

BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
July 25, 2011
Veterans Memorial Building, Room 229
900 Main Street, Millis, MA 02054

CALL TO ORDER: Chair Andrea Wagner called the meeting to order at 7:30 p.m. The following persons were present: Chair Andrea Wagner, Vice Chair Donald Hendon, Clerk Charles Vecchi, Administrative Assistant Jennifer Cederberg and Town Administrator Charles Aspinwall.

ANNOUNCEMENTS: Sel. Wagner thanked Middlesex Savings Bank for the donation of furniture to the Town. Sel. Hendon thanked the DPW and Mr. Aspinwall for getting the fields ready for the first Softball tournament.

LIBRARY PROJECT STORMWATER HEARING: Sel. Wagner noted that this hearing was continued from the last meeting. Mr. Don Nielsen was present and spoke concerning the history of the area utilizing display boards to highlight his presentation. He illustrated JOPA realty and noted that the Library portion of the site is 2.6 acres and runs around the parking lot and behind Niagra Hall. He also highlighted the existing Library which will be raised once the proposed Library is constructed. Mr. Nielsen noted that there are three drainage basins in place already by JOPA Realty through the Town of Millis. He spoke concerning the proposed drainage area for the Library which is primarily for roof runoff. He noted that the drainage basin collects runoff from the building and because it is not a hazard, it can be directed right into the ground. He stated that there are a series of manholes and a pipe that collects water from the Donovan property and property to the north to maintain flow so that there isn't stormwater backing up against the building. Mr. Nielsen stated that a special permit was voted on and that Town Counsel could speak further on this issue. He said that there are distinct relationships between Centennial Place and the drainage system of the proposed Library. He highlighted a catch basin in the courtyard area which will collect drainage from this green area including the sidewalk.

Sel. Vecchi questioned the maintenance of the drainage on the Donovan property. He also stated there is a sub-pump in the basement of Niagra Hall which will have to be dealt with. Mr. Nielsen stated it can be drained into the catch basin in the courtyard area, much like the runoff from the building itself. He stated that the sub-pump can be hard piped to the catch basin and that the Architect can address this issue. He further noted that there is no basement in the proposed Library.

Sel. Vecchi questioned whether there would be any grade changes when the parking lot is repaved. Mr. Nielsen stated there would not. Sel. Wagner asked about the condition the old Library site would be left in. Mr. Nielsen reviewed plans for the staging for the project and noted the temporary fencing that would be placed around the site. He pointed out that areas shaded brown on the plans would also be fenced in. He said that there would be some equipment storage in these areas and that they would only be using the 50 parking spaces allowed for the project. Mr. Nielsen stated that the veterans' monument on the old site would be protected until there is a time and a place for it to be relocated.

Town Engineer Barbara Thissell noted that she reviewed the plans on behalf of the Board of Selectmen and the plans that were submitted meet the Town's stormwater management regulations. She noted that there should be a few minor changes to the proposed decision including verbiage concerning demolition of the old Library. She suggested # 7 should illustrate that the Town will take care of the Town's infrastructure and that JOPA would continue to maintain their own. Mr. Aspinwall clarified that JOPA continues to maintain the existing lot until they turn it over to the Town. He stated ultimately, the Town would be responsible for it all. Ms. Thissell also suggested adding a #8 which would require seed to be planted within a set amount of days after work is complete so that the site doesn't continue to look like a construction site. Mr. Aspinwall suggested that this work be dependent on the planting season.

Town Clerk Ilana Quirk asked what could be done to stabilize the site in the event that planting is not appropriate at that time due to the growing season. Ms. Thissell stated that she is concerned with dust, sedimentation and erosion coming off of the site. She said smoothing out the area and growing grass as quickly as possible is the best way to go but it would be the design engineer's role to come up with a plan but that it should be graded off just so that it is not big piles of debris. Mr. Nielsen suggested that mulching the area is a pleasant ground cover until the formal ground

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treatment is possible. Mr. Aspinwall stated that loaming and seeding within 14 days should be reasonable if weather allows and, if not, mulch or straw would be acceptable.

Ms. Thissell also suggested that language be added that all prior conditions not modified shall remain in place (#9). Atty. Quirk agreed with Ms. Thissell's recommendations. Mr. Aspinwall questioned what type of insurance should be placed on the property and it was clarified that liability insurance on the site should be secured before work begins. Mr. Aspinwall asked about the project schedule and whether or not it could be ready within 10 days of the issuance of the permits. Pat Sheehan from the Permanent Building Committee stated that they have a tentative schedule for the work but they do not have a general contractor yet and they would be the one to set this schedule which is anticipated to be by October.

Motion by Sel. Hendon, seconded by Sel. Vecchi, that we close the hearing on the Stormwater Management Permit, the Municipal Drain Modification System and the Land Disturbance Permit. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, that we approve the application of the Town of Millis for the following permits and approvals: 1. Stormwater Management Permit; 2. Land Disturbance Permit; and 3. Municipal Drainage Connection Permit including the amendment of #7 the Town of Millis will maintain the stormwater on the Library property and JOPA Realty will maintain their stormwater on the JOPA property until such time JOPA turns over the entire project to the Town; #8 the existing site shall be loamed and seeded within 14 days or the particular growing season or otherwise stabilized if the weather does not allow; 9. All prior conditions not modified must stay in place; 1. the Town shall obtain confirmation that the Town's construction work is covered by full liability insurance before moving forward; 3. the project schedule shall be filed in the Town Administrator's Office within 10 days of issuance of these permits once the contractor has been chosen. The motion passed unanimously.

SOUTHEND FARM STORMWATER HEARING: Sel. Wagner noted that this is continued from the prior meeting that she was unable to attend. Mr. Merrikin stated that the draft review by Ms. Thissell has been completed and changes have been made with revised plans being submitted to the Town per Ms. Thissell's comments. He also noted the submission of a table that highlights the area of natural preservation on each lot that is being maintained. He stated most lots have excess area (greater than 30%) due to wetlands and these areas will be preserved for future use for lots which may contain detention basins.

Mr. Merrikin started by reviewing Lot 14, Evergreen Terrace. He noted that the draft contains standard language with a series of findings consistent with those found in prior decisions. He noted page 2 contains 7 standard conditions and #8 was added at the suggestion of Ms. Thissell. He stated that this condition now appears in each decision. He reviewed the standard findings of #s 9, 10, 11, 12, noted that 13 and 14 were added at Ms. Thissell's request and will appear in all decisions, and numbers 15-17 are standard.

Mr. Aspinwall asked questions concerning #s 6 and 7 and noted that he met with Mr. Merrikin about concerns he had with runoff from a certain parcel but that this parcel is not part of this stage of the development. Ms. Ellen Rosenfeld stated that she sent Mr. Aspinwall an email stating that historically, she has been mowing the detention basins, the swales, and the roadways once per year and that the detention basins and stormwater units are also cleaned once per year. She stated that since there is no current activity on the site, she did not feel four times per year is necessary. She told Mr. Aspinwall that she would get him the records he requested according to the requirements of the Operation and Maintenance Plan by the end of the week.

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Mr. Aspinwall asked Ms. Thissell what maintenance would be appropriate for the construction phase. Ms. Thissell stated that the best mechanism for cleaning detention basins is a visual inspection and that mowing is important to do before saplings begin to grow. She stated that once per year might be working. Ms. Rosenfeld stated that mowing is taking place right now but she does not believe her bills break the area down by cubic yard. Mr. Merrikin stated that he will go out and do a random sampling and highlight his findings in a letter to the Board of Selectmen.

Mr. Aspinwall stated concerns about not being in compliance with the original decision concerning submission of reports and cleaning the detention basins four times per year. He stated that there is no annual report and no documentation as outlined in the original permit. He noted that the permit could be issued upon receipt of the documentation.

Mr. Merrikin jumped to lot 22 and highlighted the difference between this permit and the earlier permits which basically consist of the sidewalk condition (#13 from Lot 14). He noted there is no sidewalk on the high side of Beech Street. He did note that there are two additional conditions not found on the other permits. Ms. Thissell stated that she believes the plans meet the Town's stormwater requirements.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to close the hearing on the Stormwater Management Permit and Land Disturbance Permit for portions of the South End Farm subdivision. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 14 Evergreen Terrace: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/18/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 18 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-16 dated 7/18/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 21 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-16 dated 7/18/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 22 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/20/11. The motion passed unanimously.

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Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 23 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/18/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 24 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/20/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 25 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/18/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 26 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/20/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 27 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/20/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 28 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/20/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 29 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/18/11. The motion passed unanimously.

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Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 31 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/18/11. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to grant the following to the Southend Farm, LLC, for the proposed development of Lot 33 Beech Street: 1. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Stormwater Management Permit, 2. Pursuant to Section 6.F.2 of Article I, subject to the conditions enumerated below, the Board hereby grants a Land Disturbance Permit with one added condition being the receipt of the Subdivision's Operations and Maintenance Records with conditions 1-17 dated 7/18/11. The motion passed unanimously.

CONTRACT AWARD/ELECTRICIAN:

Motion by Sel. Hendon, seconded by Sel. Vecchi, that the Board award a contract for electrical services for one-year to Walco Services for electrical services in the amount of \$70/hour. The motion passed unanimously.

CONTRACT AWARD/FLOOD IMPROVEMENTS:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to award the contract for Flood Control Improvements for the Route 109 old railroad bed for \$20,400 to GCG Associates. The motion passed unanimously.

Motion by Sel. Hendon, seconded by Sel. Vecchi, to award the contract for Flood Control Improvements to the Dover Road Pump Station to GCG Associates in the amount of \$9,400. The motion passed unanimously.

CONTRACT AWARD/2011 HOLDER:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to award the contract for 2011 Holder Tractor to Chadwick-Baross, Inc. Chemsford, MA, in the amount of \$95,900 plus a 3-year extended warranty for \$10,500 for a total contract award of \$106,400. The motion passed unanimously.

APPOINTMENT TO THE MAPC:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to appoint Charles Aspinwall as the Town of Millis' representative to the Metropolitan Area Planning Council for a term of three years starting 7/1/11. The motion passed unanimously.

APPOINTMENT OF SPECIAL DEPUTY ACO'S:

Motion by Sel. Hendon, seconded by Sel. Vecchi, to approve the Town Administrator's appointment of Hilary Cohen of Norfolk and Jenny Shaw of Medfield as Special Deputy Animal Control Officers for the Town of Millis. The motion passed unanimously.

MINUTES:

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Motion by Sel. Vecchi, seconded by Sel. Hendon, to approve the regular session meeting minutes of 7/11/11. The motion passed (2-0-1) with Sel. Wagner being absent.

EXECUTIVE SESSION: At 8:58 p.m., by roll call vote,

Motion by Sel. Hendon to enter into executive session to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. Vecchi – aye, Hendon – aye, Wagner – aye.

Respectfully Submitted,

Jennifer G. Cederberg, Administrative Assistant