

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, March 28, 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

Sel. Smith announced the results of the Millis Destination Imagination teams at both Regionals and States. (See Attached) The Elementary Level "Get a Clue" team placed 2nd out of 16 teams competing at the State level and earned the right to compete at the Global Competition in Knoxville, Tennessee in May. Jack Borst, Joseph Bouret, and Lily Cassidy, three members of the team were there, and the Board congratulated them on their impressive win.

SCHEDULED BUSINESS

16-066 Car Wash Permit Application – MHS Girls Track/Field

Sel. Neville made a motion that the Board approves the Car Wash Permit Application for Millis Girls Track and Field with the fundraising event to be held on Saturday, 5/21/16 from 10:00am-1:00pm with the condition that there will be adult supervision at all times and all trash will be cleaned up after the event. The motion was seconded by Sel. McCaffrey and passed unanimously.

16-067 Car Wash Permit Application – MHS Girls Softball

Sel. Neville made a motion that the Board approves the Car Wash Permit Application for Millis Girls Softball with the fundraising event to be held on Saturday 4/24/16 from 8:00am-3:00pm with the condition that there will be adult supervision at all times and all trash will be cleaned up after the event. The motion was seconded by Sel. McCaffrey and passed unanimously.

16-065 Nomination of Inspector of Animals

Mr. Aspinwall said the Board needs to designate an Inspector of Animals for the Town each year in accordance with MGL C. 129, §15 & 16. Mr. Aspinwall said typically the Board nominates Regional Animal Control Officer Brenda Hamelin and recommends that the Board do so again.

Sel. Neville made a motion that the Board nominates Brenda Hamelin as the Inspector of Animals for the Town of Millis for the year May 1, 2016-April 30, 2017. The motion was seconded by Sel. McCaffrey and passed unanimously.

CONSENT ITEMS

Sel. Neville made a motion that the Board approves the regular session minutes of 2/29/16 with the completion of the motion under 16-037 as noted by Sel. McCaffrey and the executive session minutes of 2/29/16 as written. The motion was seconded by Sel. McCaffrey and passed unanimously.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

16-051 Stormwater Permit Hearing for Tractor Supply Continued

Sel. Neville made a motion to reopen the Stormwater Permit Hearing for Tractor Supply Company at 7:15pm. The motion was seconded by Sel. McCaffrey and passed unanimously.

Mr. Aspinwall said he received an email from Michael Dryden, Bohler Engineering Project Manager, stating that the peer review from Mike Carter at GCG would not be ready for tonight's meeting and asking for a continuance of the hearing.

Sel. Neville made a motion to continue the Stormwater Permit Hearing for Tractor Supply Company at 7:15pm. The motion was seconded by Sel. McCaffrey and passed unanimously.

SCHEDULED BUSINESS

16-053 Technology Strategy Discussion

Peter Jurmain, Finance Committee Chair, spoke to the Board about implementing a cohesive technology strategy across the varying Town departments and buildings. Mr. Jurmain said currently there is no specific IT position in Town, it is held by the Finance Director, and technology purchases and updates are looked at individually as opposed to at the macro level. Mr. Jurmain said a comprehensive review of all data and telecommunications needs would help keep costs down and make sure the various systems work together cohesively. The Board, as well as Mr. Aspinwall, agreed that the current system of dealing with issues as they come up is not ideal and support the effort to create a more efficient system.

Sel. Smith made a motion to create a Technology Advisory Committee with the initial charge of establishing a town wide plan for technology and to appoint Craig Schultze, Peter Jurmain, and Jim Neville as the primary members with additional members to be appointed. The motion was seconded by Sel. Neville and passed unanimously.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

16-052 Sportsmen's Lounge Hearing – All Alcohol License

Sel. Neville made a motion to open the hearing for the All Alcohol License for Sportsmen's Lounge at 7:35pm. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. McCaffrey read the certified letter dated and mailed 3/22/16 from Mr. Aspinwall to the Sportsmen's Lounge regarding this hearing which will determine whether or not the All Alcohol License held by Sportsmen's Lounge should be revoked. (See Attached) Mr. Aspinwall said the property was sold on 1/29/16 and recommends revocation of the license. Ms. Bouret confirmed that a return receipt from the certified letter signed by former owner Shirley DiCenzo was received. Sel. Smith asked if anyone was in attendance to speak on behalf of Sportsmen's Lounge but no one responded.

Sel. Neville made a motion to close the hearing for the All Alcohol License for Sportsmen's Lounge. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith made a motion that the Board does find that the safety violations at the Sportsmen's Lounge located at 1105 Main Street constitute a failure to comply with the Board's requirements for the All Alcohol License, in violation of General Laws Chapter 138, §23, and constitute an illegality on the premises in violation of 204 CMR 2.05(02). The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion that the Board does revoke the All Alcohol License as held by Sportsmen's Lounge effective immediately. The motion was seconded by Sel. Neville and passed unanimously.

SCHEDULED BUSINESS

16-056 Snow and Ice Overtime – DPW Budgets Status

Mr. Aspinwall said there are three months left in the fiscal year for the budget and Snow and Ice is running in the deficit. Mr. Aspinwall said that despite the mild winter, the Town's chronic reliance on replenishing Snow and Ice from the stabilization fund to make up what we spend each winter is causing a yearly deficit. Mr. Aspinwall said the first couple of salt deliveries are simply to restock the shed from the previous year so in essence we are starting below zero each year. Additionally, new streets have been added which require treatment and the cost of salt has risen dramatically over the past few years. Mr. McKay added that in addition to Snow and Ice, Park Expenses is in deficit by over \$12,000.00 from increasing water costs. Mr. Aspinwall said other budget year issues and unforeseen circumstances have made it difficult to find funding to cover the deficit. The Board asked Mr. Aspinwall to monitor and research possible solutions and present this topic again at the 4/11/16 Board meeting.

16-055 Police/Dispatch Overtime – Police Budget Status

Mr. Aspinwall explained that the Police budget for FY1 is looking at a shortfall of approximately \$132,000.00 mainly due to being down three officers and having to fill their shifts with overtime. The Chief reiterated that FY16 has been a difficult year with loss of personnel being an issue all year long. Sel. Smith requested that the Board be continually updated on this issue throughout the end of the fiscal year.

16-054 Recommendation from Drinking Water Committee Regarding Sale of Water to Excelon

Sel. McCaffrey spoke on behalf of the Drinking Water Committee and said they have been meeting to discuss and determine whether or not Millis has the capacity and is capable of selling water to Excelon. Sel. McCaffrey said the committee is recommending to the Board that Millis can and does have the capacity but is not making any recommendation regarding if the Town "should" sell water. Kirstin Ryan and Betsy Frederick from Kleinfelder provided a PowerPoint presentation called "Millis Water Supply/Demand Assessment". (See attached) The findings showed that Millis does have the capacity and Tighe & Bond, the Town's peer review consultant, agreed with Kleinfelder's findings. Craig Schultze, a Drinking Water Committee member, said Excelon has an alternate plan to purchase the water from a private vendor in Millis if the Town does not agree to sell. The water would be trucked up Rte. 109 to Medway. Mr. Schultze said if the water is going to affect our aquifer either way then we should benefit from new revenue. The Board discussed presenting the information to the Town in the form of a public forum. Sel. Smith said he'd like to be able to provide a cost/benefit analysis at that point. Mr. Aspinwall said the Town should seek to have Excelon fund the research.

Sel. Smith made a motion to direct the Drinking Water Committee to do a study on the cost benefit analysis regarding a rate structure if the Town sells water to Excelon, and to seek to have Excelon fund the study. The motion was seconded by Sel. McCaffrey and passed unanimously.

16-057 Elementary School Building Committee (ESBC) Home Rule Discussion

Wayne Klocko, Chairman of the Permanent Building Committee (PBC), explained the procedure that has been prescribed by the Massachusetts School Building Authority (MSBA) for Clyde Brown project and said the ESBC has narrowed down the building options to four possibilities. These include two renovations and two new buildings, all to be located at the existing school campus. Mr. Klocko said keeping the school on existing property prevents having to acquire private parcels and site development costs, preserves the current "campus", and preserves the number of playing fields, and allows traffic circulation to be improved. Mr. Klocko said two of the parcels at the school site, 20 and 118, are under a

“conservation restriction accorded by Article 97 of Massachusetts Constitution” and were transferred to Town control at the 1955 Town meeting. Mr. Klocko asked the Board to petition the legislature to transfer control of said parcels back to the school department for use to develop a new or renovated school, and to “designate the Cassidy parcel as park/recreation land” as accorded by the protections of Article 97. Mark Reich, Town counsel, said the Board needs to authorize the petition but can wait for Town Meeting approval and MSBA authorization prior to officially transferring the property as “Park Commissioners”. This will allow the Town to keep the land as is if the project does not get funding approval at fall town meeting. Sel. Smith said the Board is in favor of petitioning the legislature and continuing down this path as presented.

16-058 Proposed General Bylaw Amendment – Permanent Building Committee

Cathy MacInnes, Planning Board member, said the Planning Board (PB) would like to open the town meeting warrant for a proposed article stating that the general bylaws be amended to have the Permanent Building Committee (PBC) include a member of the Planning Board as a voting member. Ms. MacInnes said the PB feels their expertise regarding the town’s infrastructure would be a valued addition to the PBC. Mr. Klocko, Chair of the PBC, said the PBC will confer with any board as needed. Mr. Klocko said the current ex-officio relationship with the PB is working well in his opinion. The Board agreed and is not in favor of making a change to the general bylaws at this time.

16-059 Road Repair Implementation Plan

Sel. Smith asked that this item be postponed until the 4/11/16 Board meeting.

16-060 Finalization/Open & Close Warrant for Spring Town Meeting

Sel. Smith made a motion to open the 5/9/16 Annual Town Meeting Warrant. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith read through the 5/9 Annual Town Meeting warrant article list with Town Administrator recommendations. (See attached) Articles were removed as follows:

Sel. Smith made a motion to remove article 17, Chapter 41c Elderly/Senior Exemption Amounts, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 18, Unemployment Costs, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 21, OPEB Valuation, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 22, Reduce OPEB Liability, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 23, Refinance Debt, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove articles 24 and 25, VMB Shades and VMB Window Repairs, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 27, Treasurer/Collector Security Window, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove articles 28, 29, and 30, Data Processing Improvements, Redesign Town Website, and Social Media Plan, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 34, Police Cruisers (2), from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 35, Chapter 90 Highway Improvements, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 39, DPW Trailer, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 40, DPW Truck, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 42, Sewer System Improvements, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 45, Water Gate Valve Exercise Program and Repairs, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove articles 46, 47, and 48, Athletic Field Irrigation, Field Improvements and New Field Construction, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 49, Water Management Act Consulting Services, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 50, Library Lot Contamination, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove articles 60 through 66, School articles for carpet replacement, Special Needs Van, Furniture, Science/Fitness Equipment/Computer Laptops, Library-Media Center Upgrade, Website Upgrade, and Auditorium Stage Lights, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to remove article 67, Recreation Supplies and Equipment, from the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Smith made a motion to add Zoning Bylaw Amendment Signs, Illumination, to the spring Annual Town Meeting warrant. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Neville made a motion to close the spring Annual Town Meeting warrant at 11:05pm. The motion was seconded by Sel. Smith and passed unanimously.

16-061 Signing of the Warrant for the 5/2/16 Town Election

Sel. Neville made a motion that the BOS do sign the 5/2/16 Town Election warrant as provided. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Smith said due to the late hour he is recommending that a BOS meeting be added on Monday, 4/4. He asked that agenda items 59, 62, 63, 64, and an item to assign a Board member to negotiate individual employee contracts be added to the 4/4/16 agenda.

EXECUTIVE SESSION: 11:10 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.

Sel. Smith made a motion to adjourn at 11:25pm. The motion was seconded by Sel. McCaffrey and passed unanimously.

Respectfully submitted: Karen M. Bouret