

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
March 10, 2014
Veterans Memorial Building, Room 229
900 Main St., Millis, MA 02054**

CALL TO ORDER: Sel. Wagner, Vice Chair, called the meeting to order at 7:34 p.m. The following persons were present: Vice Chair Andrea Wagner, Clerk Christopher Smith, Town Administrator Charles Aspinwall, and Camille Standley. Chairman Charles Vecchi was absent.

ANNOUNCEMENTS:

Sel. Wagner announced that the Board of Selectmen will be meeting next on Monday, March 24, 2014, at 7:30 p.m. in the High School auditorium.

There is a survey for the Fields Advisory Committee that is available online. If you cannot complete the study online, please call the Town Administrator's office at 508-376-7040 to request a copy of the survey and it will be mailed to you. The next meeting of the Fields Committee is March 20th and there will be a Community meeting on March 27th.

LIBRARY OPM CONTRACT AWARD:

Mr. Wayne Klocko, Permanent Building Committee Chair, discussed the negotiation of a contract with Tim Bonfatti of Compass Project Management, Inc., of Medfield for the Police/Fire Station project. Mr. Klocko stated that Compass Project Management was the top selection and "a good fit with the Town." According to Mr. Klocko, in addition to serving as President and CEO of Compass Project Management, Inc., Mr. Bonfatti serves as an advisor; he individually serves on the Medfield Building Committee and other Boards; and he understands the client perspective. Mr. Klocko requests that the Town hire Mr. Bonfatti as "Construction Manager At Risk."

Mr. Bonfatti introduced himself and stated that he is very excited to get going on the project. He stated that Compass Project Management's workload is 70% municipal projects. They are currently working on fire/police stations in Westwood and Newton. He discussed the desired timeline of the Millis Police/Fire Station project; from the design stage to the goal of completion and occupancy of both police and fire facilities during August of 2016.

Mr. Bonfatti requested a letter of approval from the Selectmen to be hired as the Construction Manager At Risk. Mr. Aspinwall will work with Mr. Bonfatti and Mr. Klocko on the letter for the next meeting.

Sel. Smith stated that there was a Town override of 9.9 million dollars to fund this project and he wants to "see the project on time and on budget." Mr. Bonfatti stated that he sees no issue right now and is confident they will find the right project within the budget.

Sel. Wagner questioned whether Mr. Bonfatti's involvement with the Newton and Westwood projects would adversely effect the Millis project. He stated that both are in early strategic planning processes and he sees no issues with these ongoing projects adversely effecting Millis.

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Mr. Aspinwall stated that there is one change to the contract which will remove a phrase from the Indemnification paragraph, which had already been discussed.

Motion by Sel. Smith, seconded by Sel. Wagner, to award the contract to Compass Project Management, Inc., 266 Main St., Suite 31A, Medfield, MA 02052, for pre-construction, construction, and close-out phase of the Millis Police/Fire Station project, not to exceed \$179,465.00, pursuant to the agreement being finalized and executed between the Town of Millis and Compass Project Management, Inc. The motion passed unanimously.

BUDGET PRESENTATION:
Board of Health

Mr. Scott Moles, BOH Director, presented the FY15 Budget for the Board of Health. Mr. Moles discussed the line items of the budget. He stated that the Department is requesting an additional four clerical hours be added for the Administrative Assistant. This would increase the hours from twenty to twenty-four per week. He said that this is necessary to make the Department “more efficient.” The increase will add an additional \$5,304.00 a year.

Ms. Kathy Lannon, Board of Health Chair, discussed the changes in the responsibilities of the Department over the years. She stated that she began her term with the Board of Health in 1999 and since that time, there have been many additional responsibilities due to State regulations, etc. She said this is the seventh year she has requested this increase. According to Ms. Lannon, responsibilities in terms of food safety has multiplied significantly and she gave examples of increased food recalls and food event safety (bake sales, etc.). Ms. Lannon stated that the workload is “very different due to legislation and changes in the world.” The nurse’s work has increased significantly as well, she said, however, they can hold off on the half hour increase on that issue for now. The priority is to increase the administrative hours, she said. This increase, she said, will allow for additional administrative duties and increased organization within the office to better serve the public.

RECREATION DEPT. CIRCUS REQUEST:

Ms. Kris Fogarty updated the Selectmen on the circus information since her last discussion on February 24, 2014.

Ms. Fogarty stated that she spoke with the Police Chief regarding parking. She said they have approximately 400 spaces available which he thought would be ample parking availability. There would also be a police officer detail assigned to vehicles exiting the Town Hall parking lot after the two circus shows. Ms. Fogarty stated she also received a sample insurance certificate which she forwarded to Mr. Aspinwall.

Ms. Fogarty requested waivers for half-priced fees for plumbing and/or electrical inspections. The revenue generated for the Town is based on the ticket sales, she said. For the first 200

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tickets sold, Millis will receive 20%; from 201 tickets up, the Town will receive 40%. Advance sale tickets with cost \$10.00 for adults and \$6.00 for children (6yrs. – 11 yrs.). The day of the show, tickets will cost \$15.00 for adults and \$7.00 for children.

Motion by Sel. Smith, seconded by Sel. Wagner, to approve the license for Kelly Miller Circus to hold a circus on Town property on June 30, 2014, subject to coordination with Police, DPW, and permits from Board of Health and/or Fire Dept. The motion passed unanimously.

Motion by Sel. Smith, seconded by Sel. Wagner, to waive half the fee for electrical and/or plumbing inspections necessary for the circus for the Recreation Dept. The motion passed unanimously.

BUDGET PRESENTATION:

Library

Ms. Tricia Perry, Library Director, presented the FY15 Budget. She stated that the new library opened July 29, 2014. They have been averaging 2000 patrons a week, she said. Circulation as well as attendance at the various programs offered has increased dramatically. Ms. Perry discussed the various budget line items.

Ms. Perry requested an additional 11 hours per week for the Children's and Youth Services Librarian, which would add \$14,632.00 to the current salary. She said that it is currently a 24 hour per week position which leaves the area unstaffed at certain times during the week. Ms. Perry stated that they wish to ensure that children from birth to sixteen have the programs and services available to them consistently. They are also seeking funding for a 16 hour per week Senior Library Assistant/IT person. The library lacks staff support as the computers available for the public has more than doubled. Currently these systems are supported by a single volunteer retiree, she said. This position would cost \$16,640.00 per year. Ms. Perry stated that these positions are critical to the service obligations of the library. Ms. Maria Neville, Library Trustee, spoke in support of the added positions, stating that children using the computers/library resources, need the support staff available to them.

Sel. Smith stated that there are still positions town-wide needing to be restored. All requests will be weighed together, he said.

JOPA LICENSE AND LAND DEVELOPMENT AGREEMENT:

Mr. Aspinwall stated that the Selectmen had authorized a license for a drive-through for Mr. Kazis which will need to go to town Meeting. Mr. Aspinwall explained that the Planning Board did take a vote on November 19, 2013, allowing Mr. Kazis to construct a one-story building in lieu of the three story building previously approved. According to Town Counsel, however, Mr. Aspinwall stated that the Land Development Agreement with Mr. Kazis must be amended.

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Motion by Sel. Smith, seconded by Sel. Wagner, to approve a License Agreement from the Town of Millis to Jopa Realty LLC, which License Agreement allows Jopa Realty LLC to install and use a drive through access upon the municipal parking lot, on the terms and conditions set forth in the License Agreement, and as shown on a plan entitled, “Centennial Place Site Plan Modification, Auburn Road/Main Street, Millis, MA 02054,” dated August 30, 2013, revised February 10, 2014. The motion passed unanimously.

Motion by Sel. Smith, seconded by Sel. Wagner, to approve, pursuant to Article III, Section A.2 of the Land Development Agreement between the Town of Millis and Jopa Realty LLC, dated December 19, 2007, recorded with the Norfolk Registry of Deeds in Book 25778, Page 490, a substantial and material modification to the Approved Plans and Project Documents, as defined in said Land Development Agreement, specifically a reduction from 3 stories to 1 story, of the building to be constructed on the westerly portion of the property of Jopa Realty LLC, as shown on a plan entitled, “Centennial Place Site Plan Modification, Auburn Road/Main Street, Millis, MA 02054,” dated August 30, 2013, revised February 10, 2014, and the installation of a drive through access, as shown on a plan entitled, “Centennial Place Site Plan Modification, Auburn Road/Main Street, Millis, MA 02054,” dated August 30, 2013, revised February 10, 2014, which plans shall be incorporated in and supplement, or supersede, to the extent applicable, the Approved Plans and Project Documents. The motion passed unanimously.

BRUCE BERRY THANK YOU:

Sel. Wagner read a letter from Sel. Vecchi to Mr. Bruce Berry, dated February 26, 2014, into the record. The letter thanks Mr. Berry for providing the Town with a temporary heater for the Veterans Memorial Building gym painting project. Mr. Aspinwall stated that Mr. Berry is a local businessman who has the Town’s best interests at heart.

PLANNING BOARD PROPOSED ZONING BYLAW AMENDMENTS:

Mr. Aspinwall summarized the four zoning articles proposed for Spring Town Meeting forwarded by the Planning Board. The Planning Board would like to hold public hearings on the articles at their March 25, 2014 meeting. The proposed Zoning Bylaw Amendments include:

- 1) Downtown Development/Creation of R-V-C & C-V-2 Zoning Districts
- 2) Zoning Map Amendments
- 3) Substance Abuse Treatment Centers Zoning Bylaw
- 4) MCEOD Drive Through Windows

Motion by Sel. Smith, seconded by Sel. Wagner, to refer the four above-mentioned zoning articles to the Planning Board to hold public hearings on March 25, 2014. The motion passed unanimously.

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WATER/SEWER COMMITMENT TO COLLECTOR:

Motion by Sel. Smith, seconded by Sel. Wagner, to commit to the Collector the final FY14 sewer and water bills in the amount of \$196.43. The motion passed unanimously.

SPRING TOWN MEETING WARRANT REVIEW:

Mr. Aspinwall presented the list of warrant articles for spring Town Meeting. Mr. Aspinwall suggested moving the Zoning articles up higher on the list. Other warrant re-numbering was discussed. The CPC's Article #41 for the projects will be itemized as separate articles. Mr. Aspinwall recommended dropping other articles from the warrant.

Motion by Sel. Smith, seconded by Sel. Wagner, to open the warrant for the annual spring town meeting. The motion passed unanimously.

Motion by Sel. Smith, seconded by Sel. Wagner, to remove Articles numbered 19, 34, 35 and 36 from the warrant for annual spring Town Meeting. The motion passed unanimously.

Motion by Sel. Smith, seconded by Sel. Wagner, to close the warrant for the annual spring town meeting. The motion passed unanimously.

NIAGARA FIREHOUSE PERMIT FEES:

Mr. Aspinwall recommended that the Selectmen waive the building permit fee and half of the electrical permit fee for the Niagara Firehouse project for the Millis Historical Commission.

Motion by Sel. Smith, seconded by Sel. Wagner, to waive the building permit fee, half of the electrical permit and any plumbing permit fee, if applicable, for the Niagara Firehouse project. The motion passed unanimously.

APPROVAL OF MEETING MINUTES:

Motion by Sel. Smith, seconded by Sel. Wagner, to approve the regular session meeting minutes from 2/24/14 as written. The motion passed unanimously.

Motion by Sel. Smith, seconded by Sel. Vecchi, to approve the executive session meeting minutes from 2/24/14 as written. The motion passed unanimously.

REQUEST FOR ABATEMENT FOR DONALD DECKER:

There was an error in the monetary value in the motion to grant an abatement to Mr. Decker at the February 24, 2014 meeting.

Motion by Sel. Smith, seconded by Sel. Wagner, to rescind the motion for an

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abatement for Donald Decker, 470 Main Street, Millis, MA for the second and third quarter of FY13 granted on February 24, 2014. The motion passed unanimously.

Motion by Sel. Smith, seconded by Sel. Wagner, to grant an abatement for Donald Decker, 470 Main Street, Millis, MA for the second quarter of FY13, \$2,015.73 and any interest attributed to that and for the third quarter of FY13 to waive the sewer of \$1,546.40 and interest accrued for a total of \$3,562.13. The motion passed unanimously.

EXECUTIVE SESSION: At 9:50 p.m.,

**Motion by Sel. Wagner 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 (Police Chief's contract, DPW); and to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual...; and the Chair so declares.
By Roll Call Vote: Wagner – aye, Smith – aye.**

Respectfully submitted,

Camille Standley