

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, October 30, 2017
Veterans Memorial Building Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. McCaffrey called the meeting to order at 6:30 pm. The following persons were present: Sel. James McCaffrey, Sel. Catherine MacInnes, Sel. Loring Barnes, Town Administrator Michael Guzinski, and Operations Support Manager Karen Bouret.

EXECUTIVE SESSION

Sel. McCaffrey made a motion to enter Executive Session for the following reason:

To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the government's litigating position, and the chair does so declare.

(Litigation – Fitzgerald v. Town, Norfolk Superior Court, C. A. No. 17-0768)

By roll call vote: Chair McCaffrey, aye Sel. MacInnes, aye Sel. Barnes, aye

ANNOUNCEMENTS

Sel. McCaffrey announced that a Water/Sewer Rate Hearing will be held Monday, November 20 at 7:10pm during the Board of Selectmen's meeting and encouraged all to attend.

Sel. McCaffrey announced, with regret, that the Public Health Director has resigned. He thanked her for her service and wished her well in future endeavors.

Sel. McCaffrey announced the Town's Flu Clinic through the Board of Health to be held November 18th from 10:00am-1:00pm for residents ages 8 and older.

Sel. McCaffrey said the annual Veterans Day event will be held on Saturday, November 11 beginning at the war memorial across from the American Legion after a breakfast starting at 7:30am at the Legion.

Sel. McCaffrey said there will be a review of town meeting warrant articles at the Council on Aging starting at 10:00am on Wednesday, November 1st and Pre-Town Meeting will be hosted by the Finance Committee starting at 7:30pm in Room 229 of the VMB that evening.

PUBLIC HEARINGS & APPOINTMENTS

17-270 Accessible Ramp at Life Experience School Update

Mr. James McKay, DPW, said he is happy to report that the DPW crew built the two ramps and the crosswalk will be painted this fall. Mr. McKay said all paving projects for this year have been completed. He reminded people that the DPW and Fire are still working to make sure the roads are clear of branches etc. from last night's windstorm and urged people to drive with caution. Mr. McKay finished but mentioning several upcoming projects.

17-271 Zoning Board of Appeals Appointments

Sel. McCaffrey made a motion to appoint Wayne Carlson as full member to the Zoning Board of Appeals, Mr. William Lawson and Mr. Donald Rivers both as Associate Members of the Board, all through June of 2018. The motion was seconded by Sel. MacInnes and passed unanimously.

17-272 Appointment of Interim Library Director

Chair of the Library Trustees, Wendy Barry, proposed that Maria Neville be appointed as Interim Library Director. Ms. Barry said Maria was the Interim previously, when the current Director was hired. Mr. Guzinski said he fully supports the Trustees' recommendation to appoint Maria Neville as Interim until such time as a full time Director is hired.

Sel. McCaffrey made a motion that the Board of Selectmen approves the Board of Trustees' recommendation and the Town Administrator's appoint of Maria Neville as Interim Library Director for a period of time while full time Library Director is recruited and appointed. The motion was seconded by Sel. MacInnes and passed unanimously.

17-273 Appointment of LEPC Member

Sel. MacInnes made a motion to appoint Mary Jane Driscoll, School Transportation Director, to the Local Emergency Planning Committee for a term ending June 30, 2018. The motion was seconded by Sel. Barnes and passed unanimously.

17-274 Appointment of Millis Cultural Council Member

Sel. McCaffrey made a motion to appoint Laura Doherty, of 10 Cottage Avenue, to the Millis Cultural Council for a term ending June 30, 2018. The motion was seconded by Sel. Barnes and passed unanimously.

17-275 Town Meeting Voting Process

Mary Russo, citizen, spoke about the uneasiness of voting openly at a town meeting and that people feel intimidated by neighbors. Ms. Russo said she understands that the option of using a secret ballot has to be determined at Town Meeting by Town Meeting. Ms. Russo applauded the Board for submitting Article 26 which would give authority to the Moderator to appoint a committee to study various options for town meeting including a secret ballot, considering a different day of the week for a town meeting, etc. Mr. McCaffrey said a change could come in the form of a new bylaw.

Lisa Hardin, Town Clerk, said the Clerk's office will be prepared to do a paper ballot at the fall town meeting if it is voted that night. Sel. Barnes thanked people for stepping forward, especially Mary Russo.

17-276 Cemetery Review Committee Update

Sel. MacInnes, as member of the Cemetery Review Committee, provided an update saying the Board has been provided with updated Rules and Regulations as well as five other items. (see memo) Jim McKay and Jeff Mushnick, both members of the committee reviewed the regulations and other recommendations as presented. Some superfluous language was removed from the rules and regulations.

Sel. McCaffrey made a motion that the Board formally adopts the Revised Rules and Regulations for the Prospect Hill Cemetery as presented. The motion was seconded by Sel. Barnes and passed unanimously

Sel. McCaffrey made a motion to rename the Cemetery Review Committee to the Cemetery Committee. The motion was seconded by Sel. Barnes and passed unanimously.

Sel. MacInnes made a motion to approve the request to allow the sale of additional lots acquired through repurchase of tree clearing. The motion was seconded by Sel. Barnes and passed unanimously.

Sel. MacInnes made a motion to approve the request to allow six cremations per lot, which measures 3' -6" x 10'-0", or at the discretion of the Department of Public Works. The motion was seconded by Sel. Barnes and passed unanimously.

Sel. MacInnes made a motion to approve the fee per lot as \$800.00 and a grave opening between the dates of December 1 through April 1 inclusive will have an additional fee of \$100.00 added to the standard fee. The motion was seconded by Sel. Barnes and passed unanimously.

Sel. MacInnes made a motion to adopt the Revised Rules and Regulations of the Cemetery Committee of October 30, 2017, with the word "Review" stricken from number 8. The motion was seconded by Sel. Barnes and passed unanimously.

SCHEDULED BUSINESS

17-277 BOS Warrant Article Recommendations

Sel. McCaffrey said new growth of real estate and the certification of free cash are typically looked at to determine what articles can be funded. Sel. McCaffrey said that free cash will not be certified in time which creates an issue from a planning perspective, but we have an estimate of \$250,000.00. Mr. Guzinski said occasionally free cash gets certified after town meeting, and although it isn't ideal it is not uncommon in the broader municipal world. Sel. McCaffrey said the methodology is to start with the estimated free cash number and then look at utilization of the stabilization fund with the idea that it will be made whole again with free cash prior to spring town meeting.

Craig Schultze, Chair of the Finance Committee, said stabilization is an unpleasant choice as felt by the Fin Com but it is the only choice at this point.

Sel. McCaffrey read through each article on the fall 2017 Article List and the Board voted in support (approved) of or for dismissal (not approved) of each article. Additionally, each member chose articles to speak to should the need arise at town meeting as follows:

1. Unpaid Bills – approved, Mike Guzinski
2. Marijuana Moratorium- approved, Sel. McCaffrey
3. Stormwater Management Utility Bylaw- approved, Sel. Barnes
4. Funding for Consulting Stormwater Management Utility- approved, Sel. Barnes
5. Replacement of Air Packs- approved, Sel. MacInnes
6. ALS Training Funding – approved, Sel. MacInnes
7. Town Gasoline and Diesel System Replacement- not approved/funding, Sel. MacInnes
8. Front End Loader- approved, Sel. MacInnes
9. Traffic Enforcement Upgrades- decision deferred to 11/6 BOS meeting
10. Sewer I/I Analysis- approved, Sel. MacInnes
11. Police Vehicle Lease- approved, Sel. McCaffrey
12. Police/Fire Copper Line to Fiber Line Transition- approved, Sel. McCaffrey
13. CPC Niagara Fire House Records Preservation Project- approved, Sel. McCaffrey

14. Town Website Upgrade- not approved/funding, Sel. McCaffrey & Sel. Barnes
15. Repurchase of Cemetery Lots- approved, Sel. MacInnes
16. Establish Bus Lease Stabilization Fund – no position, school article
17. School Stabilization Fund Funding for Purchase of 2 Buses– no position, school article
18. School Auditorium Seating, Lighting, and Sound– no position, school article
19. School Special Education Van– no position, school article
20. School Instructional Resources– no position, school article
21. OPEB- not approved/funding, Sel. McCaffrey
22. Replenish Stabilization Fund- not approved/funding, Sel. McCaffrey
23. Acceptance of M.G. L. c. 90 §17c Establishment of Speed Limits- approved, Sel. Barnes
24. Acceptance of M.G. L. c. 90 §18b Establishment of Speed Limits- approved, Sel. Barnes
25. PILOT for Large Scale Ground Mounted Community Solar 1280 Main - approved, Sel. McCaffrey
26. Authorization of Moderator to Appoint Committee Town Meeting Voting- approved, Sel. Barnes
27. Senior Property Tax Work-off Program - approved, Sel. McCaffrey
28. Petitioned Article: Cease and Desist ESBC Project- not approved, Sel. McCaffrey
29. Petitioned Article: Land Transfer- not approved, Sel. McCaffrey
30. Replacement Facility for Clyde F. Brown Elementary School - approved, Sel. McCaffrey

17-278 Appoint Town Counsel

Mr. Guzinski said he and the Operations Support Manager reviewed the proposals as well as analyzed legal fees for the past three fiscal years and found that a flat fee would be most advantageous.

Mr. Guzinski said should the Board decide to appoint a new Town Counsel this evening, I recommend that KP-Law be appointed as Special Counsel for all current litigation until the new Town Counsel verifies that they are settled in and prepared to take over the various lawsuits. This should allow for a smooth transition.

Sel. McCaffrey said moving forward with a flat fee allows the Town to call when needed and the burden to manage costs moves to them. Sel. McCaffrey said K/P has done a very good job for the Town but there comes a time when analyzing financial etc. and supports remaining K/P as labor counsel for the balance of FY18. Supports engaging MTC for general town counsel. Sel. MacInnes is in favor of engaging MTC as well and would ask that pending litigation be transitioned as quickly as possible to make sure we are making good financial choices.

Sel. McCaffrey made a motion that the Board appoints Mead, Talerman, and Costa as Town Counsel for the balance of the fiscal year utilizing the \$6,000.00 per moth flat fee proposal to be effective November 8, 2017 and K/P Law as labor counsel at a rate of \$180.00 per hour. The motion was seconded by Sel. MacInnes and passed unanimously.

Sel. McCaffrey Direct the TA to work closely with the two firms to develop a transitional process. The motion was seconded by Sel. MacInnes and passed unanimously.

17-281 Discussion of Carport at Police Station

PBC Chairman Wayne Klocko said there is funding, approximately \$169,000.00 left over from the Police/Fire project and the PBC is asking for the Board's support of constructing a carport at the Police Station. Mr. Klocko said the PBC also voted to approve funding towards the copper to fiber migration with available funds and noted that would have been included in

Sel. MacInnes made a motion to approve the Permanent Building Committee's change order request from Agostini Construction Company, Inc. to add a Carport at the Police Station in the amount of \$105,972.00. The motion was seconded by Sel. Barnes and passed unanimously.

17-279 BOS Goals and Objectives

The Board reviewed Sel. McCaffrey's proposed goals for the BOS for FY18 and amended them as follows:

BUDGET GOVERNANCE GOALS

Publish new budget document and implement ClearGov website for Millis
Implement the Tri-board process for development of FY 2019 Town budget
Develop capital plan through Capital Planning Advisory Committee
Review budget management relating to Department Head Budgets

ORGANIZATIONAL REVIEW GOALS

Select Town Counsel through competitive bidding process
Develop DPW leadership recommendations and complete review of the Finance function
Appoint Charter review committee to develop recommendations for Charter reforms

SERVICE DELIVERY GOALS

Develop recommendations for long term funding of the compliance program for stormwater management
Complete a strategy review of technology solutions supporting service delivery
Explore regional transportation opportunities
Articulate a strategy for delivery of services to seniors
Explore internship development to enhance service delivery

REVENUE ENHANCEMENT GOALS

Recommend zoning bylaws and relevant regulations for potential retail marijuana establishments
Review economic development and planning management functions
Expedite required reviews of the Glen Ellen housing project
Review sewer usage and policies

COMMUNICATION GOALS

Complete an overhaul of the Town website
Support enhancements to Millis Community Cable through license renewals
Improve community engagement

CLYDE BROWN SCHOOL RENOVATION

Support the school building process by approving project contracts and providing appropriate project oversight

Sel. MacInnes made a motion that the BOS approves the above listed FY18 Board goals. The motion was seconded by Sel. McCaffrey and passed unanimously.

17-280 Approval of BOS Meeting Schedule Nov-Jan

Sel. McCaffrey announced that the Board will meet on the following dates:

11/6/17 at 6:00pm (MS/HS Library before Town Meeting)

11/20/17

12/4/17
12/1/17
1/8/18
1/22/18

Sel. McCaffrey made a motion to adopt the Veterans Day Proclamation as written. The motion was seconded by Sel. McCaffrey and passed unanimously.

ADJOURNMENT

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

Respectfully submitted: Karen M. Bouret