

**TOWN OF MILLVILLE
BOARD OF SELECTMEN**

MINUTES OF MEETING

October 20, 2014 - 7:00 p.m.

Board of Selectmen Members Present: Chairman Roland Barrett, Vice Chairman Joseph Rapoza, Secretary Jennifer Dean Wing, Selectmen Robert Baker and John Laura

Others Present: Executive Secretary Helen Coffin

Chairman Barrett opens the regular meeting at 7:00 p.m. with the Pledge of Allegiance.

ANNOUNCEMENTS

Blackstone Valley Tech announced that they will celebrate their 50th anniversary with a few special events this coming Saturday, October 25th in conjunction with Homecoming Day. From 11am-2pm they will offer tours of the facility and from 7pm-11pm they will hold a gala dinner dance for \$25 person. You may contact BVT directly with any questions at 508-529-7758. The Selectmen wish to express our congratulations to Dr. Fitzpatrick, the members of the BVT School Committee and the entire staff at BVT for the School's ongoing success!

Reminder that Tuesday, November 4th is election day. Polls will be open here at the Town Hall from 7am-8pm. Please contact the Town Clerk's Office with any questions.

Reminder that the Special Town Meeting will be held on Monday, November 17th, at the Millville Elementary School. There are several zoning bylaw changes recommended by the Town's Planning Board so please attend their Public Hearing if you have any questions regarding those changes.

Caution to motorists: Halloween is Friday, October 31st this year so please take care on town roadways for children who may be outside. The Board wishes everyone a safe Halloween.

The Flag Warden advises of a notice from the Governor's office regarding the lowering of flags to half-staff from sunrise until sunset on Wednesday, October 22, 2014, in honor of Nicholas A. Outhuse, U.S. Army, of Palmer, who died on October 10, 2014.

SCHEDULED GUESTS/SPEAKERS None.

MINUTES

October 6, 2014 – 7:00 p.m.

On a motion by Laura and second by Baker, the Board votes unanimously to accept the Minutes of October 6, 2014 at 7:00 p.m. {Barrett abstains}

WARRANTS None.

REPORTS OF TOWN OFFICIALS

Animal Control Officer. Gary Fagan is present to provide a status update on the Animal Control Department. He and his assistant are both on-call, on the job daily. The calls always go answered and there are no problems at this point. He is working within his budget and does what is necessary to get the job done. The truck is working good - it is solid and works better than the older one; a new ramp makes it easier. There may be issues in the winter with deer. The Assistant is learning on the job, and is working to not make any mistakes. The department follows state protocols, especially in connection with rabies. Gary feels it is better with the department having an individual working during the day. There are still people who have yet to get their dogs licensed; Asst. Town Clerk Diane Lockwood has been especially helpful in this regarding and has worked with his department on this matter. He will be performing barn inspections in December. He takes job very seriously as he knows that any mistake could be a liability to the Town.

Cultural Council. This department was scheduled this evening but is not in attendance. However, the Town received the state's grant letter advising the Town's FY15 Cultural Council grant will be \$4,300. The state's Standard Contract and Signature Authorization page require signature by the Chairman of the Board.

On a motion by Rapoza and second by Laura, the Board votes unanimously to authorize the Chairman to sign the state's Standard Contract and Signature Authorization page for the Cultural Council's FY15 grant of \$4,300.

PUBLIC FORUM None.

CORRESPONDENCE None.

APPOINTMENTS/RESIGNATIONS

Police Department.

Officer Adam Bartlett submitted his resignation as full-time patrolman.

On a motion by Rapoza and second by Baker, the Board votes unanimously to accept the resignation.

Officer Thomas Michniewicz submitted his resignation as full-time patrolman but requested appointment as a part-time patrolman. Chief Landry supports this request and has recommended Officer Michniewicz for part-time appointment.

On a motion by Baker and second by Laura, the Board votes unanimously to accept the resignation.

On a motion by Wing and second by Baker, the Board votes unanimously to appoint Officer Michniewicz as a part-time patrolman for a term effective immediately to expire on June 30, 2015.

Chief Landry indicates that he is working with the Town of Uxbridge on the signage for trucks en route to River Road. They are missing the turn and coming down Ironstone Street. He will let the Board know if they should send a letter.

Building Department.

Building Commissioner John Emidy advised that the Local Inspector has not fulfilled the requirements for his appointment with respect to taking the oath of office. He recommends the appointment of a new Local Inspector.

On a motion by Rapoza and second by Baker, the Board votes unanimously to declare the position of Local Inspector vacant effective immediately.

On a motion by Wing and second by Baker, the Board votes unanimously to appoint Lincoln Barber as Local Inspector for a term effective immediately to expire on June 30, 2015.

EXECUTIVE SECRETARY REPORT

Access Permit. Town Counsel reviewed the DCR Access Permit per the Board's request of July 21st. The Board's authorization of this access will enable the contractor to use the Town's access road on Main Street during the construction of the Blackstone Valley Greenway. Town Counsel's opinion is that liability to the Town is limited. The document requires the signature of the Tax Collector; therefore, the Board would need to vote to authorize Lisa Larue to sign the form.

On a motion by Rapoza and second by Laura, the Board votes unanimously to authorize Lisa Larue to sign the Access Permit for DCR.

Town Counsel. There is some frustration with the response time of the current Town Counsel. Some issues have been pending for over a year. Unfortunately, the lead attorney has been out on medical leave for quite some time and a second attorney was also out on medical leave. The third attorney is leaving the firm. There are other attorneys interested in representing the Town. The law firm suggested a meeting with the Board to review the ongoing matters. Does the Board wish to put out an RFP for legal services or meet with the attorney? Selectman Laura suggests the Board give him the opportunity since we have had this firm for so many years. Wing wants to be sure we aren't charged for this visit.

On a motion by Laura and second by Rapoza, the Board votes unanimously to schedule a meeting with Town Counsel.

It is agreed to invite the attorney to meet with the Board on Monday, November 3rd at 6:30 p.m.

OLD BUSINESS

Email Communications. In response to a Memorandum to the Board of Selectmen from the Executive Secretary requesting clarification on the emails to which Wing was referring at the last regular meeting, Wing advises that she does not have emails saved on her home computer. She states that she left the last meeting with a thought and plan as to how she was going to address the email situation going forward. However, she now has an issue because she didn't receive an electronic email meeting packet from the Executive Secretary. Wing feels this is insubordination and would like to see a letter placed in Mrs. Coffin's personnel file. She believes it is her job to send out the email packet and to leave Wing out was spiteful, mean and unprofessional.

Mrs. Coffin explains that after the lengthy discussion regarding emails at the October 6th meeting, she was uncertain as to which emails Wing had an issue with as her statement was vague; therefore, she requested further information with respect to exactly which emails Wing found inappropriate and/or offensive. Further, Coffin explains that Wing specifically stated she would make notation on the performance evaluation of the individual sending inappropriate

emails and recommend against re-appointment and the only performance evaluations Wing completes are hers and the Police Chief. Wing had also commented that the emails have to stop.

Wing states that it was not her intent to refer to the Executive Secretary as there have been issues between boards and between departments and she just doesn't want to be continually frustrated by something she reads in an email. Wing feels it was practice to send the electronic packet to all five members so it was insubordination and she insists on a letter being placed in Mrs. Coffin's personnel file. Wing recommends giving permission for one of the Board members to contact Town Counsel regarding procedure to be certain she doesn't put the Town in any hot water.

Rapoza does feel that all members should have received the electronic packet but personnel matters shouldn't be discussed at a meeting but rather remain one on one. Baker agrees and seeks clarification on the Board's feeling regarding email in general. Barrett briefly explains a few points of the Open Meeting Law and then confirms that Wing was making a motion to contact Town Counsel to see if this matter qualifies as insubordination. Wing confirms.

Motion made by Wing, that either the Chairman or Vice Chairman contacts Town Counsel to see if this matter qualifies as insubordination, and to review the contract and/or process for placing a letter of insubordination in the Executive Secretary's personnel file.

Baker confirms that there hasn't been a second to the motion. Barrett confirms he is waiting for a second. Barrett believes things just got heated and tense but doesn't think it needs to be done. Laura believes it was a misunderstanding and although he agrees with Wing that all members should have received the packet, he can see the Executive Secretary's point as well. Wing does not believe it was a misunderstanding and feels it was inappropriate. Further, she had previously stated that she was a proponent of conversation yet received a letter in the mail.

Mrs. Coffin questions why Wing, if she is a proponent of conversation, has never come into her office and had a conversation with her. Mrs. Coffin explains that Wing has never once expressed any concerns regarding email, and suggests that Wing speak with her directly if she has any concerns about any of her work rather than bring them up at a public meeting. Wing indicates that she prefers to bring the matter up in front of the entire Board as she shares the responsibility.

Baker agrees that the packet should have been sent to all members but does not believe it rises to insubordination. Barrett agrees that it doesn't. Laura feels Wing and Mrs. Coffin should have a private conversation and that perhaps Mrs. Coffin could have said something to Wing before deciding to not send her the email. Mrs. Coffin clarifies that Wing still received the hard copy packet.

Wing states she does not want to play games and if she had received the electronic packet she wouldn't have a problem or be upset. She indicates that Mrs. Coffin should just do her job and do what she is supposed to do.

Mrs. Coffin replies that she has been doing her job and was doing what she is supposed to do until Wing made the vague statement two weeks ago that emails had to stop. Wing advises she is done discussing this matter and reiterates her motion:

Motion made by Wing, that either the Chairman or Vice Chairman contacts Town Counsel to see if this situation falls within the realm of insubordination, and if so, to pursue the matter by placing a letter of insubordination in the Executive Secretary's personnel file.

After a period of silence, Mrs. Coffin clarifies that there is a motion on the table and asks if there is a second. Laura indicates nay. Barrett indicates nay. Baker indicates nay.

Mrs. Coffin informs Wing she would very much like to sit down with her so she can clarify in better detail the emails with which she has an issue. Barrett suggests another Board member sit in on the meeting as well and he is willing to do so. Wing agrees and states this is not a problem.

Barrett acknowledges that everyone has strengths and faults but in his opinion, Mrs. Coffin does a great job for the Board and the Town.

NEW BUSINESS

Liquor Licenses. The state changed the law so that retail package stores can now begin selling liquor at 10:00 a.m. Both George's Variety and Century Discount Liquors have informed the Town they wish to amend their hours. Amended Licenses were prepared for the remainder of the calendar year noting the change in Sunday hours.

On a motion by Baker and second by Laura, the Board votes unanimously to sign the amended 2014 Liquor Licenses for George's Variety and Century Discount Liquors.

Special Town Meeting Warrant.

Chairman Barrett briefly reads the finance-related and Board-sponsored Articles on the Special Town Meeting Warrant.

ARTICLE 1: MONETARY INCREASES.

On a motion by Rapoza and second by Laura, the Board votes unanimously to approve the Article and recommend it as written.

ARTICLE 2: FISCAL YEAR 2015 BUDGET ADJUSTMENT – EDUCATION.

On a motion by Baker and second by Rapoza, the Board votes unanimously to approve the Article and recommend it as written.

ARTICLE 3: FISCAL YEAR 2015 BUDGET ADJUSTMENT – COMMUNICATIONS.

On a motion by Baker and second by Laura, the Board votes unanimously to approve the Article and recommend it as written.

ARTICLE 4: FISCAL YEAR 2015 BUDGET ADJUSTMENT – FIRE DEPARTMENT.

On a motion by Laura and second by Baker, the Board votes unanimously to approve the Article and recommend it as written.

ARTICLE 5: AGGREGATION OF MUNICIPAL ELECTRICITY.

On a motion by Rapoza and second by Baker, the Board votes unanimously to approve the Article and recommend it as written.

ARTICLE 6: BUILDING CONSTRUCTION BYLAW AMENDMENT – Article I. Stretch Energy Code - § 45-1 Adoption; Applicability.

On a motion by Rapoza and second by Laura, the Board votes unanimously to approve the Article and recommend it as written.

The remaining Articles were submitted by the Planning Board and reflect amendments to the current Zoning Bylaws.

On a motion by Rapoza and second by Laura, the Board votes unanimously to approve the Special Town Meeting Warrant and sign as written.

MEMBERS FORUM

Rapoza wishes to establish a date for a retreat and/or goal setting session. He feels with the proposed zoning bylaw amendments there is future economic development for the Town. The Board should consider facilitating future investment potential and encourage new businesses. He feels the Board should be proactively looking for positive change. He speaks to the impression one gets with appearance of the center of Town. He has 24 items on his punch list that he wishes to discuss with the Board and he would like to set a plan to move the Town forward. He would like to see properties maintain their value. Brief discussion follows among the members. It is agreed to take a few items at a time and schedule the first meeting for Monday, November 10th at 6:30 p.m.

FINAL PUBLIC FORUM None.

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

NEXT REGULAR MEETING Monday, November 3, 2014 at 7:00 p.m.

EXECUTIVE SESSION None.

ADJOURN

On a motion by Rapoza and second by Baker, the Board of Selectmen votes unanimously to adjourn the regular meeting at 8:20 p.m.

Respectfully Submitted,
Helen M. Coffin, Executive Secretary

Roland P. Barrett, Chairman

Joseph G. Rapoza, Vice Chairman

Robert F. Baker, Selectman

Jennifer Dean Wing, Secretary

John M. Laura, Selectman