

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, December 14, 2015 at 6:00 PM
Veterans Memorial Bldg. Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. Smith called the meeting to order 6:00 pm. The following persons were present: Chair Christopher Smith, Vice-Chair James Neville, Clerk James McCaffrey, Operations Support Manager Karen Bouret, and Town Administrator Charles Aspinwall.

EXECUTIVE SESSION: 9:11 PM

Motion by Sel. Smith to enter in to Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel, and the Chair does so declare.

(ALS Agreement Fire, Police Union, SEIU Contract, 84 Orchard Street)

By Roll Call Vote: Sel. Smith—aye, Sel. Neville—aye, Sel. McCaffrey—aye.

Motion to exit executive session and return to regular session at 7:15pm, and the Chair does so declare.

By Roll Call Vote: Sel. Smith—aye, Sel. Neville—aye, Sel. McCaffrey—aye.

ANNOUNCEMENTS AND ACKNOWLEDGEMENTS

Sel. Smith said the Girl Scouts have asked to hang wreaths they've decorated outside the front doors at the Veterans Memorial Building as they have done in past years.

Sel. Neville made a motion to approve the Girls Scouts hanging decorative wreaths outside the Veterans Memorial Building during the winter holidays. The motion was seconded by Sel. McCaffrey and passed unanimously.

Mr. Aspinwall said that the current Veterans' Services Officer, Robert Yeager, has tendered his resignation and the position has opened up. Mr. Aspinwall thanked Mr. Yeager for his time and said he has offered to stay on until a suitable replacement is found. Mr. Aspinwall said this is a part-time stipend position and asked any interested candidates to contact the Board of Selectmen's office for more information.

Sel. Smith made a statement about the potential sale of Glen Ellen Country Club. Sel. Smith said that since some of the land is classified under MGL chapter 61 which means the Town has the right of first refusal for that portion of the parcel. Sel. Smith said the BOS has the responsibility to review all of the information as it is provided and decide whether proceeding with the right of first refusal is something that is in the Town's best interest. Sel. Smith noted that he completed a Disclosure of Appearance of Conflict of Interest form since he has been a member of Glen Ellen for many years.

Sel. Smith announced that as Chair, he would like to initiate an Open Session period for the first fifteen minutes of future Board of Selectmen Committee meetings dedicated to hearing public comments. Sel. Smith reviewed some of the guidelines for the Open Session. (See "Open Session Guidelines" document attached) Sel. Smith said this will be a time period dedicated to residents briefly presenting a concern

that has not been included on the posted agenda. The Board will listen and then determine what if any follow up action should be taken on the matter. Sel. Smith said there will not be any actual discussion on the various topics during the Open Session.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

15-378 Interim Library Trustee Appointment

Sel. Smith said the opening for an Interim Library Trustee was announced at the last BOS meeting and only one individual communicated interest in the position. Sel. Smith said Jennifer Farrar, a Millis resident since 1997, current Library volunteer, and member of the Friends of the Millis Library Executive Board for six years, is the sole candidate. Sel. Smith said after speaking with the Chair of the Library Trustees, he is happy to recommend Ms. Farrar's interim appointment.

Sel. Neville made a motion to appoint Jennifer Farrar as Interim Library Trustee until the next available election. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-379 King Street Café on the Charles License Application

Mr. Beau Grassia, new owner of the King Street Café on the Charles formerly the East Side Grill, spoke about his new business. Mr. Grassia said he has been in the restaurant industry for twenty-six years and owns the King Street Café in Franklin, MA. Mr. Grassia said the restaurant will serve breakfast and lunch.

Sel. Neville made a motion to approve the Common Victualler License Application for the King Street Café on the Charles at 39 Main Street, Millis, MA. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-380 Advisory Council Appointment

Mr. Aspinwall said he regrettably received the resignation of Domenic D'Eramo as Regional Transportation Advisory Council Representative for Millis. Mr. Aspinwall said Mr. D'Eramo was the representative for many years and thanked him for his service. Mr. Aspinwall said Edward Chisholm, the current alternate, has volunteered to take over the position. Mr. Aspinwall said Mr. Chisholm is highly qualified and recommended that the Board appoint him effective immediately.

Sel. Neville made a motion to accept the resignation of Domenic D'Eramo from the Regional Transportation Advisory Council and to appoint Edward Chisholm, former alternate, as the Millis representative in place of Mr. D'Eramo effective immediately. The motion was seconded by Sel. McCaffrey and passed unanimously.

Chairman Smith asked Mr. Aspinwall to compose a thank you letter from the Board thanking Mr. D'Eramo for his service.

OLD BUSINESS

15-383 Abatement Request Hersey

Mr. Aspinwall said the Board requested some more information regarding water/sewer abatement for Joseph Hersey at 169 Village Street. Mr. Aspinwall said Mr. Hersey has paid the current charges. Mr. Aspinwall did a consumption assessment and compared giving an abatement based on charging the lowest rates with using an average consumption amount from the last four years. (See Attached). The Board deliberated and decided that since the water was consumed that billing at the lowest rate would be the best approach since the excess was from a leaky toilet.

Sel. Neville made a motion that the Board grants an abatement of water and sewer charges in the amount of \$1,496.19 to Joseph Hersey at 169 Village Street. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-384 Police/Fire Stations Project Update

Wayne Klocko, Chairman of the Permanent Building Committee, reviewed the current status of the Police Station project. Mr. Klocko said abatement work has been completed and crews were back on site at the end of November. Mr. Klocko said the PBC is pleased to say that the general contractor, Agostini, has been working with the Town to mitigate cost. Mr. Klocko said Agostini has been taking advantage of the nice weather and working as quickly as possible.

NEW BUSINESS

15-386 Change Order 003 Agostini Construction

Mr. Klocko presented Change Order 003 from Agostini/Bacon Construction. The additional are directly related to the site contamination and include the truck wash and disposing of organic soils among other charges. Mr. Klocko recommended that the BOS do approve the change order as written.

Sel. Neville made a motion that the BOS approves change order 003 to the contract between the Town of Millis and Agostini/Bacon Construction in the amount of \$621,566.00 and authorizes the Town Administrator to sign on behalf of the Town. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-387 Construction Change Directive 009 Agostini Construction

Mr. Klocko reviewed change directive 009 from Agostini and recommended BOS approval. Mr. Klocko said the directive would allow Agostini to perform work on Saturdays to get ahead of the impending winter weather and hopefully prevent delay costs at the end of the project. The additional costs would be for premium time only.

Sel. Neville made a motion that the BOS approves change order 009 to the contract between the Town of Millis and Agostini/Bacon Construction in the not to exceed amount of \$15,000.00 to provide for Saturday work at the Police Station and authorizes the Town Administrator to sign on behalf of the Town. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-388 CFB School Feasibility Study Contract Award

Mr. Klocko said after a thorough vetting process by members of the School Building Committee, Tappe Architects of Boston, MA was chosen as the designer for the Feasibility Study and Schematic Design of the Clyde F. Brown project. Mr. Klocko recommends approves the contract and said the proposal includes an additional \$50,000.00 for future site investigation which he feels is prudent in light of all the underground issues found at the Police station site. Mr. Klocko said the kick off meeting will be held on Friday, December 18, 2015 for this project.

Sel. Neville made a motion that the BOS approves the contract for designer services in the amount of \$420,000.00 and a contract for Preliminary Extra Services for \$59,565.00 and for an Allowance for Additional Site Investigation in the amount of \$50,000.00 for a grand total of \$529,565.00 with Tappe Architects, Inc., of Boston. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-389 Cruiser Replacement Contract Approval

Police Chief Edison said he received a quote for replacement of cruiser #48 that was destroyed in September 2015 in the amount of \$38,020.00 from MHQ.

Sel. Neville made a motion that the BOS authorizes the purchase of a new police cruiser from MHQ for a total of \$38,020.00. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-390 E911 Support and Incentive Grant

Chief Edison presented the State 911 Department Public Safety Answering Point and Regional Emergency Communication Center Support and Incentive Grant Application for FY16.

Sel. Neville made a motion that the BOS recommends that the Town apply for a Public Safety Answering Point 911 grant in the amount of \$21,889.00 and to authorize the Town Administrator to be the contracting authority and the Police Chief to be the grant manager. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-391 Tax Bill Insert Approval

Mr. Aspinwall said that according to the Department of Revenue, you aren't allowed to stuff billing envelopes with any materials unless you have BOS approval. Mr. Aspinwall asked the BOS to approve Town Administrator recommended inserts for educational materials in water bill mailings as long as it does not increase postage.

Sel. Neville made a motion to give the Town Administrator authorization to place educational materials in water bill mailings as long as the insert does not increase the cost of postage. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-392 Award of Chlorine Analyzer/Water Line Contract

Mr. Aspinwall said that bids for Wells 3, 5, and 6 Chlorine Analyzer Sampling Stations were received on December 9th at 3:00pm. Mr. Aspinwall said the low bidder was Dankris Builders Corp. Mr. Aspinwall said Dankris received satisfactory references and recommends the Board's approval of the contract.

Sel. Neville made a motion that the BOS awards a contract to Dankris Builders Corporation of Plainville, MA for the Chlorine Analyzer project in the amount of \$89,610.00 and the Town Administrator be authorized to execute said contract. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-393 District Local Technical Assistance Grant

Mr. Aspinwall asked the BOS to give him authority to authorize the grant submission to provide funding towards the Housing Production Plan project through the Metropolitan Area Planning Council (MAPC) and the District Local Technical Assistance (DLTA) Program. Mr. Aspinwall said we have a very good relationship with the MAPC and feels we have a very good chance of receiving this grant.

Sel. Neville made a motion to authorize the submission of a DLTA grant to the MAPC for the Housing Production Plan. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-397 Bond Anticipation Note Approval

Sel. Neville made a motion that the BOS authorizes the Treasurer/Collector to borrow \$222,400.00 at an interest rate of .70% with a bond maturity date of August 1, 2016 for the Chlorine Contact Loop Project. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-398 Water/Sewer Department Commitment November

Sel. Neville made a motion that the BOS approves the FY16 November 2015 Water/Sewer Department Commitment to Collector in the amount of \$1,416.26. The motion was seconded by Sel. McCaffrey and passed unanimously.

PUBLIC HEARINGS/SCHEDULED APPOINTMENTS

15-381 Oakwood Farms Sewer Extension

Mr. Dan Merrikin, of Merrikin Engineering, asked the BOS to vote to extend sewer to the properties at the Oakwood Farms Subdivision, the seven frontage lots on Acorn Street and the properties on the opposite side of Acorn Street specified in the December 2, 2015 letter he wrote regarding this subject. Mr. Merrikin said Oakwood Farms will need to form a homeowners association to pay annual dues to cover the pumping station costs. Sel. Smith agreed that this is a viable option for the homeowners in the area that petitioned.

Sel. Neville made a motion that the BOS approves extending the sewer connection at Hickory Hills to the Oakwood Farms Subdivision (Assessor's Parcel 34-10), the seven existing frontage lots on Acorn Street, and to the properties on the opposite side of Acorn Street as specified in the December 2, 2015 letter from Merrikin Engineering regarding the Oakwood Farms Sewer Extension. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-382 Hickory Hills Stormwater Permit Modification

Mr. Merrikin said the property owners at Hickory Hills don't like the aesthetics of the depression in their backyards for the current stormwater management system from the on-site roof runoff infiltration system. Mr. Merrikin proposed a substitute system (See Attached) which is underground and is asking for permission to offer it as an alternative. The Board of Health and Planning Board both voted in favor of the substitution. Mr. Merrikin said the maintenance falls on the homeowner and the Homeowner's Association will need to send periodic inspection reports.

Sel. Neville made a motion that the BOS approves a modification to the Stormwater & Erosion Control and Municipal Storm Drain Permit for the Hickory Hills subdivision to allow either an open basin system or an underground system for the required on-site roof runoff infiltration. The motion was seconded by Sel. McCaffrey and passed unanimously.

NEW BUSINESS

15-396 2016 License Approvals

Mr. Aspinwall said that both Export Auto of Millis and Foreign Car Repair have violations regarding the conditions/restrictions that are part of their Class II licenses. Mr. Aspinwall contacted Town counsel show recommended granting the licenses but starting enforcement actions to bring them into compliance.

Sel. Smith made a motion to authorize enforcement action by the BOS on Class II license numbers 8 and 15. The motion was seconded by Sel. Neville and passed unanimously.

Sel. Neville made a motion that the BOS approves the following Class II licenses for calendar year 2016 as follows:

NAME	DBA	LICENSE #	LICENSE TYPE
Frank Mar, Inc.	Bob's Auto Body	9	Class II
Export Auto of Millis	Export Auto of Millis	15	Class II
Foreign Car Repair	Foreign Car Repair	8	Class II
Millis Car Care Center	Millis Car Care Center	6	Class II
New England Auto Salvage	New England Auto Salvage	7	Class II

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

Sel. Neville made a motion that the BOS approves the following Class III licenses for calendar year 2016 as follows:

NAME	DBA	LICENSE #	LICENSE TYPE
Farm Street Auto Sales	Farm Street Auto Sales	1	Class III
Millis Car Care Center	Millis Car Care Center	3	Class III
New England Auto Salvage	New England Auto Salvage	2	Class III
Millis Used Auto Parts, Inc.	PICK-n-PULL	70	Class III
W.T. Holmes Transportation Co., Inc.	W.T. Holmes Transportation Co., Inc.	5	Class III

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

Sel. Smith read the violations found upon inspection by the Building Commissioner and Fire Chief at the Sportsmen's Lounge. The Board agreed to take the same action as with the violation for the Class II licenses.

Sel. Neville made a motion to authorize enforcement action by the BOS on the Restaurant All Alcohol license number 071600004. The motion was seconded by Sel. McCaffrey and passed unanimously.

Sel. Neville made a motion that the BOS approves the following Alcohol licenses for calendar year 2016 as follows:

NAME	DBA	LICENSE #	LICENSE TYPE
Ryan Family Amusements, Inc.	Ryan Family Amusements	071600020	Alcohol General on Premises - Wine & Malt
Jui Xing, Inc.	Lilac House Restaurant	071600016	Alcohol General on Premises-Wine and Malt
Main Street Mobil, Inc.	Main Street Mobil	071600022	Alcohol Package Store - Wine and Malt
Morganti's, Inc.	Fifth Avenue Wine & Spirits	071600011	All Alcohol -Package Store
Millis Package Store Corp.	Harkey's Wine & Spirits	071600010	All Alcohol -Package Store
Highland Wine & Spirits, Co.	Lumpy's Liquors	071600012	All Alcohol -Package Store
AM Vets Post #495 Millis, MA, Inc.	AM Vets Post #495	071600007	All Alcohol -Veterans Club
Budabings, Inc.	Budabings 50's Café	071600018	All Alcohol-Restaurant

Glen Ellen Management, LLC	Glen Ellen Country Club	071600005	All Alcohol-Restaurant
Jalapa Mexican Grill, LLC	Jalapa Mexican Grill	71600023	All Alcohol-Restaurant
Napper Tandys Millis, Inc	Napper Tandys Millis, Inc	071600024	All Alcohol-Restaurant
Primavera, Inc.	Primavera Ristorante	071600006	All Alcohol-Restaurant
Sportsmen's Lounge of Millis, Inc.	Sportsmen's Lounge	071600004	All Alcohol-Restaurant
Barrett & Johnson Enterprises, Inc.	Victory Lane	071600001	All Alcohol-Restaurant

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

Sel. Neville made a motion that the BOS approves the following Entertainment licenses for calendar year 2016 as follows:

NAME	DBA	LICENSE #	LICENSE TYPE
AM Vets Post #495 Millis, MA, Inc.	AM Vets Post #495	62	Entertainment
Millis Donuts, Inc.	Dunkin Donuts	80	Entertainment
Glen Ellen Management, LLC	Glen Ellen Country Club	74	Entertainment
Sellia Group, LLC	McDonald's	64	Entertainment
Napper Tandys Millis, Inc	Napper Tandys Millis, Inc	360	Entertainment
Primavera, Inc.	Primavera Ristorante	66	Entertainment
Ryan Family Amusements, Inc.	Ryan Family Amusements	54	Entertainment
Sportsmen's Lounge of Millis, Inc.	Sportsmen's Lounge	69	Entertainment
GGM, Inc.	The Gym	76	Entertainment
Barrett & Johnson Enterprises, Inc.	Victory Lane	72	Entertainment

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

Sel. Neville made a motion that the BOS approves the following Bowling Alley license for calendar year 2016 as follows:

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

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

Sel. Neville made a motion that the BOS approves the following Common Victualler licenses for calendar year 2016 as follows:

NAME	DBA	LICENSE #	LICENSE TYPE
St. George & St. Mary, Inc.		300	Common Victualler
Black Cow Ice Cream	Black Cow Ice Cream	37	Common Victualler
Bob's Family Restaurant	Bob's Family Restaurant	2	Common Victualler
Budabings, Inc.	Budabings 50's Café	39	Common Victualler

Millis Donuts, Inc.	Dunkin Donuts	46	Common Victualler
Glen Ellen Management, LLC	Glen Ellen Country Club	36,37,38	Common Victualler
Isabella's SMMC, LLC	Isabella's	90	Common Victualler
Jalapa Mexican Grill, LLC	Jalapa Mexican Grill	293	Common Victualler
King Street Café (was East Side)	King Street Café On The Charles, Inc.	371	Common Victualler
Jui Xing, Inc.	Lilac House Restaurant	36	Common Victualler
Elkarma, Inc.	Marinho's Pizza	7	Common Victualler
Sellia Group, LLC	McDonald's	13	Common Victualler
AJRK, Inc.	Millis House of Pizza	18	Common Victualler
Napper Tandys Millis, Inc	Napper Tandys Millis, Inc	359	Common Victualler
Primavera, Inc.	Primavera Ristorante	20	Common Victualler
Roche Brothers Supermarket	Roche Brothers Supermarket	21	Common Victualler
Saigon Restaurant	Saigon Restaurant	24	Common Victualler
Sportsmen's Lounge of Millis, Inc.	Sportsmen's Lounge	28	Common Victualler
Milkant Corp.	Subway of Millis	83	Common Victualler
GGM, Inc.	The Gym	75	Common Victualler
Twist Bakery & Café, Inc.	Twist Bakery & Café	243	Common Victualler
Barrett & Johnson Enterprises, Inc.	Victory Lane	41	Common Victualler

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

Sel. Neville made a motion that the BOS approves the following Junk Collector licenses for calendar year 2016 as follows:

NAME	DBA	LICENSE #	LICENSE TYPE
Bethany House Ministries, Inc.	Bethany House	32	Junk Collector
Millis Used Auto Parts, Inc.	PICK-n-PULL	46	Junk Collector

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

Sel. Neville made a motion that the BOS approves the following Pool Table license for calendar year 2016 as follows:

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

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

Sel. Neville made a motion that the BOS approves the following Skeet and Trap Shooting license for calendar year 2016 as follows:

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. McCaffrey and passed unanimously.

15-394 Acting Police Chief Salary

Mr. Aspinwall said when the Police Chief is on vacation the Acting Chief is currently receiving an additional \$45.00 per day but it has been requested that it is increased to \$90.00 per day due to the responsibilities associated with the position. The BOS agreed that the pay should reflect the duties and decided to make it retroactive to August 15, 2015.

Sel. Neville made a motion to authorize a pay rate of \$90.00 per day for the role of Acting Chief effective retroactively to August 15, 2015. The motion was seconded by Sel. McCaffrey and passed unanimously.

15-395 Current Year Budget Update

Mr. Aspinwall gave a quick overview of the current status of the FY16 budget. Mr. Aspinwall said legal services have been running high so the Town is currently trending towards being over budget. Additionally, Mr. Aspinwall said the Wages from Fees line in the Building Department budget is on course to exceed the FY16 budget. Mr. Aspinwall said the number of building permits being pulled this year far exceeds that of last year thus the high numbers. Mr. Aspinwall also said the Police Chief is trying to take steps to mitigate overtime for Police, but the department currently has one vacancy and two officers out on OJI. Mr. Aspinwall said the goal there is to have two new hires by the end of January.

CONSENT ITEMS

Motion by Sel. Smith, seconded by Sel. Neville to approve and accept the Regular Session minutes of November 30, 2015 and the Executive Session minutes of November 2, 2015 and November 16, 2015. The motion passed unanimously.

MISCELLANEOUS INFORMATION

Sel. Smith said the next Regular Session meeting will be held on January 11, 2016 and wished all safe and happy holidays.

ADJOURNMENT

Sel. Neville made a motion to adjourn at 9:28pm. The motion was seconded by Sel. McCaffrey and passed unanimously.

Respectfully submitted: Karen Bouret