that the BOS approve the corrected commitment QB0716 for a total of \$635,963.20. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-305 Short Term Bond Anticipation Notes (3) Approval

Sel. Neville made a motion that the BOS approve the short term Bond Anticipation Note for \$8,500.00 maturing on October 21, 2016, with an interest rate of 1.00%. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Neville made a motion that the BOS approve the short term Bond Anticipation Note for \$92,016.00 maturing on August 1, 2016, with an interest rate of .75%, for the Replacement Boiler Project at the VMB. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Neville made a motion that the BOS approve the short term Bond Anticipation Note for \$638,000.00 maturing on August 1, 2016, with an interest rate of .75%, for the Water Storage Tank Painting Project. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-304 Water/Sewer Department Commitments to Collector

Sel. Neville made a motion that the BOS approve the commitment for August for a total of \$2,245.98. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-307 Block Party Permit Application

Sel. Neville made a motion that the BOS approve the Block Party Permit application for 7 Lexington Lane on Saturday 10/24/15 from 2:30pm-9:00pm subject to coordination with the DPW. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-308 MGSL Savers Clothing Drive Permit Application

Sel. Neville made a motion that the BOS approve MGSL Savers Clothing Drive Permit Application to be held at the VMB parking lot on Saturday 10/24/15 from 9:00am-2:00pm. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-309 Block Party/Parade Permit Application

Sel. Neville made a motion that the BOS approve the Halloween Parade/Block Party Permit application for 26 Heritage Path on Saturday 10/24/15 from 11:00am-1:00pm subject to coordination with the DPW. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-310 Sign Permit Application – Family Fun Fair

Sel. Neville made a motion that the BOS approve the Sign Permit Application for yard signs for the Family Fun Fair to be placed from 9/29/15-10/5/15 as specified. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-311 Sign Permit Application – Millis Dance

Sel. Neville made a motion that the BOS approve the Sign Permit Application for a sandwich board for Millis Dance at 903 Main Street to be placed daily from 9/15/15-12/31/15 from 9:00am-9:00pm and to be removed in the event of inclement weather. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-298 Proposed Warrant Articles

Sel. Smith made a motion to open the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville. By roll call vote Sel. Smith, aye; Sel. Neville, aye; Sel. McCaffrey, aye

Mr. Aspinwall read through the proposed articles as listed, in no particular order

Sel. Smith made a motion to add School Van to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Neville made a motion to add ALS Program Costs to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Smith and passed unanimously.

Sel. Smith made a motion to add Replenish Stabilization Fund to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add OPEB Funding to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Solar Zoning Amendment to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Neville made a motion to add Police Project Anticipated Costs to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith made a motion to add additional Library Project costs to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Neville made a motion to add Sewer Infiltration/Inflow to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith made a motion to add Adopt Green Communities Stretch Code to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Neville made a motion to add DPW Roof to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith made a motion to add CORI Policy to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add DPW Truck to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Veterans Monument CPA Funding to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Field Design to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Library Parking Lot Contamination to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Assessors Neighborhood Maps to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith made a motion to add Adjust Veteran's Budget to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Adjust Debt Budget to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith made a motion to add Adjust Water Enterprise Fund to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Adjust Sewer Enterprise Fund to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Police Cruiser to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add PILOT Solar Farm to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Sale of Cemetery Lots to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Ross Ave Water Main Easement Taking to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Unpaid Bills to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Street Acceptance Evergreen Terrace, Frontier Lane, Beech Street, to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Housing Production Plan to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Petitioned Article – Irrigation Systems to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Petitioned Article – Historical Markers to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Petitioned Article – Fields to the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to close the 11/2/15 Town Meeting Warrant. The motion was seconded by Sel. Neville. By roll call vote Sel. Smith, aye; Sel. Neville, aye; Sel. McCaffrey, aye

CONSENT ITEMS

Motion by Sel. Smith, seconded by Sel. Neville to approve and accept the Regular Session minutes of August 17, 2015 and September 14, 2015 and the Executive Session minutes of September 14, 2015. The motion passed unanimously.

MISCELLANEOUS INFORMATION

The next Regular Session meeting will be held on October 5, 2015.

ADJOURNMENT

Sel. McCaffrey made a motion to adjourn at 10:55pm. The motion was seconded by Sel. Neville and passed unanimously.

Respectfully submitted:
Karen M. Bouret

