

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, February 22, 2016 at 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 7:02 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 AND ACKNOWLEDGEMENTS

Mr. Aspinwall said he, Sel. Neville, and Energy Manager Robert Weiss attended the regional Green Communities Designation Awards Ceremony in Holliston on Tuesday, February 16th where Millis received their award. Mr. Aspinwall said the Town received a certificate along with four street signs which will be placed throughout Town. Sel. Smith showed the certificate and a sign. Mr. Aspinwall said the award comes with a large grant and thanked the Energy Committee and Mr. Weiss for their hard work achieving the status.

Mr. Aspinwall thanked the Police, Fire, and DPW for their efforts during the recent winter storms which included power lines coming down and dangerous debris covered roadways. Sel. Smith asked Mr. Aspinwall to price out brush pick up for the Town or possibly opening the Transfer Station to non-permitted vehicles for one day for brush drop off. Mr. Aspinwall said he is setting up a meeting with Eversource to discuss an incident where a wire was re-energized and caused damage to a resident's home even though the Town had reported it down. Mr. Aspinwall said the service by Eversource throughout Town was less than adequate. The meeting will either take place in March with some Town representatives or at a Board meeting.

Sel. McCaffrey announced that the new voting machines have arrived and will be used in the upcoming Presidential Primary election. Sel. Smith said the election will take place at the Veterans Memorial Building on March 1st with polls open from 7:00am – 8:00pm and encouraged residents to come vote.

Sel. Smith announced that he has pulled papers and will run for a second term as Selectman. The Town election will take place on Monday, May 2nd. Sel. Smith encouraged anyone interested in running for the open Board positions to contact the Town Clerk's office.

Sel. Neville said his mother recently had to be transported by ambulance from his home to the hospital. Sel. Neville commended the Fire Department for their quick response and professional care.

Mr. Aspinwall said Dr. James Lederer has tendered his resignation from the Energy Committee. Mr. Aspinwall thanked Dr. Lederer for his service and asked anyone interested in joining the Energy Committee to contact the Board of Selectmen's office at 508-376-7040 or Karen Bouret at kbouret@millis.net.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

16-020 Appointment of Assistant Treasurer Collector

Mr. Aspinwall said Laurie Walker resigned after many years of working for the Town which created an open position. Jennifer Scannell, Treasurer/Collector, said after reviewing resumes she and Finance Director Kathy LaPlant interviewed four candidates. Ms. Scannell said she is recommending Mary Smith

Frye for the position. Ms. Scannell said she has been Mary's supervisor in the Treasurer/Collector's office for 2 ½ years and her work ethic and skills will carry over well to the position. Mr. Aspinwall said subject to the Board's approval, he appoints Mary Smith Frye to the position of Department Assistant III Assistant Treasurer/Collector subject to a satisfactory CORI, physical, and ability to be bonded.

Sel. Neville made a motion that the BOS approves the Town Administrator's appointment of Mary Smith Frye to the position of Department Assistant III Assistant Treasurer/Collector subject to a satisfactory CORI, physical, and ability to be bonded. The motion was seconded by Sel. McCaffrey and passed unanimously.

16-021 Appointment of Director of Veterans Services

Mr. Aspinwall said Robert Yeager has decided to leave the position of Director of Veterans Services but has stayed on while the Town tried to find a suitable replacement. Mr. Aspinwall said he received an application from Cynthia Shelton Harris and after interviewing her and contacting her references, found her skills and experience to be a match for the position. Mr. Aspinwall said subject to the Board's approval, he is appointing Cynthia Shelton Harris to the position of Director of Veterans Services subject to a satisfactory CORI and physical and a probation period.

Sel. Neville made a motion that the BOS approves the Town Administrator's appointment of Cynthia Shelton Harris to the position of Director of Veterans Services subject to a satisfactory CORI and physical and a probation period. The motion was seconded by Sel. McCaffrey and passed unanimously.

16-022 Water Shutoff Hearing

Sel. Neville made a motion to open the hearing for the water shutoff at 1 Farm Street in Medway, MA. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith noted that the homeowner of the property was not in attendance. Ms. Scannell said a certified letter was sent to Stephen and Kristin Norton regarding the hearing which is due to a large outstanding balance due for water charges over several years. Ms. Scannell said a payment of \$1500.00 was made by the homeowners last April and a payment plan was set up but no subsequent payments were made nor have the homeowners contacted her office. Ms. Scannell said multiple phone calls and letters were made and letters sent to the homeowners regarding this issue. Ms. Scannell said the Town cannot lien the overdue amount because the meter is in Medway. Ms. Scannell said since the homeowners have been unresponsive, she is asking the Board to approve sending a letter that the water will be shut off if payment is not made by a certain date.

Sel. Neville made a motion to close the hearing for the water shutoff at 1 Farm Street in Medway, MA. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Neville made a motion that the hearing findings are that the account at 1 Farm Street in Medway, MA is delinquent and the homeowners have been unresponsive regarding payment action. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Neville made a motion to send a certified letter to the homeowners at 1 Farm Street in Medway, MA that the water will be shut off effective 4/1/16 unless the account is brought current. The motion was seconded by Sel. McCaffrey and passed unanimously.

SCHEDULED BUSINESS

16-033 Sign Permit Applications; Wu Xing & Salon Amalfi

Mr. Aspinwall said there are two sign permit applications for sandwich board signs at 903 Main Street but he is concerned that they could be hit by snow at this time of year and be a safety issue. Mr. Aspinwall recommended holding off until spring to approve the requests. The Board agreed and asked Ms. Bouret to contact the two applicants and have them reapply in early April.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

16-023 Neighborhood Request for Sewer Connection – Walnut/Holbrook

Sel. Smith said the Board received a letter and petition from residents in the Walnut/Brookview Streets area to connect to sewer. A letter was then sent to residents in the area inviting them to this meeting to ask questions and learn more about the process. There were many residents in attendance and Sel. Smith opened the floor to questions. The majority of questions and concerns were related to potential cost to the homeowners. Sel. Smith said 80% of the project cost is handled by betterments while 20% is paid by all sewer users. Sel. Smith said all homeowners whose property the sewer would pass would be responsible for paying the betterment even if they don't actually hook up to the sewer. Mr. Smith went on to say beyond the betterment cost, homeowners would pay a fee to the Town to tie in to the system and pay the cost to hire an engineer to hook up to the stub from the house. Mr. Aspinwall explained that water and sewer are independent utilities and you could hook up to sewer with a private well, but a meter would be installed on the well since sewer charges apply to all water used. Sel. Smith said there is a considerable expense to fund a design study for the Town if the project is later voted down at Town Meeting, where a 2/3 majority vote in favor would be needed to pass. Sel. Smith explained that the purpose of the meeting tonight is to gauge if there is enough interest to refer it to the Sewer Study Committee for further review. Sel. Smith asked for a show of hands for those who are interested in pursuing the sewer extension in their neighborhood and the more than half of those in attendance

Sel. Smith made a motion to refer this potential sewer extension project to the Sewer Study Committee for review. The motion was seconded by Sel. McCaffrey and passed unanimously.

SCHEDULED BUSINESS

16-026 FY17 Budget Request – Treasurer/Collector

Jennifer Scannell presented her budget request for the Treasurer Collector's budget for FY17. Ms. Scannell said the office has four staff members and due to the resignation of the Assistant Treasurer Collector, the appointment of the replacement will be at a lower step therefore decreasing overall salaries. Ms. Scannell said the office is committed to cross training positions in order to provide efficient service to all residents and businesses, and keep the office in audit ready condition. Ms. Scannell said expenses are also being requested at a lower amount than FY16 due to a decrease in printing costs. The Board thanked Jen for her hard work.

16-024 Road Repair Presentation

Mr. Aspinwall reviewed the Road Rating Condition 2016 pie chart and Cost of Road Repairs by Condition bar graph. (See attached) Mr. Aspinwall said the Town requires about five million dollars to keep the roads that are in good condition good, and repair those that require it. Mr. Aspinwall said Chapter 90 funding will not cover that cost and cannot see a solution unless there is an override. Sel. Smith said he sees the road repairs as a capital problem while maintaining the roads as a budget issue. Sel. Smith said solving the road repair problem needs to come first. Sel. McCaffrey added that five million is the number today but infrastructure maintenance will be an ongoing issue. Mr. Aspinwall added that when

stormwater permitting changes the cost of repairs will increase even more. Sel. Smith asked the Board to think about possible methods to tackle these issues and said the topic will be discussed again.

16-025 Stormwater Permit Hearing Tractor Supply

Sel. Smith made a motion to reopen the stormwater permit hearing for Tractor Supply hearing at 8:50pm. The motion was seconded by Sel. Neville and passed unanimously.

Michael Dryden, Project Manager from Bohler Engineering, said they just met with the Conservation Committee and are in disagreement about the 100 year flood plain. Mr. Dryden said Con Com is holding fast to the 143' elevation number but he respectfully disagrees and said it is 139'. Mr. Dryden said the current plan will not work if the elevation is 143' and has concerns that the project won't go forward if an agreement cannot be reached. Sel. Smith asked Mr. Aspinwall to reach out to GCG Associates to see if a resolution can be found and added that the Board does not want to see the project fail.

Sel. Smith made a motion to continue the stormwater permit hearing for Tractor Supply to March 14th at 7:15pm. The motion was seconded by Sel. Neville and passed unanimously.

SCHEDULED BUSINESS

16-027 Proposed Assisted Living Residence Zoning Bylaw

Nicole Riley, Planning Board member, spoke about the proposed Assisted Living Residence bylaw. Ms. Riley said initially the proposed bylaw was for both assisted living and low income housing but the Planning Board decided that the two regulations should not be combined. Ms. Riley said the proposed bylaw (see attached) reflects a year and a half of Planning Board work. Ms. Riley said the bylaw is written to allow this type of business but without compromising surrounding neighborhoods by restricting parking, building height, creating adequate buffer zones, etc. A few residents spoke about voiced concerns about putting an Assisted Living Residence in a residential area. Sel. Smith said the proposed bylaw would give the Planning Board the authority to make decisions and hold hearings on permits for these types of businesses to ensure they wouldn't compromise an existing neighborhood.

Sel. Neville made a motion that the Board refers the Proposed Assisted Living Bylaw back to the Planning Board for a hearing. The motion was seconded by Sel. McCaffrey and passed unanimously.

16-031 Snow Plow Operator Plow Issue

Board decided to hold off until a later date.

16-032 FY17 Revenue Report

Hold until next Board meeting.

16-028 Community Compact

Sel. McCaffrey said the Community Compact Cabinet has been formed to partner the state Administration with communities in the Commonwealth. Sel. McCaffrey said the agreement should be mutually acceptable to both parties and the idea is to promote best practices. Overall, the Board agreed that joining the Compact would be good for the Town if we can benefit from the wealth of the Commonwealth. The Board discussed that Maximizing Energy Efficiency and Renewable Opportunities and Housing/Economic Development was a couple of the best practices areas that could be focused on. Sel. McCaffrey agreed to be the point person for the initiative.

16-029 Snow & Ice Damage Repair Private Ways

Mr. Aspinwall said a snow plow contractor for the Town damage curbing on private property. Mr. Aspinwall said he spoke to Town counsel regarding who is responsible for the repair and whether the Town is legally able to do work on private property. Per Town counsel damage caused on private ways by Town vehicles can be repaired through a claim process or the contractor's insurance. Per Mr. Aspinwall the Town is currently only allowed to repair potholes and plow on private ways and doing anything else would set precedent for future work. The Board asked Mr. Aspinwall to write up a policy to be reviewed at a later date.

16-030 Suggested State Budget Earmarks

Mr. Aspinwall said Rep. Linsky, Rep. Dooley, and Sen. Ross are looking for suggestions for specific projects or ways that they can help Millis in FY17. After some discussion the Board decided that asking for funds for new breathing apparatus for the Fire Department, funding for the Dover Street bridge repairs, and the funds towards repairing the DPW roof are priorities.

16-034 One Day Special Alcohol License

Sel. Neville made a motion that the Board approves the One-Day Special Alcohol License for Lettuce Be Local for their event at 139 Spring Street at Tangerini's Farm on Sunday, March 20th 2016 from 2:00-5:00pm for wine and beer only. The motion was seconded by Sel. McCaffrey and passed unanimously.

16-035 Water/Sewer Department Commitments

Sel. Neville made a motion that the Board approves FY16 Water/Sewer Commitment QB0116 in the amount of \$520,984.38. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Neville made a motion that the Board approves FY16 Water/Sewer Commitment for January 2016 in the amount of \$1,755.83. The motion was seconded by Sel. McCaffrey and passed unanimously.

16-035 Bond Anticipation Notes Approval

Sel. Neville made a motion that the Board approves the short term Bond Anticipation Note in the amount of \$126,000.00 maturing on August 1, 2016 with an interest rate at .75% for the Chlorination Contact Loop Project. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Neville made a motion that the Board approves the short term Bond Anticipation Note in the amount of \$600,000.00 maturing on March 1, 2017 with an interest rate at .75% for the Millis School Feasibility Study. The motion was seconded by Sel. McCaffrey and passed unanimously.

NEW BUSINESS

There was no new business.

Sel. Smith made a motion to approve the Regular and Executive Session minutes as written from January 25th and February 1st 2016 with the exception of removing the make of vehicle listed in 16-025 on the January 25th minutes. The motion was seconded by Sel. Neville and passed unanimously.

The next Regular Session meeting will be held on February 29, 2016.

EXECUTIVE SESSION: 10:25 PM

Motion by Sel. Smith to enter in to Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel, and the Chair does so declare. (Police, Dispatch, and SEIU Contracts).

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

ADJOURNMENT 11:06 PM

Sel. Smith made a motion to adjourn, seconded by Sel. Neville. The motion passed unanimously.

Respectfully submitted: Karen M. Bouret