

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, July 22, 2019
Veterans Memorial Building Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. Barnes called the meeting to order at 5:05 pm. The following persons were present: Sel. Loring Barnes, Sel. James McCaffrey, Sel. Jurmain, Town Administrator Michael Guzinski, and Operations Support Manager Karen Bouret.

EXECUTIVE SESSION

Return to regular session at 5:40pm.

ANNOUNCEMENTS

- Sel. Barnes thanked the Millis Police, Fire, and DPW for all of their work over the weekend to help keep residents safe and keep their water running during the heat wave last weekend.
- Millis Recreation is holding free Splash Day from 1-3:00pm on 8/7/19, contact the Recreation Department for more information.
- Millis Police Department is holding National Night Out 2019 on 8/6/19 from 4-8:00pm at the Millis Town Fields and Veterans Memorial Building parking lot.
- Mr. Guzinski announced that the Town will be receiving over \$15,000.00 in rewards benefits from the Town's insurance company, MIIA from FY19
- The Annual Scrap Metal Drive will be held on 8/10/19 from 9:00am-2:00pm, where almost all types of scrap metal will be accepted from Millis and other surrounding communities.
- Sel. Barnes said that Toll Brothers has paid \$25,000.00 to a "field capital improvements fund for betterment of recreation facilities within the Town" per the modification of the special permit decision by the Planning Board.

PUBLIC HEARINGS & SCHEDULED APPOINTMENTS

19-130 Committee & Staff Appointments

Sel. McCaffrey made motions to appoint the following Board and Committee members for FY20

Carol Hayes, Conservation Commission

Elias Jacobson, Website and Communications Committee

Barbara Matthews, Cultural Council

The motions were seconded by Sel. Jurmain and passed unanimously.

Mr. Guzinski approved the appointment of Linda Stetson as the Dispatcher/Receptionist at the Council on Aging.

Sel. McCaffrey made a motion to ratify the Town Administrator's appointment of Linda Stetson to the position of Dispatcher/Receptionist following a satisfactory physical result. The motion was seconded by Sel. Barnes and passed unanimously.

19-131 Approval of FY20 Energy Manager's Contract

Sel. Barnes suggested expanding the scope of the contract and job responsibilities at a future meeting to include some environmental management language.

Sel. McCaffrey made a motion to approve the Energy Manager's contract effective July 1, 2019 for the term of one year per the agreement with the possibility of the scope being expanded in the future. The motion was seconded by Sel. Barnes and passed unanimously.

19-132 OSRP Documents Approval

Mr. Robert Weiss, Energy Manager, asked the Board to approve two notices related to the OSRP including Grievance Procedures for Complaints of Discrimination on the Basis of Disability and ADA Title II Notice.

Sel. McCaffrey made a motion that the Board accepts the Grievance Procedures for Complaints of Discrimination on the Basis of Disability as presented. The motion was seconded by Sel. Barnes and passed unanimously.

Sel. McCaffrey made a motion to approve a notice that the Town of Millis does not discriminate on the basis of disability in admission to, access to, or in the operation of its programs, services or activities and does not discriminate on the basis of disability in its hiring or employment practices and that the notice is provided as required by Title II of the ADA of 1990. The motion was seconded by Sel. Jurmain and passed unanimously.

19-133 Approval of One Day Alcohol & One Day Entertainment License

Sel. McCaffrey made a motion to approve a One-Day Alcohol License for wine and malt for Tangerini's Farm for a farm to table dinner to be held Saturday, August 10 from 6:00pm-10:00pm. The motion was seconded by Sel. Jurmain and passed unanimously.

Sel. McCaffrey made a motion to approve a One-Day Entertainment License for live music at Tangerini's Farm for a farm to table dinner to be held Saturday, August 10 from 6:00pm-10:00pm. The motion was seconded by Sel. Jurmain and passed unanimously.

19-134 Marijuana Impact Funds Allocation Procedure

Carol Johnston, Finance Director, reviewed proposed allocation policies and procedures for departmental requests for marijuana impact funds derived from host community agreements. Sel. McCaffrey asked that the gifts be excluded and these procedures. Ms. Johnston said expenses will be tracked using separate accounts for marijuana funding for transparency and accountability of where funds are spent. The Board asked that an official request form be developed and brought back for approval.

19-135 Town Clerk's Office Organizational Assessment

Bernie Lynch and Ray Santilli of Community Paradigm Associates, LLC presented an informational PowerPoint slide show to review their findings in the Millis Town Clerk Office Organizational Assessment. (See Attached) A brief discussion ensued about elected versus appointed positions.

19-136 Approval of Gas & Sewer Extension over Stone Arch Bridge at Orchard Street

Jim McKay, DPW Director, explained that there has already been approval of the gas and sewer extension but Toll Brothers has come with a proposed modification (field change) to the utility agreement dated May 2017. Mr. McKay reviewed the process of approvals for gas and sewer to this date.

Ted Merchant of Toll Brothers and Austin Turner of the engineering firm as well as many other Toll Brothers representatives and Columbia gas representatives. Mr. Turner said initially they were looking at directional drilling but are now proposing to attach the lines on the side of the stone arch bridge that goes over the Bogastow Brook. Mr. Turner showed an elevation of the side of the bridge showing where the pipes will be hung. Questions were posed by neighbors and the Board regarding some issues with the proposed system including but not limited to bridge vibrations, method of attachment to the bridge, and aesthetics. Sel. Jurmain said the Sewer Study Committee discussed many of these issues extensively and asked that Toll Brothers address some issues. A long discussion ensued. The gas company asked for approval to follow the same method that is decided for the sewer line.

Sel. Barnes made a motion agree to execute the Modification to Utility Agreement with the provision that both the structural and aesthetic concerns are addressed by one member of the Conservation Commission and one member of the Sewer Study Committee, but Sel. McCaffrey disagreed saying that the Board of Selectmen should make the final decision. It was agreed that Sel. Jurmain, as the liaison to the Sewer Study, be allowed to make a decision on behalf of the Board if time would not allow for another meeting to approve the agreement.

Sel. Barnes made a motion to adopt the agreement provided that language be added to section 3a to address the aesthetic concerns for review and approval by the Board of Selectmen. The motion was seconded by Sel. McCaffrey and passed unanimously.

19-137 Hearing for Annual Marijuana License Sales – CommCan

Sel. Barnes made a motion to open the hearing for a license for marijuana sales for CommCan, seconded by Sel. McCaffrey. The motion passed unanimously.

Ellen Rosenfeld, owner of CommCan, and Benjamin Meredith, future manager was present. A discussion ensued regarding training and parking. Ms. Rosenfeld said she is waiting on four different inspections by the Cannabis Control Commission but is hopeful they will open by September 1 and would love to hire Millis residents.

Sel. Barnes made a motion to close the hearing for a license for marijuana sales for CommCan, seconded by Sel. McCaffrey. The motion passed unanimously.

Sel. McCaffrey made a motion to grant a license to CommCan for marijuana sales through December 2019. The motion was seconded by Sel. Barnes and passed unanimously.

19-138 Stormwater/Land Disturbance Hearing for Self- Storage at 1475/1485/1512 Main Street

Sel. Barnes made a motion to open the hearing for a Stormwater and Land Disturbance hearing for the self-storage units at 1475, 1485 and 1512 Main Street, seconded by Sel. McCaffrey. The motion passed unanimously.

Dan Merrikin of Legacy Engineering reviewed the plans for self-storage at 1475, 1485, and 1512 Main Street (CubeSmart) including elevations and floor plans along with stormwater management and land disturbance designs. (See Attached) Mr. Merrikin said Melissa Recos of BETA, the Town's peer review engineer and he worked through the plans. Ms. Recos said BETA is satisfied with the plans as they've been presented and are only recommending that the three conditions in BETA's letter be met.

Sel. Barnes made a motion to close the hearing for a Stormwater and Land Disturbance hearing for the self-storage units at 1475, 1485 and 1512 Main Street, seconded by Sel. McCaffrey. The motion passed unanimously.

Sel. McCaffrey made a motion to approve the request for a stormwater and land disturbance permits for the proposed redevelopment at 1475, 1485 and 1512 Main Street to Merit Hill Capitol pursuant to Section 6.F.2 of Article I, subject to the eight conditions enumerated in the document. Sel. Jurmain seconded and the motion passed unanimously.

19-139 FY20 Water/Sewer/Stormwater Rate Hearing

Sel. Barnes made a motion to open the hearing for water/sewer/stormwater rates for FY20. The motion was seconded by Sel. Jurmain.

Mr. McKay asked the Board to continue the hearing to the next meeting. Mr. McKay noted that he and Mr. Guzinski have additional information that they'd like time to review prior to setting rates.

Sel. McCaffrey made a motion to continue the water/sewer/stormwater rate hearing to 7:30pm on Monday, August 12, 2019. The motion was seconded by Sel. Barnes and passed unanimously.

19-140 All Alcohol Restaurant License for Stack'd

Sel. Barnes made a motion to open the hearing for an All Alcoholic Restaurant license for Stack'd restaurant. The motion was seconded by Sel. Jurmain.

Manager Antonio DeVito said the restaurant will be an Italian sandwich shop and pizzeria. He said they have revised their floor plan to seat 20 people and agreed to forward on the final plans.

Sel. Barnes made a motion to close the hearing for an All Alcoholic Restaurant license for Stack'd restaurant. The motion was seconded by Sel. Jurmain.

Sel. McCaffrey made a motion to approve an All Alcoholic Restaurant license for Stack'd restaurant located at 40 Exchange Street. The motion was seconded by Sel. Barnes and passed unanimously.

SCHEDULED BUSINESS

19-141 Engineering Services for Stormwater Alternatives Analysis for Village St/Birch St Drainage System

Mr. McKay presented a proposal for engineering services for a topographic survey and data gathering, evaluation of existing stormwater drainage system, stormwater alternative analysis, and project management in the amount of \$38,550.00 for the drainage system at Village Street and Birch Street.

Sel. McCaffrey made a motion to authorize the Town Administrator to approve the Proposal for Engineering Services Stormwater Alternatives Analysis for Village Street and Birch Street Drainage System as presented with a fee not to exceed \$38,550.00. The motion was seconded by Sel. Jurmain and passed unanimously.

19-142 Approval of Reduction of Surety Bond for Toll Brothers

Mr. McKay asked the Board to approve the reduction of the surety bond for Toll Brothers.

Sel. McCaffrey made a motion that the Board approves the reduction of the surety bond for the Regency at Glen Ellen at Orchard Street from \$2,962,850.00 to \$1,602,850.00 for a reduction of \$1,360,000.00. The motion was seconded by Sel. Barnes and passed unanimously.

19-143 Approval of Fee Schedule for Niagara Hall Rental

Mr. Nate Maltinsky and Mr. Charlie Vecchi of the Historical Committee reviewed a proposed fee schedule for Niagara Hall. A discussion about putting the rental fee in a revolving fund so that fees can be put back into the building was had. The Board suggested that the proposed cleaning fee of \$25.00 be increased. It was recommended that Town Counsel create a contract for users but all agreed that the Town wants to encourage rental of the building.

Sel. McCaffrey made a motion to initiate and set a rental fee for Niagara Hall for a period of three months at \$150 for residents, \$200 for non-residents and to include a \$50 deposit to be deposited to a revolving fund, and to assess a separate cleaning fee of \$50. The motion was seconded by Sel. Jurmain and passed unanimously.

19-144 Ratification of SEIU Contract

Sel. Jurmain made a motion to ratify the MOA between the Town and the SEIU 888 for a three year collective bargaining agreement from July 1, 2018-June 30, 2020. The motion was seconded by Sel. McCaffrey and passed unanimously.

19-145 Review/Approval of FY20 BOS Goals

The Board had a discussion about the number of goals and debated about the number of goals versus what can actually be accomplished in a one year time frame. The Board agreed to mark up the existing list and/or prioritize a short list of items, approximately eight, to send to the Town Administrator to compile.

19-146 Approval of DLS Technical Assistance Bureau to Perform a Financial Management Review for the Town at No Cost

Sel. Barnes made a motion to approve the Town Administrator's recommendation to authorize a letter to the Massachusetts Department of Revenue-Division of Local Services, at no charge to the Town, to periodically conduct a financial management review. The motion was seconded by Sel. McCaffrey and passed unanimously.

19-147 Vote to Change Selectmen to Select Board

Sel. Barnes asked the Board for consideration to change the name of the Board of Selectmen to Select Board to reflect modern times. The Board discussed whether they would vote to change it temporarily or wait until the Town officially changes the name at Town Meeting in November. Sel. McCaffrey noted that while he is in favor of the change, he would like the Board to wait to adopt the name until after a Town Meeting vote.

Sel. Barnes made a motion to temporarily adopt the name Select Board before putting it before Town Meeting. Sel. Jurmain seconded. The vote passed 2 to 1.

Sel. Barnes and Sel. Jurmain, yes

Sel. McCaffrey, no

19-148 Approval of Water/Sewer Department Commitment to Collector

Sel. McCaffrey made a motion to approve the Water/Sewer Department Commitment to the Collector for June 2019 for a total of \$20,354.72. The motion was seconded by Sel. Jurmain and passed unanimously.

CONSENT ITEMS

Sel. Barnes made a motion to approve the minutes of 07/02/19 for both regular and executive session as amended. The motion was seconded by Sel. McCaffrey and passed unanimously.

ADJOURNMENT

Sel. McCaffrey made a motion to adjourn at 10:55 pm. The motion was seconded by Sel. Jurmain and passed unanimously.

Respectfully submitted: Karen M. Bouret