

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, August 1, 2016 at 7:00 PM
MS/HS Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. Neville called the meeting to order at 7:05 pm. The following persons were present: Sel. James Neville, Sel. James McCaffrey, Sel. Catherine MacInnes, Operations Support Manager Karen Bouret, and Interim Town Administrator Suzanne Kennedy.

ANNOUNCEMENTS AND ACKNOWLEDGEMENTS

There were no announcements made.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

16-212 Appointment of Bryan DeSouza to the Drinking Water Committee

Sel. McCaffrey said Mr. Bryan De Souza, a Millis resident since 1992, has expressed interest in joining the Drinking Water Committee. Mr. De Souza said he is a chemical engineer and has worked in the water industry for fifteen years, including working on drinking water projects worldwide. He is interested in giving back to the community and feels his expertise in the area would be a great fit for this committee.

Sel. McCaffrey made a motion to appoint Bryan De Souza as a member of the Drinking Water Committee effective immediately. The motion was seconded by Sel. MacInnes and passed unanimously.

16-213 Discussion of Approval of Proposal for Professional Engineering Services to Support the National Pollution Discharge System (NPDES) and 16-214 Presentation & Discussion of Continuing Items with Respect to the MS4 Permit

Betsy Frederick of Kleinfelder Engineering, who has been working with the Town on stormwater management issues, gave a PowerPoint presentation on the NPDES MS4 General Permit. Ms. Frederick said the MS4 is the General Permit which allows the discharge from municipal drainage systems to waterways. The existing permit was extended and still remains valid but a new permit was finalized in April 2016 to be effective July 1, 2017. Ms. Frederick said the new permit presents major challenges for municipalities including significant administrative costs, increased operation and maintenance requirements, and major capital projects for stormwater improvements. Ms. Frederick said there is a legal appeal related to water quality standards to see if the EPA has overreached their authority in the permit that several area towns have joined. Ms. Frederick said the six minimum control measures that are in place with the current permit would remain but some of the other costly requirements could be revised or removed if the appeal is successful. Jim McKay, Deputy Director of the DPW, voiced concerns about Millis' readiness for the potential new permit and said the Town needs to take a serious look at what needs to be done and what funding there is to support changes. Sel. Neville asked Karen Bouret to post the presentation on the homepage of the Town website.

16-215 Authorization to Expend Legal Funds with Respect to the MS4 Permit

Ms. Kennedy recommends using legal funds to join the appeal process for the EPA's MS4 permit.

Sel. McCaffrey made a motion that the Board of Selectmen accepts the Town Administrator's recommendation to join the appeal with respect to the MS4 permit and to authorize the expenditure

of funds from the FY17 legal budget up to \$500.00. The motion was seconded by Sel. MacInnes and passed unanimously.

Ms. Kennedy said there is a proposal from Kleinfelder for NPDES MS4 Program Assistance for stormwater management in the amount of \$38,000.00.

Sel. McCaffrey made a motion that the Board of Selectmen approves the contract from Kleinfelder for NPDES MS4 Program Assistance for FY17 not to exceed an amount of \$38,000.00 and for the Interim Town Administrator to sign and execute said agreement. The motion was seconded by Sel. MacInnes and passed unanimously.

16-216 Appointment of Interim Police Chief

Sel. Neville, on behalf of the Board, and Ms. Kennedy both thanked Sgt. Dwyer for stepping up again to be our Interim Police Chief when current Chief Keith Edison retires. Sgt. Dwyer said he hopes to bring a smooth transition while a permanent replacement is found. Sgt. Dwyer said Sgt. Soffayer has taken the role of liaison to the Permanent Building Committee for the new Police station and is doing a great job keeping that piece running smoothly. Sel. MacInnes said she is aware of a few things that the Chief was asked to look into, for example horses being ridden on Oak Grove Farm land when they are forbidden, and asked Sgt. Dwyer if he could be more diligent about following up on such items. Sgt. Dwyer said he will do that and will look into the horse issue.

Sel. McCaffrey made a motion to approve the Interim Town Administrator's recommendation to appoint Sgt. William Dwyer as Interim/Acting Police Chief effective 8/20/16. The motion was seconded by Sel. MacInnes and passed unanimously.

16-217 Host Community Agreement Review and Approval for Sale of Medical Marijuana

Ms. Kennedy presented a proposed Host Community Agreement between the Town and CommCan, Inc. for a Registered Marijuana Dispensary (RMD). Ellen Rosenfeld, CommCan Operator, spoke to the Board about the agreement. Ms. Rosenfeld stated that it is a five year agreement where the Town will receive on an annual basis the greater of \$100,000.00 or 3% of gross sales received by the operator of the retail facility from the preceding year. Ms. Rosenfeld said there is no cap on the amount. When asked if the facility will sell recreational marijuana if the laws change, Ms. Rosenfeld explained that she will have a non-profit license only and won't be able to sell recreationally under CommCan. Ms. Rosenfeld said she would need to go back for another license, site plan approval to co-locate recreational and medical, and the Town could reopen the Host Community Agreement.

Sel. McCaffrey made a motion that the Board approves the Host Community Agreement as written and presented today between the Town of Millis and CommCan, Inc. The motion was seconded by Sel. MacInnes and passed unanimously.

SCHEDULED BUSINESS

16-218 Discussion about Outdoor Water Ban Restrictions

Jim McKay said so far Millis has been able to keep up with the high demand for water, but the current drought conditions in our area could call for a stricter water ban. Mr. McKay said some surrounding towns have imposed full water bans or odd/even water bans. The Board decided not to make any changes currently but water commissioners for the town; they will monitor the situation in the upcoming months. Sel. Neville asked for a reverse 911 call to be made to restate the current

restrictions. The Board asked that DPW employees carry citations and issue them for violations to make sure the current ban is enforced.

16-219 Review and Approval of Interlocal Contract for Cooperative Purchasing (HGACBuy)

Jim McKay said he is asking the Board to approve a contract with the buying coalition HGACBuy. Mr. McKay said there is no cost to join and the contract was reviewed and approved by Town Counsel. Mr. McKay said he found very competitive pricing for the purchase of a new street sweeper.

Sel. McCaffrey made a motion to approve the Interlocal Contract for Cooperative Purchasing between the Town of Millis and HGACBuy for the term of 7/1/16-6/30/17. The motion was seconded by Sel. MacInnes and passed unanimously.

16-220 Review and Approval of HGACBuy Contract Pricing Worksheet for Street Sweeper

Jim McKay said funding for a new street sweeper was approved at the May 2016 Annual Town Meeting. Mr. McKay is recommending that the Board approves the pricing worksheet from HGACBuy for a street sweeper in the amount of \$202,708.00.

Sel. McCaffrey made a motion to approve the purchase of a street sweeper through HGACBuy from J. F. McDermott Corp. in the amount of \$202,708.00. The motion was seconded by Sel. MacInnes and passed unanimously.

16-221 Discussion and Approval of Assessment Center to Select Permanent Police Chief

Ms. Kennedy looked at two entities and as options for assessment centers to select a new Police Chief and recommends Badge Quest. Ms. Kennedy said Badge Quest has a very thorough process that begins with working with the current Chief and Interim Town Administrator to produce a job description. Ms. Kennedy said the actual interviews include situational awareness exercises and written responses dealing with budgeting and other operations. Ms. Kennedy noted that hiring an outside assessment firm takes the politics out of the process.

Sel. McCaffrey made a motion that the Board authorizes the Interim Town Administrator to enter into an agreement with Badge Quest to conduct the recruitment and selection of a permanent Police Chief on behalf of the Town in the amount of \$6800.00. The motion was seconded by Sel. MacInnes and passed unanimously.

Peter Jurmain, Chair of the Finance Committee, said the FinCom's recommendation to approve the funds for a new street sweeper at Town Meeting was based on keeping the old street sweeper to use as needed. Mr. Jurmain is concerned that the old sweeper will be traded in and the Town will lose the opportunity to have a backup machine. Mr. McKay said he will look into what the cost would be to not trade the sweeper in.

16-222 Approval of Additional Fees for Architect for CFB Project Preferred Schematic Report

Wayne Klocko, Permanent Building Committee (PBC) Chair, presented a proposal for additional fees for costs associated with revising the preferred schematic plans to be submitted with the report for the Massachusetts School Building Authority (MSBA) for the Clyde Brown School. Mr. Klocko said initially a different option was selected by the building committee, but after concerns were written and voiced by neighbors of the selected option's proposed location, an open public meeting was held to revisit the decision. The building committee reconsidered the original option and chose Option B. Mr. Klocko said

the revision created additional work for the architects as well as costs associated with a traffic engineer who attended the public meeting.

Sel. McCaffrey made a motion to approve \$12,110.00 for Tappe Architecture, Inc. for additional services related to revising the Preferred Schematic Report inclusive of traffic engineer services. The motion was seconded by Sel. MacInnes and passed unanimously.

16-224 Approval of Letter to MSBA Regarding Preferred Project Schematic

Mr. Klocko said a letter has been written to the MSBA confirming that the Millis Elementary School Building Committee (MESBC) has completed their review of the Preferred Schematic Design for the Clyde F. Brown project. Mr. Klocko asked that the Board authorize Chairman Neville to sign the letter to the MSBA as Chief Executive Officer for Millis. Mr. Klocko confirmed Sel. McCaffrey's statement that the Board is simply acknowledging that the MESBC completed the tasks associated with choosing a design, and is submitting the preferred option and that there will still need to be a vote by Town Meeting to approve the project.

Sel. McCaffrey made a motion that the Board allow the Chair of the Board of Selectmen to sign the letter to the MSBA dated July 26, 2016, as Chief Executive Officer for the Town indicating that the

16-223 Review and Approval of Vendor Equipment Quotes for Police/Fire Station Project

Mr. Klocko said Diane Jurmain, a PBC member, worked with both the Police and Fire Chiefs to figure out what type of computer equipment and systems should be used for the new and renovated stations. Mr. Klocko said Peter Jurmain donated three days of his time configuring the server. Mr. Klocko thanked the Jurmains for all of their time and service to the Town. Mr. Klocko presented a quote from CDW-G for the computer equipment in the amount of \$22,627.75 and asked the Board to approve the purchase. Mr. Klocko noted that all items are off the state bid list.

Sel. McCaffrey made a motion that the Board approves the purchase of computer equipment from CDW-G as listed on the quote dated 7/26/16 in an amount not to exceed \$22,627.75. The motion was seconded by Sel. MacInnes and passed unanimously.

16-225 Set Opening and Closing Dates for Fall Town Meeting Warrant

Ms. Kennedy suggested opening the Fall Town Meeting Warrant on August 22nd and closing the warrant on September 12th. Ms. Kennedy said this would be in accordance with the Board's meeting schedule and allow time for the warrant to be reviewed by Fin Com and sent to the printer etc.

Sel. McCaffrey made a motion to open the Fall Town Meeting Warrant on 8/22/16 and to close the warrant on 9/12/16. The motion was seconded by Sel. MacInnes and passed unanimously.

Sel. McCaffrey noted that the Fall Town Meeting was originally set up as a meeting to clean up outstanding items from the end of the fiscal year or for things with time constraints. Sel. McCaffrey said he would like to see the number of articles limited to those of that nature and any major budget requests be held until the Spring Annual Town Meeting.

Sel. MacInnes suggested a review of the town charter including special attention to reviewing the Town Administrator's role which is shared directly with the role of DPW Director. Sel. Neville voiced concerns regarding the complexity of the task and said such a comprehensive undertaking needs time and possible sub committees to be done properly. Sel. Neville said he'll reach out to Town Counsel to see

what the process should be. Sel. MacInnes also suggested looking to possibly change to a different Town Counsel, and Sel. Neville said there has already been a date set for Mark Reich of K/P to return to review the first half of FY17.

16-226 Signing of the 9/18/16 Primary Election Warrant

Sel. McCaffrey made a motion to approve and sign the State Primary Election Warrant for Thursday, September 8, 2016. The motion was seconded by Sel. MacInnes and passed unanimously.

16-227 Approval of One Day Entertainment License for AmVets

Sel. McCaffrey made a motion to approve the One Day Entertainment License Application by Jon Wanders for bands to play at the AmVets Veterans Appreciation Day to be held August 27, 2016, from 1:00pm-6:00pm. The motion was seconded by Sel. MacInnes and passed unanimously.

CONSENT ITEMS

Sel. McCaffrey made a motion to approve the regular session minutes of 7/18/16, 5/19/16, and executive session minutes of 7/18/16 as written. The motion was seconded by Sel. MacInnes and passed unanimously.

Sel. MacInnes made a motion to approve the 6/15/16 regular session minutes as written. The motion was seconded by Sel. Neville. Sel. McCaffrey wasn't present at the meeting and abstained.

Sel. Neville announced that Fire Chief Barrett worked with Representative Dooley to secure \$35,000.00 for the Fire Department to use for the purchase of a system that fills air packs. Sel. Neville said the current system is 40 plus years old and was an item of concern. Sel. Neville congratulated the Chief on his accomplishment.

ADJOURNMENT

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