

**TOWN OF MILLVILLE**  
**BOARD OF SELECTMEN**  
**MINUTES OF MEETING**

**FEBRUARY 1, 2016 – 7:00 P.M.**

**Board Members Present:** Chairman Roland Barrett; Vice Chairman Joseph Rapoza; Secretary Jennifer Dean Wing; John Laura and Robert Baker

**Others Present:** Executive Secretary Helen Coffin; Ronald Landry, Chief of Police and Fire; Larry Lench, Building Commissioner; Gary Fagan, Animal Control Officer; Les Davis, Town Moderator

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Chairman Barrett calls the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**ANNOUNCEMENTS**

- Treasurer/Collector reminds Town residents that 3<sup>rd</sup> quarter tax payments were due today. Payments may be made at the Town Hall on Mon-Thurs from 9am-1pm and Wednesday evenings from 6-8pm, or may be left in the drop box outside the Town Hall door.
- 2016 Dog Licenses are available in the Town Clerk's office.
- Town Offices will be closed on Monday, February 15<sup>th</sup>, in observance of Presidents' Day.
- Town Clerk's office advises that Nomination Papers for Town positions are available at the Town Clerk's office through February 9<sup>th</sup> and must be returned by February 11<sup>th</sup>.
- Deadline to register to vote or change party enrollment for the March 1<sup>st</sup> Presidential Primary is Wednesday, February 10<sup>th</sup>.
- Town seeks two volunteers to serve on the Finance Committee. Meetings take place almost every Wednesday evening beginning at 6:00 p.m. from January – Town Meeting in May. Contact Town Moderator, Les Davis, OR the Executive Secretary if interested.
- The Town will be auctioning off our surplus 1980 Seagrave Ladder Truck on the online auction site "Municibid.com". The auction started today and ends on Monday, February 15<sup>th</sup>.
- Caution to Motorists: Reminder that schools are closed during the week of February 15-19 for Winter Recess...please take caution on the roadways for children who may be outside and on the roads.
- The recent DOR Management Report has been published on the Town's website.

## **APPROVAL OF MINUTES**

### **January 19, 2016 – 7:00 p.m.**

*On a motion by Wing and second by Laura, the Board votes unanimously to approve and sign the Minutes of January 19, 2016 at 7:00 p.m. with an edit to change the word “needing” to “having” on page 2. {Baker abstains}*

### **January 25, 2016 – 7:00 p.m.**

*On a motion by Rapoza and second by Wing, the Board votes unanimously to approve and sign the Minutes of January 25, 2016 at 7:00 p.m. {Baker and Laura abstain}*

**WARRANTS** None.

**INVITED GUESTS/SPEAKERS** None.

## **BOARD/COMMITTEE/DEPARTMENT HEADS**

**Gary Fagan, Animal Control Officer.** Mr. Fagan was asked to attend the meeting to provide a status update on the Town’s use of the kennel in Uxbridge and the Assistant’s position. Mr. Fagan advises that the Town is still able to use the kennel but he is also looking at another alternative should the kennel become unusable again. He believes that the day the Police Department brought a dog to the kennel and were turned away was due to the fact that a dog was loose and it was just an inopportune time to be there. He further advises that he had one applicant for the Assistant’s position but she hasn’t shown further interest in the position as yet.

The Executive Secretary informs the Board that during recent budget discussions the Finance Committee questioned if the Town should start looking at alternatives if the Town cannot fill the Assistant’s position but this was a decision that would need to be made by the Board of Selectmen.

*On a motion by Rapoza and second by Laura, the Board votes unanimously to start contacting other communities for daytime coverage if the Assistant position isn’t filled.*

**PUBLIC FORUM/CITIZEN COMMENTS** None.

## **CORRESPONDENCE**

Correspondence is received from resident Peter Mars in connection with his concerns regarding the property on Hill Street. This matter will be discussed later this evening under Zoning Enforcement issues.

## **APPOINTMENTS/RESIGNATIONS**

Chairman Barrett indicates that the Board would like to create a Town Administrator Search Committee. Vice Chairman Rapoza suggests the Board create a 7-member Ad Hoc Town Administrator Search Committee to consist of Town residents with either experience in public administration, management in the private sector, or with equivalent or appropriate municipal experience in Millville government. The charge of the Committee would be as follows:

- Develop a job description for a full-time Town Administrator based on available information and published material of similar sized towns, and with consideration given to Millville's unique circumstance and governance characteristics. The job description, before posting the position, will require final approval by the Board of Selectmen. **Target Date: February 16<sup>th</sup>.**
- Develop a starting salary and salary range appropriate for the position and Town of Millville based on a candidate's credentials and experience in accordance with the Town's Classification and Compensation Plan and based on the guidance and constraints as advised by Finance Committee. **Target Date: February 16<sup>th</sup>**
- Recommend 3-5 qualified candidates to the Board of Selectmen for interviews to be conducted by the Selectmen during the month of April. **Target Date: March 31<sup>st</sup>**

Chairman Barrett advises that the following individuals have expressed interest: Roland Barrett, Joseph Rapoza, Helen Coffin, Norman Thuot, Richard Crivello, Paul Ouellette, Gerry Finn, Brian Faulkner, Tina Landry, Claudette Barrett and Judy Monroe.

Vice Chairman Rapoza has reconsidered and feels that members of the Board of Selectmen shouldn't be on the Committee so he, therefore, would like to strike his name from the list. Chairman Barrett agrees to this and will also strike his name from the list.

***Rapoza motions with a second from Laura to create a 7-member Town Administrator Search Committee to consist of Town residents with either experience in public administration, management in the private sector, or with equivalent or appropriate municipal experience in Millville government. Discussion follows.***

Wing suggests that since all of the candidates are qualified and there is a lot of work to be done, the Board could consider appointing a 9-member Committee.

***Rapoza amends his motion to create a 9-member Committee with a second by Laura. The Board approves the motion unanimously.***

***On a motion by Barrett and second by Rapoza the Board votes unanimously to appoint the following nine individuals to the Town Administrator Search Committee: Helen Coffin, Norman Thuot, Richard Crivello, Paul Ouellette, Gerry Finn, Brian Faulkner, Tina Landry, Claudette Barrett and Judy Monroe.***

***On a motion by Wing and second by Rapoza the Board votes unanimously to appoint Gerry Finn as the Temporary Chairman in order to get the group organized and a meeting scheduled. The Committee can then elect their permanent Chairman.***

Assistant Town Clerk Diane Lockwood is present to swear in the appointed individuals.

Chairman Barrett advises that Town Counsel has answered some of the questions in connection with the change of government and appointment of a Town Administrator. He suggests that she be invited to a joint meeting with the Board of Selectmen and Town Administrator Search Committee. It is agreed to ask her to come in for 6:00 p.m. on Tuesday, February 16<sup>th</sup>.

## **EXECUTIVE SECRETARY REPORT**

**Videotaping Meetings.** Executive Secretary informs the Board that a few residents have asked if all of the Board of Selectmen meetings could be videotaped rather than just the regular meetings.

Chairman Barrett does not have a problem with this providing the camera operator, Tim Labonte, is available to tape all of the meetings. Tim indicates from the cable booth that he is fine with that.

***On a motion by Rapoza and second by Baker, the Board votes unanimously to videotape all Board of Selectmen meetings going forward.***

**Procurement.** Highway Surveyor advises that he joined the Town of Bellingham in a bid for annual Chapter 90 road work...the bid opening is later this month.

**Thayer Street.** Planning Board received communication from Developer Vincent Cocolli seeking a meeting with the Board of Selectmen and other departments to discuss details of his subdivision. Town Planner suggested a confidential internal meeting may be a first step with the Fire Department, Planning Board and Board of Selectmen OR would the Board prefer that Mr. Cocolli just attend an open regular BOS meeting? Brief discussion among the Board members follows.

***On a motion by Rapoza and second by Baker, the Board votes unanimously to invite Mr. Cocolli to appear in front of the whole Board and attend a future regular Board of Selectmen meeting.***

**Department of Labor Standards Inspection.** A copy of the Inspection Report was given to each Board member. There are six Corrective Orders that must be addressed by the end of this month along with some strong recommendations. Some can easily be completed in-house but 2 items involve an electrical issue and electricians are needed to make the repair. The rest are related to the Highway Department so a copy of the report will be provided to Brian Mullaly.

**Community Compact.** The Town officially became the 117<sup>th</sup> community to join with the Baker/Polito administration on a community compact agreement last week. The Town's #1 best practice is related to Economic Development at 181 Main Street. Town Planner Joe Laydon has agreed to contact the state to discuss how the Town should proceed on this matter in conjunction with the work already done by CMRPC.

**IT Grant.** The state opened up a competitive grant today for communities who have signed Community Compacts with the state. The grants may be up to \$400,000 and applications are due by February 29<sup>th</sup>. This does not provide enough time to issue an RFP for estimates. A meeting is scheduled for this Thursday with an IT vendor to get a rough estimate of our needs and the funding required. In order to determine how much of a grant to apply for the Board should determine how many software products they would like to consider upgrading. The accounting and payroll are the two BMSI products which are referred to in the DOR Report. If the the Board wants to consider other software upgrades, the estimated cost for each software application product and full implementation is about \$50,000.

Vice Chairman Rapoza questions if the Town should change one of its Best Practices to IT. Executive Secretary advises that this was an FAQ on the grant web page and the state indicates that it is not necessary to have IT as one of the Best Practices. Rapoza suggests this be tabled until the next

meeting pending further information. One question is whether the state will award partial grants.

***Tabled until 2/16***

**Complete Streets.** The state is offering another grant for Highway departments. There are 3 prerequisites; one of which is attending a training class. Town Planner Joe Laydon has agreed to attend on behalf of the Town. The other two are items that would need to be prepared by the Highway Surveyor.

## **OLD BUSINESS**

**DOR Management Report – Board of Selectmen.** One of the items mentioned in the DOR Report is that the Town could consider changing to a 3-member Board rather than a 5-member Board. Brief discussion follows. Chairman Barrett prefers to maintain 5 members. Rapoza agrees due to the amount of work involved. Wing feels the idea is worthy of conversation and there are pros and cons to both sides; however, feels that this should be tabled for about a year as she doesn't want to put too much on the voters in May. ***Tabled until 1/17***

**Town Administrator Authorities.** In preparation of the future meeting with Town Counsel the Board should give thought to what authorities they wish to give a new Town Administrator. Town Counsel will need this information in order to prepare an appropriate warrant article.

## **NEW BUSINESS**

**Election Warrant.** The Town Clerk provided the March 1, 2016 election warrant.

***On a motion by Rapoza and second by Laura the Board votes unanimously to approve and sign the March 1, 2016 Election Warrant prepared by the Town Clerk.***

**Zoning Enforcement Issues.** Chief Landry and Building Inspector Larry Lench are present to address various zoning enforcement issues in Town. Selectman Laura would like to know where each violation is and what has been done about them.

**401 Chestnut Hill Road.** Chief Landry advises that the Police Department has been dealing with Mark's Garage on Old Chestnut Hill Road. This matter is currently in Uxbridge District Court and scheduled for a hearing on February 23<sup>rd</sup>. He has issued fines totaling \$8,000 after speaking with the District Attorney about the matter. Mr. Fernandes is represented by counsel so Chief Landry will need to contact Town Counsel for assistance and representation. All of the vehicles on the property are not registered and the number of vehicles is over the limit for the repair business. He will provide the Selectmen with updates as appropriate.

**31 Hill Street.** Chief Landry advises that the Fire Department has been called to this property on four occasions and nothing hazardous was being burned. The resident is using a 55gallon drum to burn food and lumber. They have found nothing illegal from a fire perspective. Residents should continue to call if they suspect something illegal is being burned. Chief Landry indicates that it appears the resident is running a scrap metal business and that is an issue for the Zoning Enforcement Officer.

Building Inspector Larry Lench advises he has been to the property several times and has spoken with the resident. He is in violation of the zoning bylaws as the large items are clearly visible from the street. He has issued tickets but that has done nothing. In order to proceed with enforcement, this

matter will need to go to court for criminal action. He will need to get legal counsel involved and this will be an expense to the Town. The Board would like this matter to move forward.

Selectman Wing cautions that Town employees need to be careful how they're handling these matters and should not be finding loopholes for residents to continue violating the laws.

Resident Peter Mars has a few comments for the Fire Chief: (1) his understanding is that it is not allowable to burn in a 55 gallon drum; (2) the fumes from the burning are noxious; (3) the resident appears to be running a business under a tent which is not allowable; (4) the resident is affecting the wetlands; and (5) how can he be kept abreast of the situation.

Executive Secretary advises that the Conservation Commission has been informed of the matter and Mr. Mars can contact the Building Office for updates. Krissy will be aware of any updates.

**6 Milk Street.** Larry Lench advises that the office files indicate that a previous Building Commissioner found that the established business is allowed. He doesn't feel the Building official made the right decision on the matter because although a home occupation can maintain equipment at a home, this business is not considered a home occupation. The Assistant Town Clerk informs that there is no Business Certificate on file for this address. Mr. Lench will revisit this matter and send a letter to the owner and proceed with enforcement as appropriate.

The Executive Secretary advises that these zoning enforcement issues were discussed during recent budget meetings and the Building Commissioner seemed to need some guidance from the Board with respect to pursuing these matters as it may affect the budget. The Board generally agrees that the Building Commissioner should use his own discretion in pursuing these matters and he should just inform the Executive Secretary when he will need to use Town Counsel.

**Town Moderator Legal Request.** Les Davis requests use of Town Counsel in connection with his desire to appoint an Assistant Town Moderator at Town Meetings. He needs clarification as to what can be voted by the Townspeople. He would also like to write a warrant article seeking the creation of an Assistant Town Moderator position.

***On a motion by Rapoza and second by Laura the Board votes unanimously to approve and sign the Town Moderator's Request for Legal Services.***

Executive Secretary will forward this matter to Town Counsel.

## **MEMBERS FORUM**

### **Rapoza: Update from School Committee Meeting.**

Vice Chairman Rapoza attended the School Committee Meeting last Thursday evening and was invited by Superintendent Himmelberger to attend a maintenance tour of the Millville Elementary School on Friday. He wants to inform the Board of the following items that were discussed during the tour: curb damage from snow plows at student drop off area; repairs to the roadway behind the school are needed; Custodian Lanctot has not heard back from the Highway Surveyor regarding roadwork; the 10k gallon oil tank should be good for about 5 more years; the fire suppression tank should be good if inspections continue; some of the floors need to be recarpeted; some of the classrooms need reflooring; there are window issues; and the fire alarms need to be upgraded.

Superintendent Himmelberger mentioned that MSBA may have programs available for the fire alarms and windows...this will be looked into. Executive Secretary questions the cost of the oil tank as it was her understanding this wouldn't qualify as a capital expense. There was also mention of reflooring all the classrooms at one time which could be a capital expense for the Town rather than within the Schools operating budget. Brief discussion follows regarding use of the rear roadway by parents on a regular basis. Chief Landry indicates that this is a decision made by the School District

The School Committee intends to present its final budget on February 11<sup>th</sup>. Superintendent Himmelberger advised that he will be in touch with the Executive Secretary to set up a meeting with the Board of Selectmen.

**Wing:**            **State of the Schools**

Selectman Wing advises that Superintendent Himmelberger is holding a “Supper with the Super” wherein he plans to provide an update on the schools. She feels the Board should attend this if possible but it is scheduled for March 7<sup>th</sup> and the Board has a meeting that night. Executive Secretary will get more information on this and the Board can determine how to proceed at the next meeting.  
*Tabled until 2/16*

**NEXT MEETING**   Tuesday, February 16, 2016 at 7:00 p.m.

**SIGNATURES**   The Board signs the documents voted on earlier this evening.

**ADJOURN**  
*On a motion by Baker and second by Laura, the Board votes unanimously to adjourn the regular meeting at 8:45 p.m.*

Respectfully submitted,  
Helen M. Coffin

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Roland P. Barrett, Chairman

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Joseph Rapoza, Vice Chairman

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Jennifer Dean Wing, Secretary

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John Laura

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Robert Baker