

Select Board Meeting Minutes 11/07/22

Chair Underhill called the meeting to order at 7:00pm

The following persons were present Chair Erin Underhill, Vice Chair Craig Schultze, Clerk Ellen Rosenfeld, Town Administrator Mike Guzinski, Assistant Town Administrator Karen Bouret DeMarzo. Town Counsel member Jay Talerman.

Announcements

Election day is November 8, 2022, from 7am- 8pm

FATM is Thursday November 10th, 2022, at 7:30pm

22-235 Hearing: Road Acceptance for Pearl Street, Deborah Lane, Teresa Drive as public way

Sel. Schultze made a motion to open a hearing for Road acceptance for Pearl Street, Deborah Lane, Teresa Drive as public ways. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

Dan Merrikin was running behind. The Town Administrator suggests the Board delays the Hearing towards the end of the meeting.

Sel. Schultze made a motion to recess the Hearing until late in the meeting. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

Sel. Schultze made a motion to reopen the Hearing. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

A discussion ensued about the development inspection not being totally complete, it needs a complete video of the drainage for the DPW. The board would like a commitment that these things will be done they will send a letter.

Sel. Schultze made a motion to approve the road acceptance for Pearl Street, Deborah Lane, Teresa Drive as public ways subject to a completed as built plans, a televised inspection of drainage system, as well as a letter indicating a date for these actions to be taken. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

22-236 Approval of Millis's Green Communities Annual Report for FY22

Chair Underhill agreed to Sign the FY22 Green Communities Annual Report to be sent to the state.

22-237 Discuss Sewer Policy Proposal

Jay Talerman from Town Counsel discusses the proposed sewer policy. He explains that if there is a Town Sewer line on the public road, the property owner has the right to connect provided there is capacity, if there is no capacity, they do not have the right to connect. If the property owner has paid their betterment the town has to reserve the capacity and they have the right to connect. He states that adding a time limit for hook up on permits will allow for better control in the future of reserving capacity.

Jim McKay stated that prior Select Board Members voted to allow connections/reserved capacity for specific developments that didn't pay the betterment because the contractor paid to have the sewer lines extended.

Sel. Underhill stated that the Sewer Policy is just the first of many steps needed to be taken by the Town. She said that the Town will be at true capacity in the future, not just at capacity with the reservations. The Town needs to be proactive about solutions, possibly surveying the Braun Property as a package plant for the Town.

22-238 Discuss and Vote on FATM Warrant Articles

Sel. Underhill made a motion to recommend approval of Articles 1-24 apart from Article 8. Sel. Schultze seconded this motion. The motion passed unanimously.

Sel. Schultze made a motion to not recommend approval of Articles 25-27. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

Sel. Schultze made a motion to not recommend approval of Articles 28. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

22-239 Assignment of FATM Warrant Articles to Select Board Members

The Board decided Sel. Ellen Rosenfeld would speak to Articles 1, 8, 9, 10, 18, 19, and 20.

The Board decided Sel. Craig Schultze would speak to Articles 4, 5, 6, 7, 13, 15, 16, 23, and 24.

The Board decided Sel. Erin Underhill would speak to Articles 2, 3, 11, 12, 14, 17, and 22.

22-240 Ratification of Police Union Contract Adjustment to Increase Sick Leave Bank Minimum

Sel. Schultze made a motion to change the Police Union sick leave bank from 150 to 250. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

22-241 Request for Reimbursement- LaBarge

Mr. Sean LaBarge stated that he is looking for reimbursement from the Town for additional expenses that occurred during installation of a sewer connection because the Town did not have documentation of where his connection stub was. Since the Town did not know where the stub was located, Mr. LaBarge hired contractors who had to cut into his driveway, sidewalk, and road to put into a new sewer stub. During that process the contractor found the original stub and it was placed in such a manner and location that had its location been known by the Town and provided it would have negated the need for the driveway cutting/repaving, sidewalk removal and excavation, and the excavation of, and repair of the asphalt of the road and all the additional expenses incurred with those items including police detail officers and vehicles.

DPW Director, Jim McKay stated the department was unable to find a plan showing the sewer stub and notified Mr. LaBarge if this. The DPW superintendent was informed that the septic system for 183 Main Street was having issues and needed to be replaced which is why Mr. LaBarge was trying to hook up to town sewer. The DPW director stated on September 29th, Mr. LaBarge submitted an invoice to the Town for \$7,232.00 for payment for the work performed by the private contractors he hired. He was asked if the remaining work had been finished and Mr. LaBarge answered no. The DPW director offered to finish the work in good faith, Mr. LaBarge thought it was a good idea. Within 2 days of the meeting the driveway and sidewalk work were completed by the contractor. Mr. LaBarge then submitted a letter and a second invoice for the completed work totaling \$14,019.04.

Sel. Underhill states that for any reimbursement it would have to go on a Town Meeting Warrant and be on the ATM in the spring. Town Counsel explains the anti-aid amendment and that the town can't just write a check to a private property owner. If this were processed through the proper legal channels, he stated they would have insurance and Town Counsel review the claim.

Sel. Schultze made a motion to deny the claim as presented for various reasons including the Town having no way to legally pay it. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

22-242 Appointment of Election Workers – Appointment of Fire Lieutenants

Sel. Schultze made a motion to ratify the Town Administrators appointment of Maren Tracy and Charlene Howley as new election workers. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

Sel. Schultze made a motion to ratify the Town Administrators appointment of Chuck Bishop and Mike Scotland from acting lieutenants to permanent lieutenants of the Millis Fire Department. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

22-243 Approval of Quote for unit Ventilator Actuator Valve Replacements at Town Hall

Sel. Schultze made a motion to approve the quote of \$10,185.00 for the unit Ventilator Actuator Valve Replacements at the VMB Building. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

22-244 Board/Committee Liaison updates

No official updates

22-245 Review/Approval of Water/Sewer Commitments

Sel. Schultze made a motion to approve the water/sewer commitment to the collector for August 2022 in the amount of \$9,399.36. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

Sel. Schultze made a motion to approve the water/sewer commitment to the collector for September 2022 in the amount of \$3,677.25. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

Sel. Schultze made a motion to approve the water/sewer commitment to the collector for October 2022 in the amount of \$3,179.75. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

Sel. Schultze made a motion to approve the Stormwater commitment to the collector for FY23 in the amount of \$694,320. Sel. Rosenfeld seconded this motion. The motion passed unanimously.

22-246 Approval of DRAFT Minutes

Sel. Underhill deferred this until the next meeting

Sel. Underhill made a motion to enter Executive Session at 9:15pm to conduct a strategy session in preparation for negotiations with union and non-union personnel (SEIU/AFSCME/Town Administrator). Sel. Schultze seconded this motion. Sel. Underhill polled the Board and the motion passed unanimously.

Respectfully submitted by Victoria Schindler