

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, December 12, 2016 at 6:00 PM
Veterans Memorial Building Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. Neville called the meeting to order at 7:00 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.

PUBLIC HEARINGS & SCHEDULED APPOINTMENTS

16-313 RATIFICATION OF POLICE CHIEF CONTRACT/PINNING

Sel. Neville recognized and introduced new Police Chief Christopher Soffayer and congratulated him on successful contract negotiation.

Sel. McCaffrey made a motion that the BOS approve the Contract between the Town of Millis and Police Chief, Christopher Soffayer effective 12/12/16 for a term of two years. The motioned was seconded by Sel. Neville and passed unanimously.

Sel. Neville asked that Police Chief Soffayer sign the contract. All Board members in attendance also signed the Contract and congratulated Chief Soffayer. Police Chief Soffayer spoke briefly and thanked the BOS.

Sel. MacInnes exited the meeting at 7:20pm.

ANNOUNCEMENTS AND ACKNOWLEDGEMENTS:

Sel. Neville congratulated the Millis Football Team for winning the Super Bowl.

16-314 WATER PERMIT EXTENSION APPROVAL – TOLL BROTHERS

Sel. Neville invited Toll Brothers to approach the BOS.

In attendance for Toll Brothers were: Edward Cannon (representing Toll Brothers), Austin Turner (Bohler Engineering for Toll Brothers) and Scott Miccile and Shawn Nuckolls (both from Toll Brothers). Also in attendance as peer review was Mike Carter (GCG Associates). Mr. Turner gave a brief overview to the Board that Toll Brothers would construct 6700 LF water line, 4300 LF of that new line would replace the existing 6" main. Toll Brothers would also extend the system down Orchard Street almost to the Holliston line (about 2300 LF new line). Mr. Turner advised that they would be refining the plans. The Application was peer reviewed by Mike Carter, GCG Associates and the BOS then asked Toll Brothers questions in regards to this project.

Sel. Neville had a question about Item #6 in the General Notes of the GCG review "Construction schedule, date of completion and liquidated damages should be specified in the plan to protect the Town of Millis". The question was directed to Jim McKay asking if this pertains to the street opening being within the bounds of the requirements (no construction during the winter period). Jim McKay confirmed.

Suzanne Kennedy, Interim Town Administrator, asked about the opportunity for 100 Single Family lots to connect to this water line in addition to the 324 Units for this project.

Mr. Turner stated that the intent of the water line is to service the 324 Toll Brothers units but that the homes along the existing Orchard Street line which are not currently connected would have the opportunity to connect to that line and that the number of 100 is not a definite number.

Sel. McCaffrey had questions in regards to the 80,000 gal/day being sufficient. Jim McKay stated that it would be.

Sel. McCaffrey questioned that the permit is to generate 80,000/day...is that sufficient to supply not only the Glen Ellen Development but assuming all the homes along the road decide to hook up also.

Jim McKay stated that the Developer sized the main as a 12" water main and that will suffice the project along with all other homes along the main.

Sel. McCaffrey also wanted to discuss the issue of the proposed water main improvement being sufficient to support the proposed development and the Orchard Street neighborhoods water demand and fire protection.

Mike Carter, GCG Associates had an analysis done. The analysis it determined that it proved that the 12" water main would be sufficient.

Sel. Neville asked if there were any residents present who wish to address the BOS.

A resident approached the BOS and asked that if it would be considered to extend the water main to the Town of Holliston line....maybe it would benefit either the Town of Holliston or the Town of Millis should either have a water issue.

A resident asked what will happen to her water pressure.

Mike Carter, GCG stated and assured her that she is separate from the new water main and that it would not affect her water pressure.

Attorney Cannon requested a continuance from the BOS for one month so that Toll Brothers can address comments/concerns with respect to the November 14, 2016 letter from GCG Associates.

Sel. McCaffrey motioned for the BOS to issue a continuance in regards to the Application for Water Extension by Toll Brothers until all comments are received. Sel. Neville seconded and passed unanimously.

16-315 SEWER DISCUSSION – TOLL BROTHERS

Sel. Neville stated that Ms. Kennedy, Toll Brothers and himself met last week to discuss the possibility of a sewer extension into the Toll Brothers project.

Scott Miccile, Toll Brothers, explained the Toll Brothers had applied to the DEP in May and that this would be a 2-step process.

1. Hydro Evaluation (80,000 gal/day capacity). This part of the Application was approved by the DEP.
2. File the Ground Water dis-charge Application.

Toll Brothers is working with Jim McKay and Mike Carter to explore options for the sewer extension and to try and understand on how they could tie in and what the improvements would be and what the cost would be.

Scott Miccile stated that there would be a \$3,900/unit and if the Town would consider waiving this fee due to Toll Brothers supplying the line for residents along the way to connect.

Sel. Neville advised that the Town does have the capacity and that it would be advantageous for the Town and to give the residents the option to connect.

Sel. McCaffrey asked what would be the best option for the Town.

The consensus was that the BOS charge the Sewer Study Committee to be involved in the discussions for the Toll Brothers sewer project. It was agreed that the BOS would be meet again after informing the Sewer Study Committee.

No motion.

16-316 TA SCREENING COMMITTEE CANDIDATE PRESENTATION

Sel. Neville updated the meeting about what this discussion would be about. In July, 2016 the Town Administrator left his position with the Town. Interim Town Administrator, Suzanne Kennedy is currently on her third extension temporarily filling the position. The town has reached out to the Collins Center at UMASS Boston to formulate a Town Administrator job description. The center then advertised for this position. During that same time the BOS assembled a Screening Committee (who were present at the meeting) to review and interview applicants for the Town Administrator position. Wendy Barry, Chair of the Town Administrator Screening Committee stated that they had completed their project and recommended three (3) final candidates for the BOS to review/interview.

The three candidates are: Christopher Clark, Michael Guzinski and Christopher Sandini. Ms. Barry stated they she would forward the Cover Letters and Resumes to the BOS for review. The BOS asked that the Screening Committee stay on board until the selection process is complete.

16-317 APPOINTMENT OF DPW SEASONAL WORKER

Interim Town Administrator, Suzanne Kennedy met with Sean LaBarge, candidate for this position and who currently works for the Fire Department. Ms. Kennedy recommended to the BOS to approve Mr. LaBarge for the position of Full Time Temporary DPW Seasonal Worker.

Sel. McCaffrey motioned to approve the recommendation to hire Mr. LaBarge subject to physical and drug test. Sel. Neville seconded and it passed unanimously.

16-318 APPOINTMENT OF TEMPORARY DEPT. ASST I – BUILDING

Interim Town Administrator is recommending that the BOS approve the temporary part time employment of Michelle Jones (previous employee for same position) until the position can be filled permanently.

Sel. McCaffrey motioned to approve the recommendation/appointment of Michelle Jones.

Sel. Neville seconded the motioned and it passed unanimously.

Ms. Kennedy also asked the BOS to consider appointing/hiring a second part time employee on a temporary basis until the next BOS meeting to fulfill the job requirements. This position should be filled permanently by the next BOS meeting.

Sel. McCaffrey motioned to approve the recommendation/appointment of another temporary part time employee by the current Interim Town Administrator until the next BOS meeting. The motion was seconded by Sel. Neville and passed unanimously.

16-319 2017 LICENSE RENEWALS

Sel. Neville opened the discussion stating that the BOS needed to address the businesses that are in arrears for either or all water/sewer/property taxes. Ed Harutyunyan, Owner Budabing's 50's Café (who presently has outstanding tax bills) was present to ask that the BOS give them more time to pay the outstanding now due taxes (\$6,797.59, Water Bill and \$323.01, Personal Property Tax).

Mr. Harutyunyan agreed to make payment today of the fees associated with the License Renewals. Sel. Neville suggested that Budabing's be put on a payment plan and that there would be a more definitive time window of 4-6 months to make payment in full. Karen Bouret, Operations Support Manager noted that

Sel. McCaffrey made a motion that the BOS grants Budabing's 50's Café an All Alcohol license subject to a payment plan being set up with the Treasurer's office and that Budabing's pay the Fees associated with the License today.

Sel. Neville seconded and amended that the plan be no longer than 6 months and that it would be subject to review in 3 months.

Sel. McCaffrey seconded the amendment and it passed unanimously.

Sel. McCaffrey motioned to grant Budabing's 50's Café a Common Victualler License for a 6 month period subject to review in 3 months. Sel. Neville seconded the motion and it passed unanimously.

Sel. McCaffrey motioned to amend the Licenses for Budabing's 50's Café subject to submission to the fire alarm report, fire extinguisher inspection report and repair of emergency lights within a period of 30 days. Sel. Neville seconded the motion to amend Licenses for Budabing's 50's Café and it passed unanimously.

Sel. McCaffrey made a motion to approve the following 2017 licenses as follows:

NAME	DBA	LICENSE #	LICENSE TYPE
Ryan Family Amusements, Inc.	Ryan Family Amusements	Alcohol General on Premises - Wine & Malt	
Jui Xing, Inc.	Lilac House Restaurant	Alcohol General on Premises-Wine and Malt	
Main Street Mobil, Inc.	Main Street Mobil	Alcohol Package Store - Wine and Malt	
Morganti's, Inc.	Fifth Avenue Wine & Spirits	All Alcohol -Package Store	
Millis Package Store Corp.	Harkeys Wine & Spirits	All Alcohol -Package Store	
Highland Wine & Spirits, Co.	Lumpy's Liquors	All Alcohol -Package Store	
AM Vets Post #495 Millis, MA, Inc.	AM Vets Post #495	All Alcohol -Veterans Club	
Glen Ellen Management, LLC	The Glen	All Alcohol-Restaurant	
Jalapa Mexican Grill, LLC	Jalapa Mexican Grill	All Alcohol-Restaurant	
Napper Tandys Millis, Inc	Napper Tandys Millis, Inc	All Alcohol-Restaurant	
Primavera, Inc.	Primavera Ristorante	All Alcohol-Restaurant	
Barrett & Johnson Enterprises, Inc.	Victory Lane	All Alcohol-Restaurant	

NAME	DBA	LICENSE #	LICENSE TYPE
AM Vets Post #495 Millis, MA, Inc.	AM Vets Post #495	61	Automatic Amusement
Barrett & Johnson Enterprises, Inc.	Victory Lane	73	Automatic Amusement
Ryan Family Amusements, Inc.	Ryan Family Amusements	52	Automatic Amusement (37)

NAME	DBA	LICENSE #	LICENSE TYPE
Ryan Family Amusements, Inc.	Ryan Family Amusements	53	Bowling Alley (22)

NAME	DBA	LICENSE #	LICENSE TYPE	MANAGER
St. George & St. Mary, Inc.	Louie's Pizzeria	300	Common Victualler	Thomas Garefalakis
Black Cow Ice Cream	Black Cow Ice Cream	37	Common Victualler	Diane Walsh
Bob's Family Restaurant	Bob's Family Restaurant	2	Common Victualler	Charalampos Manarolis
Millis Donuts, Inc.	Dunkin Donuts	46	Common Victualler	Michael Cavallo
Glen Ellen Management, LLC	The Glen	36,37,38	Common Victualler	Eileen Avaza
Isabella's SMMC, LLC	Isabella's	90	Common Victualler	Kimberly Coleman
Jalapa Mexican Grill, LLC	Jalapa Mexican Grill	293	Common Victualler	Cindy Chacon
King Street Café (was East Side)	King Street Café On The Charles, Inc.	371	Common Victualler	Beau Grassia
John Kazis, Inc.	Kravings Grille & Ice Cream	385	Common Victualler	John Kazis
Jui Xing, Inc.	Lilac House Restaurant	36	Common Victualler	Quan Guan Zheng
Elkarma, Inc.	Marinho's Pizza	7	Common Victualler	Nazih Ibrahim
Sellia Group, LLC	McDonald's	13	Common Victualler	Cassandra Vazquez
AJRK, Inc.	Millis House of Pizza	18	Common Victualler	Ioannis Kattis
Napper Tandys Millis, Inc	Napper Tandys Millis, Inc	359	Common Victualler	John G. Jacob
Primavera, Inc.	Primavera Ristorante	20	Common Victualler	Jerry Gaita
Roche Brothers Supermarket	Roche Brothers Supermarket	21	Common Victualler	Thomas Moynihan
Saigon Restaurant	Saigon Restaurant	24	Common Victualler	Minh Tran
Milkant Corp.	Subway of Millis	83	Common Victualler	Dhaval Patel
Millis Fitness, Inc.	Encompass Fitness	75	Common Victualler	Sean Brady
Twist Bakery & Café, Inc.	Twist Bakery & Café	243	Common Victualler	Kathryn Ernst
Barrett & Johnson Enterprises, Inc.	Victory Lane	41	Common Victualler	Kerri A. Barrett

NAME	DBA	LICENSE #	LICENSE TYPE	MANAGER
AM Vets Post #495 Millis, MA, Inc.	AM Vets Post #495	62	Entertainment	Paul Howie
Millis Donuts, Inc.	Dunkin Donuts	80	Entertainment	Michael Cavallo
Glen Ellen Management, LLC	The Glen	74	Entertainment	Eileen Avaza
John Kazis, Inc.	Kravings Grille & Ice Cream	386	Entertainment	John Kazis
Napper Tandys Millis, Inc	Napper Tandys Millis, Inc	360	Entertainment	John G. Jacob
Primavera, Inc.	Primavera Ristorante	66	Entertainment	Jerry Gaita
Ryan Family Amusements, Inc.	Ryan Family Amusements	54	Entertainment	Peter J. McCaul
Millis Fitness, Inc.	Encompass Fitness	76	Entertainment	Sean Brady
Barrett & Johnson Enterprises, Inc.	Victory Lane	72	Entertainment	Kerri A. Barrett

NAME	DBA	LICENSE #	LICENSE TYPE	MANAGER
Bethany House Ministries, Inc.	Bethany House	32	Junk Collector	Ruth Raichle
Millis Used Auto	Pick-N-Pull	46	Junk & Materials	Shelly Cox

NAME	DBA	LICENSE #	LICENSE TYPE	MANAGER
AM Vets Post #495 Millis, MA, Inc.	AM Vets Post #495	61	Pool Table	Paul Howie

NAME	DBA	LICENSE #	LICENSE TYPE
Fin, Fur & Feather Club, Inc.	Fin, Fur & Feather Club	31	Skeet and Trap Shooting

The motion was seconded by Sel. Neville and passed unanimously.

Sel. McCaffrey made a motion to issue Export Auto a 2017 Class II license subject to compliance with all conditions listed on the Conditions/Restrictions memo from the Building Commissioner and Fire Chief and with an inspection to verify compliance by 1/31/17. The motion was seconded by Sel. Neville and passed unanimously.

Sel. McCaffrey made a motion to issue Millis Car Care 2017 Class II and Class III licenses subject to compliance with all conditions listed on the Conditions/Restrictions memo from the Building Commissioner and Fire Chief and with an inspection to verify compliance by 1/31/17. The motion was seconded by Sel. Neville and passed unanimously.

Sel. McCaffrey made a motion to issue W. T. Holmes a Class III licenses subject to compliance with all conditions listed on the Conditions/Restrictions memo from the Building Commissioner and Fire Chief

and with an inspection to verify compliance by 1/31/17. The motion was seconded by Sel. Neville and passed unanimously.

Sel. McCaffrey made a motion to approve the following 2017 licenses as follows:

NAME	DBA	LICENSE #	LICENSE TYPE
Frank Mar, Inc.	Bob's Auto Body	9	Class II
Foreign Car Repair	Foreign Car Repair	8	Class II
McGowan Auto Sales	McGowan Auto Sales	394	Class II
Millis Collision Center	Millis Collision Center	393	Class II
New England Auto Salvage	New England Auto Salvage	7	Class II
Farm Street Auto Sales	Farm Street Auto Sales	1	Class III
New England Auto Salvage	New England Auto Salvage	2	Class III
Millis Used Auto Parts, Inc.	PICK-n-PULL	70	Class III

The motion was seconded by Sel. Neville and passed unanimously.

16-320 STORMWATER/LAND DISTURBANCE

Sel. McCaffrey motioned to open a public hearing on two (2) applications submitted by Barberrry Homes LLC for a stormwater management permit and a land disturbance permit affecting the land located at the intersection of Bridge Street and Dover Road.

Sel. Neville seconded the motion and it passed unanimously.

Sel. Neville advised the meeting of the legal notice of the public hearing which was in the Milford Daily News on 12/3/16.

The representatives Rob Truax, GLM Engineering Consultants and David Carter of Barberrry Homes LLC are seeking a permit for Stormwater and Land Disturbance management. They have previously been before the BOS for Site Plan approval as well as a special permit to the Assisted Living facility.

Mr. Truax reviewed with the BOS the Site Plan and addressed questions the BOS had at this time.

Melissa Recos from Beta who did the peer review for the project and advised the Applicant of issues regarding the temporary basin and drainage swale.

The BOS and Ms. Recos stated that they wanted to review the Plans and Ms. Recos would provide a follow up letter.

Sel. Neville suggested that there be a joint meeting with the Board of Health and the Board of Selectmen and that they should continue the hearing until January 9, 2017.

Sel. McCaffrey asked if the abutter (Mrs. Susan Steele) wanted to address the BOS and applicants with questions. Mr. Truax addressed her questions.

Sel. McCaffrey motioned that the BOS adopt a motion to continue the hearing with respect to stormwater management and land disturbance permit application from Barberrry Homes LLC affecting the location of Bridge Street and Dover Road until January 9, 2017.

Sel. Neville seconded the motion and it passed unanimously.

16-321 WATER PERMIT EXTENSION – ASSISTED LIVING BARBERRY HOMES LLC

The permit fee for this project was submitted on October 28, 2016. Rob Truax spoke about the plan for the main and that it would benefit some of the residents along the line. Mike Carter, GCG, said the issues listed on his peer review must be resolved by January 31, 2017.

Sel. McCaffrey motioned that the BOS do approve the Proposal by Barberrry Homes LLC to construct a water main, which will eventually become a public system, subject to agreement on the items issued in the November 26, 2016 peer review letter by GCG, subject to resolution of all issues by January 31, 2017. Sel. Neville seconded and it passed unanimously.

16-322 SEWER PERMIT EXTENSION – ASSISTED LIVING BARBERRY HOMES LLC

Rob Truax, GLM Engineering (Engineer for Barberrry Homes LLC) stated that at this time there is not public sewer on Bridge Street or Dover Road.

The Applicant (Barberrry Homes LLC) is proposing to extend the Sewer Main and has agreed to replace the pumps in the pump station for the Town of Millis so as to accommodate their project.

There was discussion on how and when the new pumps would need to be replaced.

Mike Carter suggested that monies be put into an escrow fund account with the Town.

Jim McKay said this is a question for Town Counsel. Ms. Kennedy asked about the builder (Barberrry Homes LLC) replacing or upgrading the pumps themselves for a lower price and Mr. Truax agreed that they will look into that option. It was decided by the BOS to defer until the Pump Station issue is resolved.

16-323 CONTRACT PROPOSAL FOR WELL INVESTIGATION

Ms. Kennedy opened the discussion and stated that an adjacent town (Town of Norfolk) has indicated that they will probably construct a well in proximately to the Town of Millis' current wells #5 and #6 (which are at present time stressed). It is her understanding that MA DEP will ultimately require the Town of Millis to develop and implement a DEP approved plan to minimize the impact of the construction of the Town of Norfolk well to the Town of Mills wells (#5 & #6).

Ms. Kennedy is recommending that the BOS give favorable consideration to approving the contract with Kleinfelder for services known as Norfolk Well Impact Evaluation conditioned upon approval by both Millis Town Counsel and the Millis Finance Director.

Sel. McCaffrey motioned that the BOS authorize that the Town Administrator to enter into a contract with Kleinfelder for the evaluation of the impact to the Town of Millis by the Town of Norfolk's construction of a well for a fee, not to exceed \$10,000 and subject to final approval by the Town Counsel and the Finance Director.

Sel. Neville seconded and it passed unanimously.

16-324 LEGAL COUNSEL CONTRACT EXTENSION

Sel. Neville updated the BOS that at a previous BOS meeting it was recommended by a board member to enter into a 6 month extension agreement with current counsel (Kopelman & Paige) and review the potential of looking at the possibility of hiring other counsel to serve the Town of Millis during this six month period. After a brief discussion the Board decided to extend the contract an additional six months and review KP's performance again in the late spring.

Sel. McCaffrey motioned that the BOS do extend the agreement with Kopelman & Paige until June 30, 2017. Sel. Neville seconded and it passed unanimously.

16-325 BAN REVIEW AND APPROVAL FOR AMBULANCE

Sel. McCaffrey motioned to approve a short term bond for \$260,000 with Eastern Bank at an interest rate of 1.10% maturing November 2, 2017. Sel. Neville seconded the motion and it passed unanimously.

16-326 APPROVAL OF WATER/SEWER COMMITMENTS

Sel. McCaffrey motioned that the BOS do approve the Water/Sewer Dept. commitment to the collector for the fiscal year 2017 in the amount of \$785,605.75. Sel. Neville seconded the motion and it passed unanimously

Sel. McCaffrey motioned to approve the Water/Sewer Dept. commitment to the collector for November 2016 in the amount of \$1174.46.

Sel. Neville seconded and it passed unanimously.

CONSENT ITEMS

There were no Consent Items to review.

ADJOURNMENT

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

Respectfully submitted: Maureen Canesi