

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, June 17, 2019
Veterans Memorial Building Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. Barnes called the meeting to order at 6:00 pm. The following persons were present: Sel. Loring Barnes, Sel. James McCaffrey, Sel. Peter Jurmain, Town Administrator Michael Guzinski, and Operations Support Manager Karen Bouret.

EXECUTIVE SESSION

Sel. Barnes made a motion to enter Executive Session for the following reasons: To conduct strategy in preparation for negotiations with union personnel. (AFSCME Council 93 and SEIU) and to conduct strategy sessions in preparation for litigation if an open meeting may have a detrimental effect on the litigating public body. The motion was seconded by Sel. Jurmain.

Sel. Barnes aye, Sel. Jurmain aye, Sel. McCaffrey aye

Return to regular open session at 7:28 pm.

PUBLIC HEARINGS & SCHEDULED APPOINTMENTS

19-111 FY18 Year-End Audit Presentation

Scott McIntyre, Principal and Jen Reddington, Audit Manager of Melanson Heath. Ms. Reddington reviewed a PowerPoint presentation of the FY18 audit results. (See attached) Mr. McIntyre noted that the net pension liability is expected to be fully funded by 2031, and the Town is making its annual required contribution. The net total for Other Post-Employment Benefits (OPEB), which refers to liability other than pension, was \$31,794,808 as of June 30, 2018. Mr. McIntyre and Ms. Reddington said there were no significant adjustments were recommended despite a lot of turnover in the Finance Office which is good news for the Town. Some of the audit recommendations included update and expanding formal policies and procedures, reviewing procedures for Federal Awards and preparation for GASB statements.

19-113 Alcohol Hearing: Beer & Wine Alcohol License at Richdale Foods

Sel. Barnes made a motion to open the Alcohol Hearing for Beer and Wine for Richdale Food Shop located at 132 Exchange Street, Millis, MA. Sel. McCaffrey seconded the motion. The motion passed unanimously.

Karen Bouret introduced the applicants and said all ABCC requirements were fulfilled. The Board asked questions regarding safety and preventing sales to minors. The Board noted that the floor plan presented did not match what the applicant stated the plan will be.

Sel. Barnes made a motion to close the alcohol hearing. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Jurmain made a motion that the Board, acting as the Local Licensing Authority, approves the Beer and Wine license for 132 Exchange St., Inc. d/b/a Richdale Food Shop contingent upon receipt of a revised floor plan that accurately reflects the future floor plan for sale of beer and wine. The motion was seconded by Sel. Jurmain. The motion passed two to one with Sel. McCaffrey voting no.

19-114 Clyde F. Brown School Preview

Diane Jurmain Vice Chair of the Permanent Building Committee and member of the Elementary School Building Committee reviewed a PowerPoint presentation on the status of the new Clyde F. Brown School and next steps for the summer months. (See attached) A discussion ensued regarding possible field closure, behind the existing Clyde F. Brown, for safety during the old school demolition.

Sel. Barnes made a motion to give the Town Administrator the authority to work with the ESBC and DPW Director to take any action to close the field or take any action related thereto for safety purposes during demolition. The motion was seconded by Sel. McCaffrey and passed unanimously.

19-115 Authorize Town Administrator to Issue Request for Qualifications (RFQ) for Designer Services for DPW Building Project

Mr. Guzinski asked the Board to authorize him to issue the RFQ for designer services for the DPW Building Project. Mr. Guzinski also asked the

Sel. McCaffrey made a motion to authorize the Town Administrator to issue an RFQ for designer services for the DPW Building Project. The motion was seconded by Sel. Jurmain and passed unanimously.

Sel. McCaffrey made a motion to appoint Jim McKay and Michael Guzinski as ex-officio members of the Permanent Building Committee for the duration of the DPW Building Project. The motion was seconded by Sel. Jurmain and passed unanimously.

19-116 Review/Support of 40B LIP at 946 Main Street

The developer, architect, and site engineer for the proposed 40B LIP to be located at 946 Main Street reviewed the plans for the three-story building. Jim McKay presented a map showing the proposed footprint of the building superimposed on the existing site. Rob Truax of GLM Engineering Consultants reviewed the site plan in detail and presented the elevation drawings. Discussion ensued regarding landscaping and traffic patterns which will be refined and finalized as the project proceeds through the Planning Board and Zoning Board of Appeals etc. The Board voiced concerns over whether the three-story height of the building and the short setback distance from the street fit it with the look and feel of the neighborhood.

Town Counsel Attorney Kate Feodoroff explained the 40B LIP process, noting that the Board of Selectmen can voice their concerns and suggestions at this point and determine whether they should be deemed requirements for endorsement of this project. Alternately, the developer can decide if they want to come back before the Board with some changes or not go forward with a LIP process. The applicant said reducing the number of units from 12 to 8 would not really be economically feasible.

Sel. McCaffrey made a motion to work with the developer to approve a twelve-unit 40B LIP project at 946 Main Street and for the Town Administrator to work with Town Counsel to develop a 40B LIP agreement with the Town to be reviewed and approved at a future Board meeting. The motion was seconded by Sel. Jurmain and passed two votes to one. Sel. Barnes voted no.

19-112 Approval of Annual Paving Contract

Mr. McKay presented the bid results for the annual paving contract and his recommendations for roads to be paved including Union Street and Village Street, Union Street from Rosenfeld Road to Ridge Street

and Village Street from Plain Street to Blueberry Lane as well as several alternates listed on the memo dated 6/11/19 regarding the FY20 Paving Contract. Mr. Guzinski asked the Board to approve the recommended projects as specified.

Sel. Jurmain made a motion to authorize the Town Administrator to sign a contract with T. Miozzi, Inc. of North Kingstown, RI for the FY20 Paving Contract in the amount of \$500,710.28 for the paving of the roads as identified in the memo dated June 11, 2019. The motion was seconded by Sel. McCaffrey and passed unanimously.

19-117 Continue Discussion Regarding Transfer Station Plastic Bag Fees

Mr. McKay said he received a quote from WasteZero for smaller bags to be added as an option to larger bags as a possible solution to an impending deficit of \$7500. Mr. McKay said the increase in hours that was agreed upon at the last Board meeting has been received positively by the public. Mr. McKay said our bags will still be the least expensive in comparison to surrounding towns except for Medfield who has higher annual sticker fees.

Sel. Jurmain made a motion to add the option of smaller bags at \$1.25 per bag. The motion was seconded by Sel. McCaffrey and passed unanimously.

The Board did not vote to increase the cost of the larger bags by .25 at this time.

19-118 Approval of Phase V Sewer Rehabilitation Project Contract

Sel. McCaffrey made a motion to approve the bid by Ponch Excavation, LLC of Boston, MA for the Phase V Sewer System Rehabilitation Project in the amount of \$208,042.00 and to authorize the Town Administrator to sign the contract in that amount. The motion was seconded by Sel. Jurmain and passed unanimously.

19-119 Appointment of DPW Seasonal Summer Worker

Mr. Guzinski asked the Board to ratify his appointment of Benjamin Butensky as a Summer DPW Worker through 9/30/19.

Sel. McCaffrey made a motion that the Board ratifies the Town Administrator's appointment of Benjamin Butensky as Seasonal Summer DPW Worker for 40 hours per week through September 30, 2019. The motion was seconded by Sel. Jurmain and passed unanimously.

19-120 Review/Approval of Millis Rules and Regulations for Marijuana Cultivators, Manufacturers, Testing Facilities and Retailers

Attorney Kate Feodoroff reviewed two sets of rules and regulations for Marijuana Retailers as well as a general Cannabis Control License application. Attorney Feodoroff stated that the two businesses that currently have host community agreements with the Town for marijuana facilities were sent these documents via email and provided feedback that she incorporated into the draft documents presented this evening.

Sel. McCaffrey made a motion to approve the Town of Millis Board of Selectmen Rules and Regulations for Marijuana Retailers presented by Town Counsel with changes as follows: strike the language "and at all cash register(s) on the premises" in item 5.1, change the language in 12.3 to "All complaints and reports *submitted to the Town* shall be reviewed by the LLA and..." , and strike the

word "Clerk" and replace it with "*Town Administrator as agent*" in item 15. The motion was seconded by Sel. Jurmain and passed unanimously.

Sel. McCaffrey made a motion to approve the Town of Millis Rules and Regulations for Marijuana Cultivators, Manufacturers and Testing Facilities as presented by Town Counsel with changes as follows: change the language in 11.3 to "All complaints and reports *submitted to the Town* shall be reviewed by the LLA and...", and strike the word "Clerk" and replace it with "*Town Administrator as agent*" in item 14. The motion was seconded by Sel. Jurmain and passed unanimously.

19-121 Review/Approval of Millis Marijuana License Application Procedure

Sel. McCaffrey made a motion to approve the Town of Millis Cannabis Control License Application with an application fee of \$3000.00 and a change in language on item #2 as follows: Please submit a floor plan (8.5x11 paper) of the facility showing the exact location where Cannabis will be cultivated, processed, delivered, sold and stored as applicable, and indicate all entrances and exits *to the Police Chief*. The motion was seconded by Sel. Jurmain and passed unanimously.

19-122 Annual Reappointment of Boards and Committees

Sel. Barnes made a motion to approve the list of committee members for reappointment for FY20 as presented with the removal of Rita Murphy as a Board of Registrars member. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. McCaffrey made a motion to reappoint Mead, Talerman & Costa as General Town Counsel and David Jenkins, of KP Law, as Labor Counsel for FY20. The motion was seconded by Sel. Jurmain and passed unanimously.

19-123 Approval of Common Victualler and Entertainment Licenses

Sel. McCaffrey made a motion to approve both a Common Victualler License and Entertainment License for Kravings Pizza and Ice Cream located at 979 Main Street through December 31, 2019. The motion was seconded by Sel. Jurmain and passed unanimously.

19-124 Approval of One-Day Alcohol Licenses

Sel. Barnes made a motion to approve three (3) One-Day Special Alcohol Licenses for Boggestowe Fish & Game Club located at 247 Ridge Street as follows:

Saturday, 7/6/19 from 3-9:00 pm Graduation Party

Sunday, 8/11/19 from 12-8:00 pm Clambake

Saturday, 9/25/19 from 11:00am – 10:00pm Boggestock Music Festival

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

19-125 Approval of Water/Sewer Department Commitment to Collector

Sel. McCaffrey made a motion to approve the Water/Sewer Commitment to Collector for May 2019 in the amount of \$1390.16. The motion was seconded by Sel. Jurmain and passed unanimously.

CONSENT ITEMS

Sel. Barnes made a motion to approve the minutes of 4/17/19, 4/22/19 with approved changes. The motion was seconded by Sel. McCaffrey and passed unanimously.

ADJOURNMENT

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

Respectfully submitted: Karen M. Bouret