

BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
November 18, 2013
Veterans Memorial Building, Room 229
900 Main Street, Millis, MA 02054

CALL TO ORDER: Sel. Vecchi called the meeting to order at 7:30 p.m. The following persons were present: Chairman Charles Vecchi, Vice Chairman Andrea Wagner, Clerk Christopher Smith, Town Administrator Charles Aspinwall, Operations Director Jennifer Cederberg.

ANNOUNCEMENTS: Sel. Vecchi read a commendation letter to local Eagle Scout candidate Richard Higgins concerning the benches he built at Prospect Hill Cemetery.

LEPC CERTIFICATION: Mr. Doug Forbes from the Massachusetts Emergency Management Association (MEMA) thanked the members of the Local Emergency Planning Committee (LEPC) for their dedication. He stated that the committee is now recognized as a certified organization by the State of Massachusetts. Mr. Paul Jacobsen thanked the Board and the committee members for being involved and recognized Dave Byrne for his outstanding service. Sel. Vecchi stated that the committee works very hard to ensure the safety of the citizens of the Town of Millis.

TOWN FIELDS COMMITTEE: Sue Vara, Chair of the Town Fields Committee, presented the Board with a binder containing information relating to the committee's final report beginning with the charge by the Board of Selectmen. She went on to review a handout that outlined which fields were considered as part of the study. She stated that the committee feels that more field space is needed in Town. Ms. Vara addressed who would maintain any new fields and how to pay for it. She pointed out that the committee feels that tax dollars should go toward maintaining the fields.

Ms. Vara reviewed who the users of the Town fields are. She noted that the School Committee would like to make more of a contribution toward maintaining the fields since the School Department heavily utilizes them. As part of the binder, previous presentations were reviewed including the most recent petition article from the May Town Meeting submitted by David Baker. She reviewed studies of the fields which were previously conducted and are probably now obsolete.

Ms. Vara reviewed how some of the surrounding towns maintain their fields. She then noted that the Town Fields Committee voted in favor that the BOS designate them as a permanent committee. She reviewed the composition of the members of the committee as well as the potential new role of the committee: making continual recommendations to the BOS.

Mr. Vecchi thanked the Committee for their hard work and Ms. Vara for her presentation. He spoke concerning the upcoming study of the Town fields and what it is hoped will be accomplished upon the completion of this study. Mr. Aspinwall informed the Board that he sent out a draft of the proposal for the study which, in terms of the School property, will be conducted by the County of Norfolk. He noted that the Town Park has already been studied so this information will be merged with the School study. He stated that all of the Town properties will be reviewed as part of this comprehensive study. Mr. Aspinwall said that a consultant needs to be chosen for this new feasibility study (this process is exempt from Ch. 30B).

Sel. Smith thanked the committee but stated that he is not prepared to speak to their future. Sel. Vecchi stated that he feels the committee would be valuable during the next phase of the consultant study. Sel. Wagner echoed this opinion which Sel. Smith questioned. Sel. Wagner pointed out that the Fields

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Committee has numerous representatives from different committees which is valuable particularly in the next stage of the review process.

Mr. Jim McKay stated that committee recommendations would prove to be helpful and that they could serve as an advisory board to the BOS. Sel. Smith stated that it is up to Town employees to take over the management at some point. Mr. McKay stated that it is very costly to the DPW to continue paying the bills for maintenance, watering, etc., and that their budget is already in a deficit. Mr. McKay said that he doesn't see what harm keeping the committee active would do.

Sel. Vecchi said he is in favor keeping the committee in existence with the composition remaining the same. He stated that he is not ready to say that the Town needs more fields until he thoroughly reviews the report which is a step in the right direction.

Committee member Robert Cantoreggi stated that the bottom line is whether or not the Town needs more fields and that the current fields are in horrible condition. He said that the committee has learned a lot of valuable information including the fact that the Town needs to have a better maintenance program.

Bob Conry from the Millis Soccer Club stated that the conditions of the fields have become dangerous and that there have been injuries and withdrawals of players for this reason. Sel. Smith stated that the fields need be examined closely to determine whether or not they are dangerous and should continue to be used. Mr. Conry pointed out that Cassidy Field was purchased over 15 years ago and hasn't been used for anything. He advocated for keeping the Town Fields Committee in place.

Lisa Hardin spoke in favor of the Fields Committee continuing. She said that the Town needs a group such as this one for the citizens to go to with concerns. She stated that this topic is an emotional issue and expressed thanks to the Chair, Sue Vara, and presented her with a gavel to help her continue to keep order in the committee.

Steve Macinnes of the Oak Grove Farm Commission stated that he abstained from the vote of whether or not the Fields Committee should remain intact because he had not yet had a chance to consult the other members of the Oak Grove Farm Commission. He organized his thoughts on paper and handed it out to the BOS. He addressed Mr. Conry and stated that he would like to speak to him tonight about his concerns about the fields at Oak Grove.

Sel. Vecchi stated that he would like to see someone like Mr. McKay represent the BOS on the Fields Committee. Sel. Wagner stated that she does not feel that a decision needs to be made tonight and that the committee isn't disbanding tonight. Mr. Aspinwall anticipated that the feasibility study should begin in 4-5 weeks.

This topic will be continued on a future agenda.

STREET OPENING REQUEST: A representative from Columbia Gas spoke concerning the application of the Iorio family noting that they are seeking to cut a small trench to provide gas to the Iorio property.

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Sel. Vecchi reminded everyone that there is a 5-year moratorium on cutting into recently paved streets. Ms. Iorio stated that her oil burners are not pristine and she would like to move to a gas service. A plan was presented to the Board with Columbia Gas illustrating where they would like to enter the road. Mr. McKay stated that one part of the plan that is being reviewed is brand new pavement. Mr. Aspinwall asked if there is a reason why they can't wait to do the work in the Spring.

Mr. McKay pointed out that the owner would need to obtain a bond annually in the amount of approximately \$5,000 to cover the cost of repair to the trench in the event the flowable fill failed. Mr. Aspinwall stated that the gas company is responsible for the trench for one year and are exempt from the bond provision. Mr. Aspinwall further informed the Board that the Town recently had a trench failure after a month though the site used flowable fill and work was supervised by an engineer. He stated that the design cannot be accomplished tonight and the best option is to meet in the field with the engineer to see what the best option is. He said he would set it up.

MERIEL HARDIN FUND: Mr. Aspinwall reviewed the history of the Meriel Hardin Fund and how it was formed and for what purpose. He stated that minutes pulled from the time the fund was established state that the money would be used for the building of a fountain. He noted that there was no vote taken to actually form the fund. Mr. Aspinwall informed the Board that the matter was sent to Town Counsel to see how the funds could be used for another purpose, in this case to be donated to the new Library. He reviewed the recommendation of Town Counsel which is that the Board would need the approval of the Public Charities Division of the Attorney General and then would go through the Probate Court system. He suggested that all small trust funds be reviewed and lumped together for change of purpose if this is desired.

Lisa Hardin, daughter of Meriel, reviewed the history of why the fund was created and stated that the idea for a fountain came from her brother who is now deceased. She stated that she has spoken with some individuals who contributed to this fund and they do not want their money back, that they wish for the fund to be utilized to honor her mother.

Motion by Sel. Wagner, seconded by Sel. Smith, to direct Town Counsel to identify other small trust funds held by the Town for purpose that may have since become unfeasible and collectively, with the Meriel Hardin Memorial Fund, obtain the assent of the Public Charities Division of the Attorney General's Office and then be filed with the Probate Court so that the funds can be used for purposes at the new Library. The motion passed unanimously.

TOWN NOTIFICATION POLICY: Mr. Aspinwall reviewed the creation of the policy to address how to use the Swift Reach system as well as various other media to publicize immediate and non-emergent issues. He noted what types of incidents/events would be covered under three tiers. He read what is encompassed in the different tiers and noted that the Board of Health has requested that flu clinic notifications be moved up to a Tier 1. He discussed the Town email notification system and stated it has been tested and works through the Town's website.

Lisa Hardin, Town Clerk, asked if the phone calls can be used to notify people about Town Meeting and Town elections. Sel. Wagner stated that she is in favor of leaving the policy as written so that there are

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not an abundance of phone calls. Sel. Smith suggested adjusting the policy as written and making modifications as necessary.

Motion by Sel. Wagner, seconded by Sel. Smith, that we do adopt the Town Notice Policy which is a policy to inform citizens about matters pertaining to the Town of Millis as written, with the three tiers and the matters written under those tiers. The motion passed unanimously.

ABCC RENEWAL APPLICATIONS: Ms. Cederberg explained the change in the renewal process with the state this year.

Motion by Sel. Wagner, seconded by Sel. Smith, that we do approve the following establishments and license types for alcohol license renewal with the Alcohol Beverages Control Commission:

BUSINESS	LICENSE TYPE
AM Vets Post #498	Veterans Club
Budabings 50's Café	Restaurant - All Alcohol
Fifth Avenue Wine & Spirits	Package Store - All Alcohol
Glen Ellen Country Club	Restaurant - All Alcohol
Harkeys	Package Store - All Alcohol
Jalapa Mexican Grill	Restaurant - All Alcohol
Lilac House Restaurant	Restaurant - Wine and Malt
Lumpy's Liquors	Package Store - All Alcohol
Main Street Mobil	Package Store - Wine and Malt
Primavera Ristorante	Restaurant - All Alcohol
Ryan Family Amusements	General on Premises - Wine & Malt
Sportsmen's Lounge	Restaurant - All Alcohol
The Charles Café	Restaurant - All Alcohol
Victory Lane	Restaurant - All Alcohol

The motion passed unanimously.

COMMITMENT:

Motion by Sel. Wagner, seconded by Sel. Smith, that we do commit to the collector the amount of \$985.20 which represents final water bills and special commitments for the month of October in Fiscal Year 2014. The motion passed unanimously.

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ELECTION WARRANT: Sel. Smith read the election warrant. Sel. Wagner pointed out that this election is only for Precinct I. Lisa Hardin stated that it is only for one race: State Representative to replace Dan Winslow.

Motion by Sel. Wagner, seconded by Sel. Smith, that the BOS do sign the election warrant. The motion passed unanimously.

GARDEN CLUB SIGNS:

Motion by Sel. Wagner, seconded by Sel. Smith, that the Millis Garden Club may place lawn signs to promote the annual Green Sale/Holly Jolly Fair being held at the Church of Christ on December 7th beginning on November 23rd at the following locations: Welcome to Millis sign at the Medfield line, Towles Corner at Middlesex and Orchard Street, Island at Route 115 and Village and the new Library. The motion passed unanimously.

ONE-DAY ALCOHOL REQUEST:

Motion by Sel. Wagner, seconded by Sel. Smith, that we grant a one-day special alcohol license to the Millis Lions Club for 1/4/14 at the St. Thomas Large Hall for a fund raiser, for wine and malt only. The motion passed unanimously.

AMERICAN LEGION GRANT: Mr. Aspinwall reviewed the purpose of the grant which was approved at Town Meeting.

Motion by Sel. Wagner, seconded by Sel. Smith, that we do enter into an agreement between the Town of Millis and the American Legion Post 208 in the amount of \$8,200 so that the Legion can replace their heating system. The motion passed unanimously.

DRAIN DESIGN CONTRACT:

Motion by Sel. Wagner, seconded by Sel. Smith, that the BOS do enter into a contract with GCG Associates for the Rosenfeld Drainage Road Improvements for field survey and investigate drainage system to evaluate drainage problems, design of drainage improvements for Rosenfeld Road, and bid the project and review bids and recommendation to Town, in the amount of \$12,000. The motion passed unanimously.

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APPROVAL OF MEETING MINUTES:

Motion by Sel. Wagner, seconded by Sel. Smith, to approve the regular session meeting minutes from 11/4/13. The motion passed unanimously.

EXECUTIVE SESSION: At 9:34 p.m.,

Motion by Sel. Vecchi to enter into 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 to emerge only to adjourn and the Chair does so declare. By Roll Call Vote: Smith – aye, Wagner – aye, Vecchi – aye.

Respectfully Submitted,

Jennifer G. Cederberg, Operations Director