

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, October 5, 2015 6:00 PM
Veterans Memorial Bldg. Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. Smith called the meeting to order at 6:00 pm. The following persons were present: Chair Christopher Smith, Clerk James McCaffrey, Operations Support Manager Karen Bouret, and Town Administrator Charles Aspinwall.

EXECUTIVE SESSION: 6:00 PM

Motion by Sel. Smith to enter into executive session to consider the discipline or dismissal of or to hear complaints or charges brought against a public officer, employee, staff member or individual; and the Chair does so declare.

By Roll Call Vote: Sel. Smith—aye, Sel. McCaffrey—aye.

Motion by Sel. Smith to emerge from executive session to return to regular session at 6:58 pm.

Seconded by Sel. McCaffrey.

By Roll Call Vote: Sel. Smith—aye, Sel. McCaffrey—aye.

ANNOUNCEMENTS

Mr. Aspinwall said that Brenda Hamelin, Regional Animal Control Officer, was named Animal Control Officer of the Year for the state of Massachusetts by the MSPCA and ARL of Boston. Mr. Aspinwall said there will be a banquet where Ms. Hamelin will be presented with the award but he would also like to ask her to come to a future BOS meeting to be recognized. Mr. Aspinwall commended her on her achievement.

Mr. Aspinwall said Jim McKay, Deputy DPW Director and Chief of Operations, applied for and received a grant for \$2,550.00 from the Sustainable Materials Recovery Program. Mr. McKay said he will use that money, along with additional funds, to buy recycling bins for residents who use the Transfer station. Mr. McKay said he plans to purchase 500 bins which will be given out as a courtesy to patrons.

NEW BUSINESS

15-323 Paving Dates

Mr. Aspinwall said the paving company, Aggregate Industries, which will be doing to work on Middlesex Street and Exchange Street had pushed back the dates the work would be done. Mr. Aspinwall said he asked them to live up to the proposed schedule. Mr. Aspinwall said he got word that they will begin on Thursday, October 8th and expect to have the job completed in about two weeks. Mr. Aspinwall said the work will on Middlesex Street from Brookview Road to the Holliston town line, and on Exchange Street from Union Street to Island Road. Residents are encouraged to find alternate travel routes during this time.

15-322 Irving Street Bond Claim

Mr. Aspinwall said the Irving Street paving project completed by Bevilacqua Paving in November 2014 was not done correctly and the Town has been working with Bevilacqua since then to try and get them to complete the remedial work that was agreed upon. Mr. Aspinwall asked Town Counsel to advise regarding a performance bond claim. Mr. Aspinwall said the Town is required to declare Bevilacqua is in default of the contract and declare they have failed or are unwilling to execute the work in conformance

with the contract. Mr. Aspinwall recommended that the BOS do authorize the Town to pursue the claim since time is of the essence with winter not far off.

Sel. McCaffrey made a motion that the BOS declares that Bevilacqua Paving has failed and is unable to execute the work consistent with the construction contract at Irving Street and the BOS authorizes Town Counsel to pursue a bond claim on behalf of the Town. The motion was seconded by Sel. Smith and passed unanimously.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

15-313 Stormwater & Land Disturbance Permit Application South End Farm

Sel. McCaffrey made a motion to open the stormwater and land disturbance permit application hearing. The motion was seconded by Sel. Smith and passed unanimously.

Daniel Merrikin of Merrikin Engineering spoke on behalf of the owners of lot 45 Frontier Lane in the Southend Farm Subdivision regarding a permit application for stormwater management and land disturbance. Mr. Merrikin said the applicant has submitted the permit applications for the construction of a single family home on the lot. Mr. Merrikin said there are no outstanding issues or unusual circumstances.

Sel. McCaffrey made a motion to approve the application submitted by Jeffrey and Faith Clunie for a Stormwater Management Permit and a Land Disturbance Permit for the construction of a single family house at #29 Frontier Lane, also known as Lot 45 Southend Farm, pursuant to all stipulations. The motion was seconded by Sel. Smith and passed unanimously.

Sel. McCaffrey made a motion to close the stormwater and land disturbance permit application hearing. The motion was seconded by Sel. Smith and passed unanimously.

15-314 MGSL Permit Application – Community Business Expo

Erin LeBlanc, a representative from the Millis Girls' Softball League (MGSL), spoke about a fundraiser the group has planned. Ms. LeBlanc said the group is looking for permit approval for a Community Business Expo to be held in the Veterans' Memorial Building Gym on Saturday 11/21/15, from 2:00-4:00pm. Ms. LeBlanc said she has already confirmed that the gym is available.

Sel. McCaffrey made a motion to grant permission to the MGSL to hold a Business Expo at the Veterans' Memorial Building Gym from 1:00-5:00pm subject to no children being left unattended and the gym being properly cleaned up afterwards. The motion was seconded by Sel. Smith and passed unanimously.

NEW BUSINESS

15-321 CORI Policy

Mr. Aspinwall spoke about a proposed CORI policy written by Town Counsel to ensure CORI regulations and specific requirements are met. Mr. Aspinwall highlighted key points of the proposed policy, (See attached), including training and handling adverse decisions based on a CORI outcome. The Board suggested adding "working with children and/or seniors" to section I. "Purpose".

Sel. McCaffrey made a motion to adopt the proposed CORI policy as provided by Town Counsel under Meriel Hardin Fund, obtain the assent of the Public Charities Division of the Attorney General's Office

and then be filed with the Probate Court so the funds can be used by the Library. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-320 Ross Ave Water Main Contract Award

Mr. Aspinwall said the Ross Avenue Water Main Extension and Roadway Improvement Project bid results came in and Revoli construction Company, Inc. was the lowest bidder. Mr. Aspinwall said GCG Associates spoke with the three references and all three recommended them. Mr. Aspinwall said the project budget appropriation is \$230,000.00 so between the construction cost, details, and GCG's costs there will be a contingency of \$10,247.60.

Sel. McCaffrey made a motion to award a contract to Revoli Construction for the Ross Avenue Water Main Extension and Roadway Improvement Project in the amount of \$188,842.40 and to set aside \$7,200.00 for Police details, and \$23,710.00 for GCG Associates, Inc. The motion was seconded by Sel. Smith and passed unanimously.

15-315 Open Warrant

Sel. Smith made a motion to open the Fall Town meeting warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-316 Review Warrant Articles

Mr. Aspinwall said he received an email from Superintendent Nancy Gustafson requesting that an article be added to the Fall Town meeting warrant for repair of a leak in the Boys' locker room at the High School. Mr. Aspinwall said they are looking into the nature of the repair and will see if this is something that insurance will cover, but recommended adding it to the warrant in case it isn't covered.

Sel. Smith made a motion to add emergency repairs to the Boys' locker room and to include the drain line to the Fall Town meeting warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

Mr. Aspinwall reviewed Town Counsel's comments on the warrant. Mr. Aspinwall said counsel suggested adding a definition and bylaw to Article 11, the Stretch Energy Code. Mr. Aspinwall said he is troubled by adding a bylaw at this late hour and told Town Counsel who subsequently sent a substitute article to avoid using a bylaw. Mr. Aspinwall suggested using the simplified version but said it's the Board's discretion. The Board agreed and directed Mr. Aspinwall to update the language accordingly.

Mr. Aspinwall said the financial details on the repairs to the DPW truck haven't been solidified yet, but Jim McKay told him it is estimated at about \$30,000.00. Mr. Aspinwall voiced concerns over repairing a 1994 vehicle for that cost. The selectmen also have concerns but said they will need to see more final numbers. Mr. Aspinwall said he'll amend article 24 to read "for repairs to a DPW vehicle or purchase of a new vehicle".

Sel. Smith said in light of recent events, he would like to add an article to fund a study of the Town's human resources management and hiring practices. Sel. Smith said he'd like Charlie to get a proposal together for that purpose.

Sel. Smith made a motion to add fund a study of the Town's human resources management and hiring practices for all municipal departments to the Fall Town meeting warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

Mr. Aspinwall said he got a comment from a member of the Finance Committee regarding the placement of articles 20 and 21 on the warrant. The BOS agreed that both articles should be moved up in the warrant to 5 and 6. Sel. Smith said the BOS will make their warrant article recommendations at the 10/19/15 BOS meeting.

15-317 Close Warrant

Sel. McCaffrey made a motion to close the Fall Town meeting warrant. The motion was seconded by Sel. Smith and passed unanimously.

15-318 Sign 11/2/15 Fall Town Meeting Warrant

Sel. McCaffrey made a motion to authorize Board of Selectmen members to sign the 11/2/15 Fall Town meeting warrant. The motion was seconded by Sel. Smith and passed unanimously.

CONSENT ITEMS

Sel. Smith deferred consent items until 10/19/15.

Sel. Smith said the next regularly scheduled BOS meeting will be held 10/19/15 at 7:00pm in Room 229 at the Veterans Memorial Building.

ADJOURNMENT

Sel. McCaffrey made a motion to adjourn at 8:20 pm. The motion was seconded by Sel. Smith and passed unanimously.

Respectfully submitted:

Karen M. Bouret