



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

DECEMBER 28, 1992

- 7:00 p.m. - Open meeting and sign warrants.
- 7:05 - Ernest Casali
re: ZBA decision for 176 Main Street.
- - old business.
- - new business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed.

7:01 - Ernest Casali came before the Board to speak to them about his petition for a deli at 176 Main Street. He wanted to go over certain conditions that the ZBA had put in the petition: 3 he had no problem with, but 2 he did. He was concerned that he could not have an illuminated sign which would indicate to those traveling on 109 that a deli was there; and secondly, that the hours of operation would have restricted those that might be interested in the evening meals.

Mr. Johnson told Mr. Casali that the Board cannot change a condition that was part of the ZBA conditions set down in the decision. Mr. Casali had asked for a 12 square foot sign, but Allan Osborne, who was present, said he thought signs fell under the jurisdiction of the Selectmen. Mrs. Allen said they are not when it is included as part of the ZBA decision. Mr. Dziczek stated that the initial denial has to come from the Building Inspector. Mr. Osborne, however, was told that the ZBA was acting illegally on signs so they only go by what is included in the by-laws. Mr. Dziczek said that the Building Inspector is the "sign official" and the appeal is then made to the Board of Selectmen if denied.

Mr. Casali stated that a decision has to be made since he has invested a great deal in this location. He felt that an abutter was going to appeal the ZBA's decision to allow the deli in that location, but at least if he could have an illuminated sign, he could occupy the building and eventually try and have the hours changed. He could not understand the problem with the hours as the liquor store across the street was open late. Mr. Osborne noted that the antique store across the street had spoke out against the deli going in because of the excess traffic.

Mr. Brown wondered why the hours of operation for the deli are not controlled by the Selectmen as they control all other such businesses in town? Mr. Osborne said the Board controls the others because of alcohol and licenses. But Mr. Brown questioned this again as some of the other businesses do not have alcohol.

Mr. Osborne and secretary Arlene Doherty stated that the previous petition for that address was that there would be no restaurant. Mr. Casali said again he was looking to the Board for some support, and wanted to know if they would approve the illuminated sign, if he complied with what would be allowed for the facade by the zoning by-laws? He had already talked to the Safety Officer twice. Mr. Casali said he would file for the modification to the hours as long as he knows how the Board stands on the illuminated sign.

Mr. Brown told Mr. Osborne that he understood the regulations

of hours that are unreasonable, but he did not understand why asking for closing hours of 9 or 10 p.m. for a business was difficult. Mr. Osborne stated that this was in a residential area. Mrs. Doherty stated that originally Mr. Casali had said they would be relying on a breakfast and lunch crowd. Mr. Casali again asked for a preliminary approval of his sign, and he would be bringing sketches before the Board. Mr. Dziczek said, first to get the building inspector's denial, then come in with the plans.

7:40 - Officer Grimes stopped in to speak to the Board about the new ambulance issue, and wondered if it was possible to seek special counsel on the agreement. Officer Grimes said he had spoken to Joe Malone's office, and they do get involved with lease/purchase agreements; he was beginning to feel it was more of a political issue with the DOR. Officer Grimes felt if the Board did not go for another opinion, they would be in trouble. Mrs. Allen said the laws are not specific on this. Mr. Brown felt that everybody was using this type of agreement, including the State. Mrs. Allen stated that it sounds like the DOR would prefer that we borrow under chapter 44, but why has nothing been issued by the DOR to this effect? As far as we knew, the problem only stemmed from the individual from Norfolk that sent Mr. Maciolek a letter saying the DOR was against lease/purchases. Mr. Brown felt that Mr. Maciolek cannot sign the agreement now that the DOR feels so strongly against it. Mr. Johnson asked if Special Counsel could be contacted? Mrs. Allen stated that an attorney has to sign as "to form" - this "opinion of counsel". The Town could go to AMI, which is another leasing company - they all had the same package.

Mr. Johnson again suggested contacting Bill Carroll, Special Counsel. Mr. Brown said he would have to have copies of the attorneys' letter that Mr. Svahn showed to Mr. Maciolek. Mr. Dziczek asked what if it is not authorized by DOR, and there are no monies for it? Mrs. Allen stated that Town Meeting vote had gone along with the purchase of the ambulance. Again, Mr. Dziczek asked if an attorney feels comfortable to sign - fine; but what if he won't sign - then what? Officer Grimes asked about just sending the form to Special Counsel, and see what he says about it as "to form". Mrs. Allen could not understand what Harry Grossman, who is Chief of the Property Tax Bureau, has to do with deciding on lease/purchase agreements. Mr. Dziczek stated that if he had the form in front of him, and he agrees that the State uses it, fine; but he has not seen anything yet. Possibly the Attorney General's office could send a copy of their form. With reference to Quality Ambulance, Mrs. Allen did not feel they would take the vehicle back - they would probably sue the Town.

Mr. Brown made a motion to seek special counsel to review the terms of agreement and render an opinion; Mr. Dziczek seconded as long as he has all the information, i.e. from Banc One Leasing, DOR, etc.); all aye.

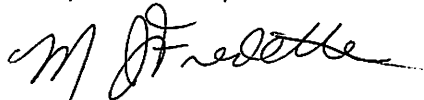
- Officer Grimes also explained how young Ryan Cellucci, a

paperboy for the Milford Daily News, had noticed that a paper had not been picked up by one of his customers the day before, notified his father, and his father contacted 911. They had found that the customer had fallen, and therefore, Ryan had done a good job in getting help. Officer Grimes mentioned that young Ryan would be receiving a citation from the EMS for what he did.

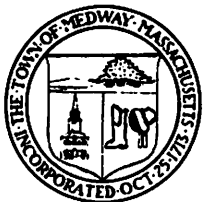
- Chief Wayne Vinton gave the Board a press release he was having placed in the paper concerning Assistant Chief Herbert Choate who suffered a heart attack while responding to a fire.
- Mr. Johnson asked that get well cards be sent to Bob Belland and Herb Choate. Mr. Dziczek thought it should be standard procedure to send cards to all employees.
- Diarmuid Higgins mentioned the chipping of brush his highway men and Tripp were doing. Mrs. Allen told the Board that the Tree Warden has figured he will need about \$30,000 to take care of all the tree problems. Dennis Hayes, who was present, said someone should be chipping at the recycling center twice during the week. Mrs. Allen had to ask Mr. Hayes who is going to pay for it? The State should be sending someone in - if they are going to mandate recycling, then they also have to come up with the funds for it. Mrs. Allen mentioned she has been working with Paula Roberts of the Division of Local Mandates on this issue. She thought that the Board of Health should also charge for a sticker so that only Medway residents were allowed to dump.
- The Board signed the final site plans for Kiewit.
- Mr. Higgins mentioned that some of our plows had gotten mangled in the recent snow storm. One might have to be replaced with a trip system, which would cost about \$5,000. He also mentioned how one of the operators of the snow plows, who was working the Brentwood and Saddle Hill areas, had gotten a broken plow and no one was notified about it until the next night. Diarmuid Higgins was suggesting that Peter Koshivas be hired to do that area. He has a larger plow and especially with a sick child in that area, he felt that Peter could do an especially good job, even though he would charge more money.
- Mrs. Allen said that she had spoken to Jim Brodeur on Thursday, and told him that the Selectmen wanted a letter from the Planning Board on the unaccepted streets. She said if these developers would get us a release, and it is acceptable to the Town, and the streets will be listed at the annual town meeting for acceptance by the Planning Board - we would be all set. Mr. Dziczek felt all developers should be sent a letter in September or October advising them that the Town will not be plowing their unaccepted streets; at least then it would be in writing. Mr. Brown stated that if the rules are set down, then we can make it known; then there is no doubt.

- Mrs. Allen brought up the request of the China Lotus to change the opening hours of their live entertainment license from 10 p.m. to 8 p.m. for Fridays and Saturdays. The Board moved in agreement to this change.
 - The Board acknowledged receipt of the letter from the State Lottery Commission on the Beanos in Medway.
 - Mrs. Allen has scheduled a joint meeting of the Board of Health and the Selectmen for January 4th to fill the vacancy created by the resignation of Nancy Russell.
 - The Board acknowledged receipt of a letter from Chief Lambirth concerning the apparent selling of cars of a resident on Sunset Drive. Mr. Brown also wanted to make note of someone who always seems to have a car for sale on the corner of Winthrop and Hill Streets. Mr. Johnson seemed to think that there are cars for sale also across from Gallagher's Used Furniture, as well as on Norfolk Avenue. Mr. Osborne threw in someone on Cutler Street as well.
 - The Board acknowledged a letter of complaint on the snow storm handling from a resident on Flintlocke Lane.
 - The Board acknowledged receipt of information from Clemmey Company giving diesel fuel storage specs.
 - Mrs. Allen mentioned that she was trying to have the FinCom come in to the next Selectmen's meeting to discuss FY'94 budgets, but then Mr. Johnson spoke to Mr. Verdolino and it seems as if the Board has been asked to come to the next FinCom meeting on January 6th.
 - Mr. Dziczek asked Mrs. Allen to check with the Planning Board to see how the revamping of the zoning by-laws was going. Mrs. Allen mentioned that three years ago, the Planning Board Rules and Regulations were reviewed and changes made, and then went nowhere.
 - The Board acknowledged receipt of a fax letter from Quality Emergency Vehicles stating that the new ambulance is ready for acceptance/delivery per our purchase order.
- 8:50 - Mr. Brown made a motion that the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,



Mary Jean Fredette
Secretary



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

DECEMBER 21, 1992

- 7:00 p.m. - Open meeting and sign warrants.
- 7:05 - Carolyn Chodat - Classic Properties
re: Sign permit (to locate in Home National Bank building).
- 7:05 - Vern Robertson - Cable
re: New laws and annual report.
- 7:35 - Kathy Rehl
re: Millis Consortium.
- 7:50 - Attorney Maciolek
re: Ambulance Lease/Purchase.
- - old business.
- - new business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed.

- The Board reviewed the definitive plan -"Mayland Woods" - of the Howe Street subdivision area.

7:01 - Carolyn Chodat of Classic Properties came before the Board to request permission of the Board to hang a sign on the side of the old Home National Bank building to face Main Street. Since signs are only allowed on the front of a facade of a building, the Building Inspector had denied her sign application and sent her to the Selectmen. Mr. Brown made a motion to approve her sign request; Mr. Dziczek seconded; all aye.

Ms. Chodat also requested permission to hang up a temporary banner announcing their arrival after January 1st. Mr. Brown made a motion to allow Classic Properties to hang up a temporary banner through January 1st; Mr. Dziczek seconded; all aye.

7:05 - Vern Robertson, Manager and Leslie LaChance, Program Coordinator of Medway Cable Access came before the Board to update them on the new laws governing them, and to give copies of their annual report. He said he would give the Town Clerk a copy of the laws and report for the public records available to the Town. Mr. Robertson mentioned they were in the 9th year of the 15 year contract. He also mentioned the new educational programming they have been able to put in the high school, and eventually coming to the middle and elementary schools. Ms. LaChance said she works for another town besides Medway, and she felt working here was a positive experience. She mentioned the difficulty getting volunteers, and Mr. Dziczek suggested they send a plea out for adult volunteers. Mr. Robertson mentioned the VDS they would have liked to put at Town Hall, but only one phone line to the Selectmen's office, people and placement were all problems. He also mentioned they could use parents for some of the children's sports games to televise.

7:35 - Kathy Rehl, representative to the Millis Consortium and Matt Zedeck, executive director for the Consortium, stopped in to talk to the Board about the letter they recently sent explaining some of the recommendations they were making - 1, for some recycling measures; 2, marketing co-op; 3, MRF. A synopsis of each idea was included in the letter and she asked the Board if they had any questions. They really had none and Mrs. Rehl said her recommendation was to start with the marketing co-op and then the MRF, with possibly centering it around the industrial park; maybe there is another option.

Mr. Brown asked about the holding site, and it was stated that approval has been received from the State for the area they are using. Mrs. Rehl said the best location is at the DPW garage where the tanks are now. Once they are removed,

the roll-off containers could go there. Mr. Brown mentioned he really didn't care how it's done as long as it is just taken away, but did not like the industrial park. Mr. Dziczek said he did not want a deep financial commitment, although the Board seemed to be behind a recommendation 100%.

7:50 - Town Counsel Richard Maciolek, Chief David Lambirth, EMS Coordinator Donald Grimes, and Town Accountant Robert Brothers came before the Board to discuss the new ambulance situation. Mr. Maciolek stated that, as of May 1, 1990, the DOR says no town has the right to enter into a lease/purchase agreement. Before that, chapter 40, Section 4 was the basis for those purchases. Chapter 30B amended chapter 40. The Town can lease up to three years, but no more lease/purchases according to the DOR. The DOR has suggested re-negotiating with the supplier and use the stabilization funds for the first year and at the annual town meeting, bond it for the remaining four years. Mr. Maciolek said he did not know if the manufacturer would go along with it.

Officer Grimes mentioned that the President of Banc One Leasing was present, Peter Svahn. Mr. Svahn disagreed wholeheartedly with Mr. Maciolek. Mr. Maciolek stated that Harry Grossman from the DOR wrote the letter to him - there was no argument from him; his argument would be with Mr. Grossman. Mr. Svahn mentioned he had been doing such lease/purchases for 17 years, and also since the new procurement law went into effect. He felt it was a political issue, not a legal issue. He also stated a part of the procurement law, and said he is following that process. He indicated there was a provision in the contract for annual renewal or stoppage. He said the contract has been looked at by many attorneys. Mr. Svahn was asked about a 4-year option, and then paying \$12,000 at the end, but he said he was not in that business. He stated they've been down this road before, and he was saying this can be done. Mr. Svahn also produced letters from other attorneys on this subject, and showed them to Mr. Maciolek. Mr. Maciolek said he would not have signed such a letter of opinion; it was the boilerplate that is required. Mr. Svahn said the form is not important. Mr. Maciolek again stated that the lease/purchase is charging the rental value for 5 years on an annual basis with the option to purchase at the purchase rate. Mr. Svahn argued that he cannot find where it is differentiated in chapter 30B. Mr. Maciolek asked Mr. Svahn if he had spoken to Mr. Grossman; he said he had not; where upon, Mr. Maciolek suggested Mr. Svahn speak to Mr. Grossman and tell him what he is telling the Board so this can be done; Mr. Svahn said he won't call him. Mr. Maciolek noted that one of the attorney's letters from Kopelman & Paige was signed by an associate, not a partner.

Mr. Maciolek also said again that Mr. Svahn was arguing with the wrong people. There were three choices here: 1) that Banc One Leasing can be asked to get the DOR to change their minds; 2) that a new contract be worked out for the supplier and then bond at the annual town meeting; 3) or forget all of it. Mr. Maciolek seemed to feel that the only option that they would want to shoot for was paying \$16,700 now, take

delivery and conditional title, and in May pay the rest when it's bonded; otherwise they get the ambulance back. This is the only option that he can think of unless they have some other option. Officer Grimes said he would see what Quality would be willing to do.

- 8:25 - Mrs. Allen mentioned that the Town can plow Forest Road as we have an agreement from the developer, and it was acceptable to Town Counsel; however, still no letter from the Planning Board as to its acceptance. It was mentioned that possibly this form can be used by other developers as a release. Mr. Brown asked that the words "plowing and/or snow removal" be changed to "plowing/sanding and/or snow removal" in the first paragraph, last line.
- Mrs. Allen acknowledged receipt of the letter from Mike Perrault of PMP Associates on Kiewit's site plan review, indicating that all requirements, except for the final plans and records being submitted, have been met.
 - The Board acknowledged the letter to the Council on Aging from Tri-Valley Elder Services indicating there would be a decrease in costs.
 - Mrs. Allen said that Peggy Tighe had informed her that the check for \$63,491 for chapter 133 funds had been received today towards Main/Summer/Village Streets intersection.
 - The Board acknowledged the annual report from the C.R.P.C.D.
 - In reference to chapter 121A with regard to Kiewit, Mrs. Allen said that John Wilson feels it would have to be a joint decision by the Board of Assessors and Board of Selectmen for any tax relief. Mr. Wilson also stated that by being in Medway, instead of Milford for instance, there is a 42% savings as their tax rate is 23.50 and Medway is 16.57. Most 121A cases are residential, and he was not sure if any industrial cases had been done under that.
 - The Board acknowledged the nominating committee letter from MIIA. At this time, Mr. Johnson said he would not be able to attend the MMA meeting in January as previously scheduled.
 - The Board acknowledged receipt of the Army Corp of Engineers documentation on the Charles River. It was basically sent to the Board to make them aware, and now the originals would be given to the Conservation Commission, with a copy kept in the Selectmen's files.
 - The Board acknowledged receipt of the letter from Kathy Rehl indicating her interest to be appointed to the Board of Health. Mrs. Allen mentioned that the vacancy should be advertised, with a letter for a joint meeting coming from the Board of Health.
 - Mrs. Allen mentioned that Wiring Inspector Robert Belland had possibly suffered a heart attack, and that Assistant Fred Bodge was filling in for him.


- Mr. Higgins talked about the recent snow storm, and the damage to the sensor on the 20 year old pump. Mrs. Allen said they cannot find parts to repair it.
- Mr. Johnson asked that Mrs. Allen send a thank-you to Fred Rossetti of the VFW for the Financial Forum assistance.
- Mr. Brown asked that the Highway men be thanked for all their hard work during the snow storm. Mr. Higgins will do so.
- Mr. Dziczek asked that a copy of the Algonquin Gas data building building permit be gotten for him from Bob Speroni.
- Mr. Johnson mentioned that there were two qualified men for the position of Lieutenant on the Police Department, and at this time, it would not affect the budget for this fiscal year if one was appointed. However, he did have concerns for the next fiscal year, and questioned why the appointment had to be done now? He felt if the Board appointed a Lieutenant, then they would need another patrolman.

Mr. Brown felt that the Sergeants are acting as much as a Lieutenant as possible, but the need is there. Mr. Johnson queried what the Chief's duties were. Mr. Dziczek stated there were no time constraints. Mr. Brown suggested talking with the Chief, and to jot down some questions they would like to ask him. Mr. Dziczek felt the Lieutenant would assist the Chief but still be able to go into the field. He thought they were both in the running in other towns for Captains, or just a rumor in Medfield? They would still need some sort of budget for the additional costs.

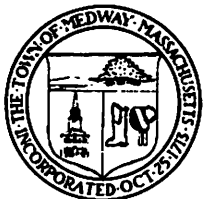
- Mr. Johnson asked how the collections were going? Mrs. Allen said she would ask the Town Accountant. Mr. Johnson said he wanted to know if the Town was going to be in trouble at the end of the year.
- Mr. Johnson mentioned the Park Department, and the need to have the Commissioners in just to talk. Mr. Brown said that someone should put a plan together for field maintenance, etc. Mr. Dziczek said there would be one person accountable that everyone should report to. Mr. Johnson mentioned how much Millis does with their digging of graves, picking up rubbish, etc. He stated that in speaking with one of their Selectmen, that Mr. Bauer and Mr. Nutting might have some sort of plan for reorganizing the DPW. Mr. Dziczek said he believes reorganization between towns may be the way to go.

9:05 - Mr. Brown made a motion that the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,



Mary Jean Fredette
Secretary
mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

DECEMBER 14, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of December 7, 1992 meeting.
- 7:05 - Water/Sewer Commissioners
re: work done in a sewer easement.
- 7:45 - Open Spreader Bids
- 8:00 - Open Pager Bids
- 8:15 - Public Hearing - China Lotus
re: extending hours on Friday and Saturday until 3:00 a.m. to serve food.
- 8:30 - Kiewit Eastern Company
re: property tax consideration.
- 9:00 - Attorney Richard Maciolek, Donald Grimes, Chief David Lambirth, David Verdolino, Robert Brothers
re: Ambulance lease/purchase.
- - old business.
- - new business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to approve the minutes of December 7th; Mr. Dziczek seconded; all aye.

7:01 - William Carroll, Special Counsel and Gardner Rice of the Water/Sewer Board came before the Board to talk about the MPF case. Mr. Carroll was asked to represent the Town in a suit brought against it, and presented documentation for the settlement to their attorney for \$22,935. Mr. Rice said he did not feel the Town was negligent, but that Metcalf and Eddy took advantage of the Town. They will file the necessary papers for reimbursement to the State.

- Mr. Brown asked why two Water Department personnel were asked to plow snow and they refused? Mr. Rice said he believed that one could not be reached, and the other had car trouble.

7:30 - Mrs. Allen mentioned that Joe Griffith had planted the necessary trees behind Sabina Doyle the week of December 4th.

- Mrs. Allen noted that one of our trucks hit a live wire when cleaning up after the snow storm - no injuries.

- It was noted that many residents were without power for 36 hours from the snow storm.

- Mrs. Allen said that Jackie Ammering had requested a leave of absence for one week to take care of her ailing father-in-law, and she had no problem with granting that request. This was acceptable to the Board.

- Mr. Brown asked that Mrs. Allen send a letter to the Board of Health and the Police Department stating that C. B. Trucking had been observed criss-crossing main streets in order to pick up the trash. He stated this was a dangerous situation and hoped it would not continue.

- Mr. Brown made a motion to grant Sabina Doyle a license to remain open until 2:00 a.m. New Year's Eve, and to serve liquor up until 1:30 a.m.; Mr. Dziczek seconded; all aye.

- Mrs. Allen asked about the closing of Town Hall at noontime the day before Christmas, stating it was traditional. Mr. Brown made a motion to do so; Mr. Dziczek seconded; all aye.

- Mr. Brown made a motion to approve all the licenses that appeared on the license list, but not to give out any that had violations or owed taxes; Mr. Dziczek seconded; all aye. The licenses were signed.

7:45 - Mr. Brown read the advertisement that appeared in the Milford Daily News concerning the spreader bids. Four bids were received:

G-Quip - with \$500 trade-in - \$15,335.80
Dyar Sales - \$18,970.00
Casey & DuPuis - with \$5,000 trade-in - \$16,720.00
Truck Inc. - \$15,565.00

Mr. Brown made a motion to turn the bids over to the Highway Superintendent for his review and recommendation; Mr. Dziczek seconded; all aye.

- Mr. Brown asked about going over the Police contract. Mrs. Allen said they usually take the initiative. Mr. Dziczek said the Board could start the process as long as no one objects. Mrs. Allen said she met Attorney Phil Collins recently, who has been suggested as someone who could be involved with police negotiations.

- 7:58 - John Boczanowski was present and asked what was the policy on snow plowing - he would like clarification. He stated there were streets that were unaccepted that have been plowed for 3-4 years, and now the Town is not plowing them. He said if the finish coat of pavement is down, the street is plowed - that is the way it has been. If the street is unaccepted, how can the Police Department give out tickets - they should not be involved on those streets then.

Mr. Brown explained how the unaccepted streets were discussed with Mr. Brodeur the week before, and that if we get a release from the builder, and a letter from the Planning Board that the street is ready to be accepted at the next annual town meeting, the Town would not hold up the process of plowing the roads.

Mr. Dziczek explained he had received many calls on plowing, and he said in talking to Diarmuid Higgins, he gave him a list of streets. Mrs. Allen corrected that saying Mr. Higgins gave Mr. Brodeur the list of unaccepted streets - there still was no notification from the Planning Board as to which ones they would accept at the ATM. Mrs. Allen also stated that Town Counsel wants a release prepared from the builder to sign, but acceptable to the Town.

- 8:00 - Mr. Brown read the advertisement that appeared in the Milford Daily News concerning the tone pagers. Only one bid was received from George Voorhees in the amount of \$390 each in any quantity. Mr. Brown made a motion to turn the bid over to the Fire Chief for his review and recommendation; Mr. Dziczek seconded; all aye.

- 8:10 - Mr. Boczanowski continued on about the street plowing. Again, Mr. Boczanowski said if the streets are now plowed, then residents would not be given tickets - right? Where is the written policy? Mrs. Allen told him this has been the policy, and if he wanted to look back in the minutes, it would be found. This was done back during Patricia Kennedy's time.

Mr. Brown said if he is all set, then he doesn't have a problem - just get a release. Mr. Boczanowski stated that

that formality didn't always exist - just recently it came about.

8:15 - Mr. Boczanowski was interrupted as it was time for the public hearing for China Lotus requesting an extension of hours for Fridays and Saturdays. Mr. Brown read the advertisement that appeared in the Milford Daily News.

Lisa Hoban and Bing Leong of the China Lotus were present. Ms. Hoban stated they were requesting a 3 a.m. closing for Fridays and Saturdays for food only.

Chief Lambirth was present and he stated he did have a few concerns. He could not understand the logic behind the request, and he could not understand how the serving of food only would be enforced. Some of his officers and some members of the Board of Selectmen even thought the 2:00 a.m. was not O.K. His officers still go up to the China Lotus at closing time just to make sure there are no problems. The Chief still thought going to 3:00 a.m. would be more difficult for enforcement. Chief Lambirth reminded the Board that China Lotus had originally asked for the 2:00 a.m. closing because they had realized the serving of food alone was not enough for them to survive, and here now, they want it later for the food. The Chief saw a potential hazard here.

Ms. Hoban stated she was not aware that the Police Department was assisting in the closing of the China Lotus. She felt their bouncer who was 6'7" was sufficient in closing for them. Ms. Hoban also stated last call for liquor was 12:30 a.m.

Residents from the area were present, among them Peter Piscia of 3 Clark Street. He stated how there were many people that hung around after closing time and motorcycles starting up loudly at that hour. If the hours were extended, it would get intolerant. Pat Piscia of 1 Clark Street gave the Board a letter from the Tumolos who could not come this evening. He also stated that they cannot go to bed before 2-2:30 in the morning with the windows open - it was getting ridiculous. Mary Ellen Ward of 130 Milford Street said the noise in the summer with the talking and the car doors slamming was bad. She also felt more traffic would be coming to the area if the closing was even later.

Ms. Hoban again said last call on Fridays is 1:30, and 12:30 on Saturdays for liquor. Mr. Leong said they were trying to survive. Chief Lambirth stated most establishments had a 1:00 a.m. license. The Sports Bar in Milford now is closing later also, and his officers seem to see an overflow from there to here. Peter Piscia said there were cars over the lawn and the people at China Lotus (meaning Ms. Hoban and Mr. Leong) are not aware of what is going on outside. Peter Piscia said that it is not the regular patrons that are causing most of the problems, but the others who want to stay late.

Mr. Brown stated that last year the Board of Selectmen had gone along with the 2:00 a.m. closing, and with the neighbors present voicing their opinions, he was inclined not to extend the hours. Mr. Dziczek said if the neighbors are having problems, they should bring them to the attention of the China Lotus so that they can maybe get rid of those offenders. Pat Piscia said that they did mention this to Ms. Hoban last year.

Mr. Brown made a motion not to change the hours of the China Lotus; Mr. Dziczek seconded; all aye.

8:30 - Representatives of Kiewit, Darwin Anderson and Eric Grundel, came before the Board to start a discussion for property tax abatement consideration. Mr. Anderson mentioned that they need town facilities at the intersection of Trotter and Alder Streets, and it had been suggested to loop the services through Alder Street. The cost is greater than it should be, and they would like to see some relief over a period of years for helping build up the area.

Mr. Dziczek felt the Board of Assessors should review this as well. Mrs. Allen said it was between the two boards, and the Town was looking into a grant for the infrastructure. Mr. Johnson said he had been talking to the Parrella, and maybe the four parties including the Town could divide up the cost.

Mr. Brown said the idea is good to put in utilities and get a tax break if the Town is putting in utilities over a period of time, if this was in conjunction with 121A. It does not affect the tax base. Mr. Anderson said the looping of the intersection is around \$50-75,000 with a 10" line down Trotter Drive and an 8" line down Alder Street. Mr. Grundel added that Boston Edison will be bringing a 3-phase system in and Bay State Gas will bring a 4" line, and they are talking to New England Telephone. Mr. Johnson again suggested a joint meeting with all and the Assessors.

Mr. Anderson stated that a corporate tax person talked to John Wilson and he is not aware the Town had ever done a 121A before. Mr. Johnson asked Mrs. Allen to send a note to Chairman Harry Johnson to research this, and to get the Board a copy of the 121A. Mr. Dziczek agreed that discussing this together was a good idea.

- Mr. Higgins made a recommendation to the Board to award the bid of G-Quip for the two sanders for \$15,335.80. He said they will also deliver in four weeks, and they are a dealer for Torwell spreaders that last a long time. Mr. Brown made a motion to award the bid for two spreader to G-Quip of Uxbridge for \$15,335.80; Mr. Dziczek seconded; all aye.

- Chief Wayne Vinton was present and made a recommendation to the Board to award the bid for page toners to Voorhees of Ashland for \$390 each in any quantity; Mr. Dziczek seconded; all aye.

8:55 - Attorney Richard Maciolek came before the Board to discuss the problems with purchasing the ambulance under the present arrangement. He stated that the Town has entered into these lease/purchase agreements before, but back in July of 1991, he was contacted by an official of a neighboring town who said that the DOR had said it was illegal to take monies from the stabilization account for lease/purchases. Mr. Maciolek said he told the Board this back in July. Then Mr. Verdolino talked to the DOR, a Mr. Chris Henchy, who clarified that the DOR found towns were entering into these agreements, but they were installment purchases and financing capital equipment under the guise of lease/purchases. On August 3, 1992, he wrote to the Board of Selectmen stating this. In November, Mrs. Allen sent him a copy of the contract from Banc One to approve and a letter of opinion. Mr. Maciolek said he was not going to approve the contract because it was an installment sales contract. Mr. Maciolek told this to Mr. Verdolino and Mr. Verdolino again went to the DOR, and they again reiterated what they had initially stated. Mr. Maciolek said he did not know what the DOR would do if the Town signed the contract; maybe just give the Town a criticism in the audit. However, he knows that the DOR has said that it can't be done. Mr. Maciolek said he received a letter from Banc One saying they have done this before; that doesn't mean we're going to do it now. Officer Grimes has a printout of where they have such agreements, but Mr. Maciolek has not seen those agreements.

Mr. Maciolek said the difference is primarily money between the two types of agreements. A five year contract with an equal payment of \$16,000 +. If the Town was leasing the vehicle, the fair rental value of that vehicle is not 1/5th of the cost, but 1/5th of the cost plus interest. At the end of the time with the lease/purchase, the Town would be able to purchase the vehicle; but the Town would still not have anything after one or two years with the installment agreement. If the Town does not find the funds to pay for it after three years, the Town would have to give back the vehicle, and wouldn't have anything. Officer Grimes said he could register the vehicle under the name of the Town of Medway. He said they never had any problems before - this was based on prior practice. No one said not to do what has been done before. He said they have done all the work with the Chapter 30B provisions in the contract. Officer Grimes said he would like it settled tonight, and would like to go forward with something that they have always done before. Banc One just signed the same type of contract with other times, i.e. Springfield. Mr. Maciolek said the problem was not with him, it was with the DOR.

Bob Brothers, who was present, said he believed Mr. Maciolek was right. Mr. Henchy was aware that this was not the thing to do. Mr. Brown could not understand - why would the State want to cost the Town more money? Mr. Dziczek asked if the monies taken from the stabilization fund were wrong for this. Mr. Maciolek stated that the Town was told it was going to be a lease/purchase at town meeting, and the cost is now \$82,000 instead of \$70,000. Mr. Brown asked if anyone had

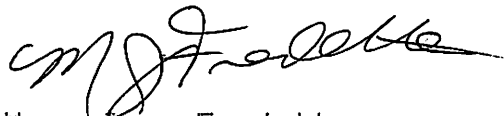
shown DOR this agreement from Banc One? Mr. Brothers said there was no problem with taking the first payment out of the stabilization fund. Mr. Maciolek agreed saying it was the installment/sales agreement that was the problem. Mr. Johnson asked for his recommendation. Mr. Maciolek said the Town went out for bid for lease/purchase and got installment/sales. He said he did not believe DOR had seen the Banc One agreement - it could be faxed to them for Chris Henchy's approval. Chief Lambirth said that DOR is aware that the bid was already awarded. Mr. Maciolek said if we fax them the agreement and they say no, then the subject is closed. Mr. Verdolino also spoke to Jim Johnson at DOR Mr. Maciolek stated. Chief Lambirth said that the Town could not take delivery then, and Officer Grimes will have to tell them. Mr. Brothers suggested Chris Henchy talk to Mr. Maciolek. Mr. Maciolek said he could talk to Mr. Verdolino and see who he recently spoke to as well. Officer Grimes still said that the Town was a tax exempt municipality, and that was why this agreement was written up as it was.

Mr. Maciolek said it is different this year - #1, we're taking the first payment out of stabilization, and #2, we've been told that we can't handle the agreement in this manner by DOR. Officer Grimes said he would hope that it could be explained to DOR how far along the Town was and that we were just waiting for Counsel to sign the agreement. Mr. Maciolek said if it was a true lease/purchase, the Town could hold the title until the end and then the Town would buy it; however, if DOR says no, he said he would return to the Selectmen's meeting next week.

- 9:25 - Jacqueline Little stopped in to ask the Board about the Lieutenant's position. Mr. Dzikczek said the Board was not in any position yet to make any decision. They would discuss it and put it on the agenda for next week.
- 9:30 - Chief Wayne Vinton stopped by and said the VFW was open as a shelter for those who did not have power and heat. He also mentioned that if anyone had any problems, they should contact the Police Department. The Chief said he has seen two Boston Edison trucks in town but most were heading out to western Mass. Mrs. Allen thought maybe it was time to call Fred Roth. The Chief stated how bad it was traveling when it took four hours for him to get from Canton to Medway through Norfolk.
- Bob Brothers stated that the backup received this evening for the check for the Water/Sewer Department was sufficient for the MPF case. Mr. Brothers stated, however, that originally, he was told there was nothing available to give as backup, and to just issue the check.
- Mr. Brown spoke to Mr. Higgins about the two Water Department employees who could not work during the storm.
- Mrs. Allen acknowledged receipt of the letter from Mr. Maciolek on Ben Generazio of the Conservation Commission.

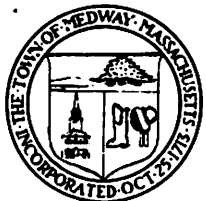
- Mr. Johnson asked Mr. Brothers why Tri-County had not been paid their assessment for the past seven months. Mrs. Allen said the copies of the invoices he had seen were addressed to Mr. Brothers so he could check and see why they had not been paid. So, Mr. Johnson asked why they were not paid? Mrs. Allen mentioned that the bills go to the Treasurer's office. Mr. Johnson felt there should be a system set up. Mrs. Allen mentioned Tri-County sends a bill out every month. Then, Mr. Johnson asked, why have they not been paid since June?
 - The Board acknowledged receipt of the letter on Lakeshore Estates from Mr. Maciolek.
 - Mrs. Allen brought up Article 1 of the Special Town Meeting. She mentioned that different alternatives are being looked into with the bank for the \$150,000.
 - The Board acknowledged the letter on the SWAP meeting.
 - Mr. Johnson asked about the old park vehicle; he asked if it was traded or something? Mrs. Allen said the Park Department did not feel it was worth it to invest anymore monies into it. She stated that the Board had told the Park Dept. to get rid of it, and she has the vehicle plate from it.
 - Chief Vinton mentioned that he had to have estimates in to the State the next day on the snow storm. He mentioned how, in January, residents would be able to burn some of the brush with a fire permit on their land near where the brush and limbs have fallen. In mentioning fees, Chief Vinton said that the Board of Selectmen are the ones that set fees based on Chapter 148, and this is the mechanism used to collect such fees.
- 9:55 - Mr. Brown made a motion that the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

DECEMBER 7, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of November 23rd and November 30th meetings.
- 7:05 - Paul Rivard
re: Plowing of Forest Road (non-accepted street) and swale in railroad bed.
- 7:20 - Joe Malloy
re: Plowing of Malloy, Henry and Orchard Streets (non-accepted streets).
- 7:30 - Lisa Hoban - China Lotus
re: Extension of hours - Friday and Saturday for food only.
- - old business.
- - new business.

Present: Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen. Joseph Dziczek was absent.

Prior to the meeting, Mr. Johnson inquired about inviting the gas stations in the area in to talk to the Board of Selectmen about the gasoline and diesel bidding process. Mrs. Allen mentioned that first the one bid received has to be rejected.

Mr. Johnson also mentioned that the Board has to have the Park Department in to discuss the idea of a joint DPW again. Mr. Brown said a plan would have to be worked out with them.

Mr. Johnson said something has to be done about the underground tanks. Mrs. Allen mentioned the Town has until 1994. Mr. Brown said there could be portable above-ground tanks for diesel fuel. Mrs. Allen agreed saying Kiewit had such a portable. Mr. Brown asked if the tanks would have to be double-walled in the ground - Mrs. Allen said yes.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to approve the minutes of November 30th; Mr. Johnson seconded; all aye. Mr. Brown made a motion to approve the minutes of November 23rd; Mr. Johnson seconded; all aye. Mr. Brown made a motion to accept the executive session minutes of November 30th; Mr. Johnson seconded; all aye.

7:05 - Paul Rivard came before the Board for two reasons. First, he wanted to talk about the railroad bed. He said he had spoken with the Planning Board about the swail. Mr. Rivard said he would go along with what Mike Perrault of P.M.P. Associates is requesting except for the catch basin repair work. He gave the Board a plan outlining the work involved with the swail, and stated that the catch basin was 4" too high. He was hoping that together the repairing of the catch basin and the swail could be done at the same time. Mr. Bella would be the one to do the loaming and seeding. He asked the Board for their opinion on the catch basin. He did not feel it was part of the agreement, and Mr. Brown agreed.

Mr. Johnson asked Diarmuid Higgins, who was present, if he could do the repair work if he had the elevations; Mr. Higgins said he could but he did not feel this was his to do. Mr. Higgins suggested Mr. Rivard put in a pipe from the swail area to the catch basin. Mr. Johnson said the catch basin is still too high. Mr. Higgins said the basin was done many years ago, and the water problem was not created by the Town of Medway. Mr. Higgins agreed to look at the catch basin with Mike Perrault the next day. He again reminded the Board that the Town of Medway did not cause any existing problem.

On the second reason for coming to the Board, Mr. Rivard said he had met with the Planning Board on November 24th concerning the plowing of Forest Road. The Board had suggested he meet with the Selectmen to see if they would go along with the plowing of an unaccepted street. He said the road was complete, had been paved, and everyone was moved in - the only thing remaining was the final acceptance at town

meeting. He said he would put the request to plow in writing to the Board if they wanted. Mr. Johnson said he wanted a letter from the Planning Board as to the condition of the street. Mr. Rivard thought that such a letter was indeed coming to the Board. Mr. Johnson asked about any streets being plowed before acceptance at town meeting - Mrs. Allen mentioned Castle Road as being the only one. Mr. Rivard said he was paying taxes as were the residents on his street - they deserved to have the street plowed. Mr. Higgins agreed everyone was paying taxes, but there are 38 unaccepted streets in town - if you snow plow one, you will have to snow plow all of them. This was just opening up a can of worms. Annual Town Meeting was always where it was agreed that a street was ready for all of the Town's services. Strict guidelines need to be set down if you are going to agree to snow plow prior to the street being accepted in May. He stated that Jonathan Bruce was plowing Redgate, and Mike and Rob Curatola were plowing Curtis Landing. Mr. Higgins said he would get a separate plow to do the unaccepted streets and send the bill to the Planning Board.

Mr. Johnson said it was too bad that something can't be worked out. Mr. Higgins suggested a joint meeting between the Planning Board and the Board of Selectmen. Mr. Johnson suggested asking Town Counsel for his opinion. Mr. Brown felt if the street was definitely going to be accepted at town meeting, it could be plowed; if not, then it should not be plowed. Again, Mr. Johnson said a letter from the Planning Board was in order.

James Brodeur, chairman of the Planning Board, stopped in. He felt it was under the jurisdiction of the developer to plow their own streets, provided there was some point at which the services would be provided. He also thought a meeting to set up a policy would be good, and that the call has to be made by both boards. He and Mr. Higgins were concerned about the manholes that would be extended above the surface of the road, and with several inches of snow on the ground, a person plowing the street would not know the extension was there thereby possibly causing an accident and/or personal injury. Mr. Brodeur stated that the state law has changed, and the Board of Selectmen has the authority for safety reasons. Again Mr. Johnson said he wanted a Planning Board letter and an opinion from Town Counsel.

Mr. Brodeur asked for a list of the unaccepted streets for their Planning Board meeting the next evening. Mr. Johnson asked Mrs. Allen to ask Town Counsel if there would be any liability to the Town, and if the Town needs a release, what would he be looking for - a one or two sentence format would be good. Mr. Higgins said he would want a release from the developer, or he would not want to do anything.

Joe Malloy was also present, and he was going to speak to the Board about snow plowing as well on Malloy, Orchard and Henry Streets. He stated his roads were complete as well. Mr. Brodeur felt the Town had a responsibility to the people in those subdivisions. Mr. Higgins suggested that all of the

manholes be lowered prior to the final paving so a street could be plowed, and then raised just before that final paving was put down. Mr. Brodeur agreed saying no structure ever should be higher than the street, and he would like to put such a suggestion in the rules and regulations. The Board will wait for Town Counsel's opinion and the Planning Board's release.

- 7:35 - Lisa Hoban and Bing Leong, representing the China Lotus Restaurant, came before the Board with a request for the extension of hours to 3:00 a.m. on Fridays and Saturdays for the serving of food only. Mr. Brown stated that if they wanted to change the hours of operation, they had to schedule a public hearing. Mrs. Allen scheduled the public hearing for December 14th at 8:15 p.m. Mrs. Allen said she would also check with the ABCC.
- 7:35 - David Verdolino stopped in to just remind everyone of the Financial Forum on December 9th at the VFW. Both representatives are extended to attend. Mr. Johnson said it would be in the trophy room of the VFW from 7:00 to about 9:00, and then refreshments. Mrs. Allen suggested Mr. Verdolino post the change of location of their FinCom forum with the Town Clerk.
- 7:40 - Alan Cornoni and John Misiuk came before the Board with reference to the new ambulance. Mrs. Allen mentioned that Town Counsel had asked the Board to review his letter of August 3rd with regard to its purchase. She mentioned that the ambulance would be ready for delivery on December 15th, but that Town Counsel had preferred not to sign the agreement. Mr. Brown said the agreement is for the rental value and is cost plus interest - he did not see where the problem was. Mr. Brown made a motion that the Board sign the agreement; Mr. Johnson seconded; all aye.
- 7:55 - Mr. Higgins mentioned that the ad for the sand spreaders has been in the paper, and bids would be opened up on December 14th. Mr. Johnson asked Mr. Higgins where the park department's truck was - Mrs. Allen said it was scrapped to Millis Used Auto. Mr. Higgins said everything that could be salvaged was salvaged. Mr. Brown asked about the line striping machine - Mrs. Allen said we were still waiting, maybe we would hear something in about two weeks. Mr. Johnson asked Mr. Higgins about the water pipe situation around Alder Street - Mr. Higgins said he had spoken to Mike Perrault and they were going to try and loop it around Blue Ribbon and Alder Streets instead of going from Route 109. All utilities would be in the ground in a separate area that could be easily located.
- Mrs. Allen asked the Board if Town Counsel refused to sign the ambulance agreement, should the Town look to a Special Counsel to review it as to form. Mr. Brown said there should be no problem.
- 8:00 - Ed Reardon stopped in with a letter to the Board asking that a police detail be stationed at the corner of Village and

Sanford Streets due to the heavy flow of traffic at rush hour. Mr. Brown asked that a letter be sent to the Police Department asking for the Safety Officer's recommendations.

- The Board acknowledged the following letters:

From Paul Wilson indicating that he feels the FinCom does not seem to understand the needs of the town, only the financial picture.

From the Millis Consortium concerning the recycling model workshop that was recently held. Mrs. Allen indicated that Kathy Rehl was coming in on December 21st to discuss this.

From P.M.P. Associates with regard to the meeting notes for the new Kiewit facility. The Board will get the final plan when finalized.

From Cablevision indicating a price increase.

From the Industrial Development Commission concerning Kiewit. The Board and Mrs. Allen did not understand the comment that "prior development plans in that area have been met with a lack of both enthusiasm and the necessary cooperation of the various Town boards concerned".

From the MAPC concerning a transportation meeting on December 11th. The only project Mrs. Allen could think would be discussed was the 109 Corridor project.

From the Division of Local Services on the summary of 1992 municipal law changes.

From the Division of Local Services on demolition charges and liens.

From the Friends of the Elders to the Council on Aging on transportation.

- The Board reviewed the list of license renewals and found no problem. They will be ready for signing next week.
- Mrs. Allen mentioned that the #1 bid on washed sand, Sagamore Sand, had delivered 3 loads of unacceptable sand. Finally, Plymouth, the #2 bid, was called for a load of sand which was fine. Mr. Higgins will be calling Plymouth from now on.
- Mr. Brown made a motion to reject the one gasoline bid that was received; Mr. Johnson seconded; all aye. It was mentioned that Kelly Adler had stated that some of the station owners did not understand the specs; and again, Mrs. Allen stated that those that had questions and came to the Selectmen's Office where the specs originated, were given the necessary answers. Mrs. Allen mentioned that the Medway specs were based on the Walpole specs, and Walpole is twice as large as Medway and has many more stations. Mrs. Allen was asked to write to Walpole and see if they would be interested in sending a representative to talk about their

system of gas and diesel usage, and then the Town can go out to bid again after they have met with the stations. Mr. Brown said that the Town would have to look at different ways to store fuel if we don't receive any bids. Also, the idea of having an emergency backup with a 24 hour station might have to be considered. It might have to be charged with a card, and then the Town would get the bill - this will have to be reviewed.

- Mrs. Allen said that Treasurer/Collector Peggy Tighe will be changing her evening office hours from the first Tuesday of each month to the first Monday, starting January 4, 1993.
- Ed Reardon mentioned that ceramic treatment in town cars might be a good thing. It seems to help the withstanding of heat more, and adds extra life to the motor.
- Mr. Brown made a motion to approve a license for a New Year's Eve party at the VFW in the upstairs and downstairs rooms until 2:00 a.m.; Mr. Johnson seconded; all aye.
- Mrs. Allen mentioned that, even though the CIPC did not ask, she gave them a listing of all town hall equipment valued at over \$5,000 - which included the telephone and computer systems in the building and photo copiers.
- Mrs. Allen informed the Board that the Department of Revenue had passed the Town of Medway's tax rate to be at 16.57.
- Mrs. Allen stated that, at a recent Medway Cultural Council meeting in October, in order to have a quorum, Sally Nolan had voted for the expenditure of funds for the library. Since she is also a town employee at the library, the Board was being asked to sign a waiver for Mrs. Nolan for her vote. There was no conflict of interest as the requests were for a storyteller and an artist coming to the library. The Board signed the waiver.
- Mrs. Allen mentioned that the Board had received copies of delinquent Tri-County Vocational assessments. They have not received a payment at all this fiscal year totalling almost \$200,000. Mrs. Allen said the Town Accountant was going to talk to the Treasurer/Collector on this.
- Mr. Johnson mentioned how other towns have received grants for the refurbishing of their town hall; Mrs. Allen said it cannot be done for Medway. Mr. Johnson asked about the elevator; Mrs. Allen said the most we could get would be half. When Mr. Reardon mentioned just asking someone to draw something up, she said we really need an architect. There are laws that have to be followed for municipal buildings, and we would have to go out to bid - it can't just be a thrown together project.

8:45 - Mr. Brown made a motion that the meeting be adjourned; Mr. Johnson seconded; all aye.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "M. J. Fredette".

Mary Jean Fredette
Secretary

mj

Present: Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen. Joseph Dziczek was absent.

6:45 - The meeting was called to order in Room 111 of the High School. The warrants were signed. Mr. Johnson and Mr. Brown had been delayed at the Finance Committee meeting where they were discussing the articles for the special town meeting to begin at 7:00 p.m. this evening.

- The Chief was present to discuss his recommendation for the sergeant's position with the Board. Mr. Brown thought both men were highly qualified and it was a tough decision. He was, therefore, recommending that both men be appointed as the Chief was looking to eventually have four sergeants and one lieutenant on the force. In the event one of the sergeants is appointed a lieutenant, then there would be a vacancy for one more sergeant to be appointed to that position.

The Chief stated that the two officers who had taken the exam and qualified this time would not have their names put on the next roster - that would be another new list, and three different officers had taken that exam. Both of the two present officers being considered would lose their chance if not appointed.

Mr. Dziczek had told the Selectmen previous to this meeting that he would go along with their decision if they both felt the same way. The Chief stated that this fiscal year's budget should be alright, but the next fiscal year, he would need a minimum of \$5,400 additional.

Mr. Brown felt that a decision on the lieutenant could wait until Mr. Dziczek returned.

Mr. Brown made a motion to appoint Robert Rojee and Allen Tingley to the rank of Sergeant on the Medway Police Department as of January 1, 1993; Mr. Johnson seconded; all aye.

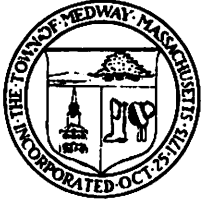
6:59 - Mr. Brown made a motion that the meeting be adjourned; Mr. Johnson seconded; all aye.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

NOVEMBER 23, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of November 9th and November 16th meetings.
- 7:05 - Tax Classification Hearing.
- Lieutenant Interviews:
- 7:30 - Richard Malo
- 7:45 - Robert Saleski
- Sergeant Interviews:
- 8:00 - Robert Rojee
- 8:15 - Allen Tingley
- - old business.
- - new business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

Prior to the start of the meeting, John Biocchi of Delmar Road came before the Board to express his concerns that his driveway keeps breaking up since the Water Department came up his street and equipment was placed on his property. He stated that Supt. Mark Flaherty had stated that something was definitely wrong, but after 10 years they no longer feel any responsibility and to talk to the Selectmen. Mr. Johnson said the Board would get something from Mark Flaherty in writing regarding this matter.

7:05 p.m. Mr. Johnson opened the meeting in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed.

- Mr. Brown read the ad that appeared in the Milford Daily News for the public hearing on tax classification. John Wilson, Assistant Assessor, went over the figures from the charts he had previously given to the Board, and stated that he felt the single tax rate of 16.57 for FY'93 is the highest the Town could set with proposition 2-1/2, and the lowest being 14.90 that the Town could set. Mr. Wilson mentioned that 83% of the town is residential, and 14% is commercial, so that it would not be ideal to have a dual tax rate with so little amount of commercial taking a bigger tax increase. He mentioned that the average homeowner's taxes will go up 3%. Mr. Brown made a motion to set a single tax rate of 16.57; Mr. Dziczek seconded; all aye. The LA-5 Classification Tax Allocation Form was signed by the Board.

7:30 - Lieutenant interviews.

- Richard Malo came before the Board providing them with his resume, and mentioning other certification and documents were on file with the Police Department. He stated he recognized the needs of the Town, and that the Police Department should be close to the community, as well as being personal and sensitive to them. He would want to help the Chief and be service-oriented with a personal touch on a one to one basis. He had 23 years of experience as an officer, and felt he was trained and educated far above the norm. He came from a management background and went to night school to become an officer. He took every management course in criminal justice there was. He was in the National Guard and felt this helped to provide alot of leadership skills. He has been a sergeant for 10 years, and feels he has shown he could handle responsibility and leadership. He had started the safety officer program, and is respected and well-liked by the men. He feels he would get their cooperation in the midst of confusion, and he can motivate people with praise going a long way. He was willing to work with the Chief to the 90's way of thinking as he has new insights and ideas.

Mr. Brown asked about the difference in roles between the sergeant and lieutenant. Sgt. Malo felt the management role will come more in focus, i.e. the budget. He stated that everything he has done was to excel and be the best, and he felt he has succeeded most of the time.

Mr. Dziczek felt that effectiveness and efficiency were key areas, and did he have any ideas on cost-saving. The Sgt. said many of the Chief's goals are his as well, and all of the departments should be making contributions. He felt Medway had one of the best police departments in Norfolk County.

Mr. Johnson asked him about regionalization. The Sgt. felt it was tough and would cost money, but it might be best in the long run. They would have to take a long hard look at it.

Mr. Dziczek asked him about being involved with negotiations. He said he was one of the founders of the police association and he could disassociate himself from the men and be objective and step out of one role into another.

8:00 - Robert Saleski came before the Board and gave them his resume. He stated he had been with the Police Department for over 20 years, and was the Senior Sgt. He said he had an extensive educational background in police management leading to administration. He established the training academy for veteran officers and established a community relationship with thirty other communities forming a mutual aid system. He stated he had communicational and organizational skills, and had set up the communications center in the new station. He was now on a statewide committee for enhanced 911. He said he has dealt with hiring, training, and supervising of dispatchers, with hopefully sending intermittents to the academy. He has also provided the annual budget for the communications center. Over the years, the Chief has given him more managerial responsibilities. He has helped to negotiate the police contracts for 12 years, and was not aware of any grievances having been filed against him. He did not feel he had any weaknesses. Except for one or two things, he feels he is already performing the duties of a Lieutenant. He feels his loyalties lie with the Department through the Chief, but the town does come first, and the department second.

Mr. Brown asked about a difference in roles of the two positions. The Sgt. felt it was a handling of details, otherwise, not much difference. Mr. Dziczek asked about efficiency and cost-saving. Sgt. Saleski felt there was limited manpower, and would like to see an updated policy procedural manual. The present one is dated 1977, and as some information should be updated, other material could just be reviewed. He said that Virginia has a model manual he has sent for.

Mr. Dziczek asked how this position could save the Town money. The Sgt. felt he could get many of the Town records computerized and that would be a cost-saving measure as networking would be involved.

Mr. Johnson asked about regionalization. The Sgt. thought possibly with communications and dispatchers - it was worth looking into.

Mr. Dziczek asked if there was a real need for a Lieutenant. The Sgt. felt some of the administrative work could be done by the Lieutenant without interruptions as sergeants seem to be needed at times.

8:25 - Sergeant interviews.

- Robert Rojee came before the Board and presented his resume. He stated he was an 18 year veteran, and it was a privilege and honor to be considered for this position with the other present sergeants. In answer to questions posed -
 1. he felt the role of sergeant was as a supervisor, and then mid-management.
 2. he would prefer one to one conversations with his men if they were having a problem, and would recommend to them what they need to do to have the problem corrected, to go for counseling, etc.
 3. if there was a citizen complaint, he would talk to that person and have that person fill out a complaint form and submit it to the Chief.
 4. on a domestic disturbance with an off-duty officer, he would transport the individual and if a complaint was filed, he would have to act on it.
 5. with an influential person that was DWI, he would still explain the procedures and bail information.
 6. on an illegal search, he would make sure that the report was filled out and given to Chief.
 7. on new policies, he would explain and discuss the directives with the men.
 8. in why he should be sergeant, he felt he had gone to school for this, was self-motivated, possibly needs more skills in management skills, but believes he deserves it.

Mr. Dziczek asked if he had any trouble arresting kids if he knew them, but were selling and doing drugs. Officer Rojee felt confident he could handle it.

Mr. Brown asked about the exam itself. Officer Rojee said you have to be up to date to pass the test, and he spent many hours to pass, and has done so several times.

Mr. Brown asked about his duties as acting sergeant, and Officer Rojee said he performed many sergeant duties in that time.

Mr. Dziczek asked if he had any trouble giving tickets out to people he knew. Officer Rojee said he can do that, and has done so. He also said that being acting sergeant was a good experience for him, and has been the senior officer in charge. He feels he is honest, trustworthy and dedicated.

8:45 - Allen Tingley came before the Board and presented his resume. He stated he had lived in Medway all his life. In answer to questions posed -

1. he felt the sergeant's role was to oversee the day to day operation of the department, and that he keep the Chief informed. He felt he should be informed and current on what is going on, and also still be part of the patrol force.

2. on problems with his men, he preferred one to one conversations, and he would sit down with them and try and talk to them and help them out.
3. with a problem with a citizen, he would interview that person and see if there was a misunderstanding. If not, he would ask that the complaint be put in writing to the Chief, as well as getting the officer's side of the story.
4. with a problem with an off-duty officer, he would expect the arresting officer to do his job and go through the proper procedures.
5. with an influential person, he would still explain to the individual why he was being arrested and would not just release him because of who he was.
6. on an illegal search, he would explain to the officer why it should not have been done. He would make sure the items confiscated were held and marked.
7. on policy directives, he would try and explain them and why they were being set down.
8. on why he should be sergeant, he felt he had a calm temper to work with the men, he understood the job, and it was a challenge to do the job effectively.

When asked by Mr. Brown about the sergeant's exam, Officer Tingley said there was much on the subjects of the supervisory role, case law and counseling. On his duties of sergeant as acting sergeant, he felt he had done most of those duties already.

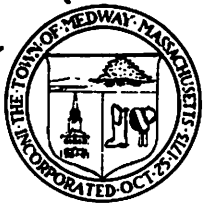
- 9:00 - Mrs. Allen told the Board that she was advised they can use Chapter 133 monies of \$63,000 on the reconstruction of the Main/Summer/Village Streets intersection first.
- The Board acknowledged receipt of information from Chief Vinton on the article for tone pagers for the special town meeting warrant.
 - Mrs. Allen told the Board that the Planning Board and the Conservation Commission are not interested in the Cassidy property on Holliston Street. Mr. Brown made a motion to tell Mr. Cassidy the Town was not interested in buying the property on the west side of Holliston Street; Mr. Dziczek seconded; all aye.
 - The Board acknowledged receipt of a letter from a resident asking that the Town vote to go with curbside recycling.
 - Mr. Dziczek made a motion to appoint John Larney to the Conservation Commission; hearing no second, the motion dies.
 - Mr. Brown submitted his recommendations for changes to the Zoning By-laws. Mr. Johnson said he would review them. Mr. Dziczek thought the sub-committees formed at the joint meeting were also going to review the by-laws.
 - On an EOCD grant for Trotter Drive water hook-up, Diarmuid Higgins and Mark Flaherty will try and come up with approximate costs for the project.

- Mr. Johnson mentioned talking to Town Counsel Richard Maciolek, and he was told that he could release a copy of the letter sent by residents of Samoset Circle/Shaw Street to the reporter from the Milford Daily News.
 - Mr. Johnson asked that congratulations be sent to the Volleyball Team and the Soccer Team of Medway High School for their championship victories. Mrs. Allen also mentioned the Cable Newswatch's first place award.
 - Mr. Johnson mentioned Rivard's property near the railroad bed. Mrs. Allen said she had notified the engineer that work was to proceed, and he will be working together with Rivard on its completion.
 - Mr. Johnson mentioned the work that was done at the highway garage of the tool crib that he thought was supposed to be alot smaller, but in fact was 12' x 40'. He was upset that he had not even seen a sketch. Mrs. Allen mentioned that it was the Selectmen that had asked the mechanic to make sure he secured the equipment, and that he was just trying to organize everything so it could be found readily enough when needed. Mr. Johnson said he had heard a rumor that two men had worked overtime to get the sanders ready. Mrs. Allen told Mr. Johnson that their boss had asked them to prepare the sanders for possible bad weather, and that most of the work that was done on the crib was on their own time after work and on weekends.
 - Mr. Brown made a motion that the minutes of November 9th and November 16th be approved; Mr. Dziczek seconded; all aye.
- 9:10 - Allan Osborne, who was present, mentioned the Tri-Valley Elders report that he had given to the Board for their review. He stated how the services were being used as a model throughout the state. He stated that Representative Parente was trying to get some of the work they are doing now changed over to be done by the VNA. She was also recommending to some of the towns that they don't pay their assessment. Mr. Osborne hoped the Town sees the value of their services in the Council on Aging budget. He noted to the Board that \$894 was the Town's assessment.
- 9:20 - Mr. Brown made a motion to go into executive session to discuss the Police Department personnel; Mr. Dziczek seconded; all aye. Vote: Mr. Brown - yes; Mr. Dziczek - yes; Mr. Johnson - yes.

Respectfully submitted,



Mary Jean Fredette
Secretary



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

REVISED AGENDA

NOVEMBER 16, 1992

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 - Public Hearing, Boston Edison.
re: conduit on Milford Street.
- 7:10 - John Larney.
re: appointment to Conservation Commission.
- 7:20 - E. Farrella & Co.
re: proposal for expansion.
- 7:30 - Kiewit Eastern.
re: site plan.
- 7:45 - John Williams
re: salary schedule for FY'93.
- - old business.
- - new business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

7:00 p.m. - Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed.

7:01 - Treasurer Collector Peggy Tighe came before the Board to let them know that Guaranty First Bank was taken over by the FDIC and Fleet Bank was buying out most of the passbooks. Mrs. Tighe mentioned she held four bank books which were performance bonds totalling \$205,000. One was in the name of Guaranty and the Town of Medway, but the other three were in the name of the individual and the Town of Medway. She was concerned about the former and how the funds would be protected. It was recommended that Mrs. Tighe get clarification on this. Mr. Dziczek suggested she check with other towns to see how they are handling this.

Mr. Dziczek asked Mrs. Tighe about a rumor he had heard about discrepancies. Mrs. Tighe did not know anything about it. Mr. Brown said it was between the Town Accountant and the Board of Assessors.

7:05 - Mr. Brown read the ad that appeared in the Milford Daily News with regard to a public hearing for Boston Edison for conduit on Milford Street at pole 24/82. Ed Kelley from Boston Edison was present and mentioned this was to feed an underground development. This was previously approved by the Selectmen to be tied in with the New England Telephone trench - this was just the formal hearing. Mr. Brown made a motion to grant the petition; Mr. Dziczek seconded; all aye.

7:10 - John Larney came before the Board to discuss his appointment to the Conservation Commission. Mr. Larney mentioned he had spoken to Gary Jacobs, who used to be on the ConCom, and he was encouraged to apply for the vacancy if he felt there were changes that needed to be made or he had problems with the way it was operating. Mr. Larney felt with the recent change in personnel, that he should apply. He was also concerned that all building applications needed ConCom sign offs. He was informed that that has since changed. Mr. Larney stated he did sell real estate in the Town of Medway but did have some environmental experience. He felt that his Real Estate Code of Ethics would prevail, and that there would be no conflict of interest with selling of land and ConCom. Mr. Brown said he could not appoint anyone to the ConCom who sold real estate; Mr. Johnson agreed saying there was no problem with Mr. Larney's reputation - it was just his means of employment. Mr. Larney asked, for example, about a builder on the ZBA. They both felt that was different. Mr. Dziczek said he was not on the Board when previous problems with individuals on the ConCom was brought up, so he had no reservations now insofar as Mr. Larney was concerned. Mr. Johnson said he would be interested in knowing what the feelings were of the present members on the ConCom on this subject. Mr. Larney said he would sign a document attesting to the fact that he would not be involved in any real estate that would be Conservation related. The Board went along

with Mr. Dziczek's suggestion of holding off for a week on making a decision.

7:25 - The Parrella Brothers - John, Dick and Bob - were present to speak to the Board about a proposal for expansion of their business of E. Parrella Co. Dick Parrella indicated they would like to move the company to 15 acres in the Industrial Park on Alder Street off of Trotter Drive, which is Industrial III. He stated it would be a minimum 20,000 sq. ft. facility for manufacturing. Mr. Parrella said in order to get financing, it would require a sprinkler system - that would require water going up the road. He was looking to the Board for support in getting a grant possibly to get the water there. Mr. Parrella stated a grant in 1981 had brought water to Milford Street at Trotter Drive. He stated they would have to go 800-1000 ft. up the road to access their land and building; however, if all the area was done, it would have to go 2,000 ft. into the road. Mr. Parrella mentioned that all environmental reports, engineering and perking has been done. Mrs. Allen is trying to get a hold of Norfolk County Engineers to see what the cost would be for road upgrade and water. She is holding waiting to speak to members of the IDFA to see how they can be of assistance.

Mr. Brown told the Parrellas that the Board seemed to be strongly in favor of helping out, but suggested they talk to the Water/Sewer Board and see if any outstanding authorization for bonding remains. They stated they were going this evening. Bob Parrella felt the water tie-in would be an investment for years to come. He mentioned that it was zoned Industrial in 1969, and then just left alone. The Board was all in favor unanimously of getting water and utilities to the site. Mr. Parrella said their goal was November of 1993.

Jim Gallagher, who was present, asked who was going to widen the road? He suggested looking for grants, and that it shouldn't be up to the Parrellas to foot the bill. Mr. Gallagher said Representative Ranieri has thoughts of trying to do a three-town grant. Dick Parrella said if they could get a commitment and know the water will be there, then they could begin to start the project. They will remain in touch with the Board.

7:45 - Representatives of Kiewit, Darwin Anderson and Eric Grundel, and Joe Hanlon of ESP, came before the Board to further discuss the site plan for their facility. Mike Perrault, of PMP Associates, had sent the Board a letter outlining some of the recommendations he thought the Board should follow before approving the site plan for Kiewit. Mr. Hanlon said they had planned to make some of the corrections in the plans anyway. It was agreed that possibly fire hydrants, etc. were not sufficient, therefore the plan is subject to getting the Fire Chief's approval. It was also noted that Pole #9 might have to eventually be moved if the road was widened.

An abutter, Mr. Cenedella, was present and asked the representatives several questions about the gravel yard area.

Mr. Johnson also wondered why the Board had to wait for other Boards' approvals before the Selectmen could give their go-ahead since the Selectmen only approve site plans. Mr. Dziczek made a motion to approve the Kiewit site plan as presented this evening with corrections made; Mr. Brown seconded the motion subject to Fire Chief approval, and the engineer's approval, and the light at the intersection; all aye. The plans were signed - one set for the Selectmen, one for the Town Clerk, and one for Kiewit.

- 8:25 - John Williams of the Finance Committee came before the Board to discuss the salary schedule for FY'93 that he felt was not totally accurate. This subject had been brought up many times before, but Mr. Williams felt the errors should not just exist, they should be corrected. He was, therefore, making the recommendation that the salary schedule, as he was presenting, was the correct one. Mr. Williams felt there should be no problem with the budget as the 2% was already voted on at town meeting. He recommended that the correction be retroactive to July 1st of this year. Mr. Johnson said he had spoken to Peggy Tighe and she felt it could be recalculated.

Mr. Brown felt it had been calculated properly with 4% between steps and had been that way for years. Mr. Williams felt differently, that it should be 2% on each step. After some discussion, Mr. Brown made the motion to change the salary schedule to what Mr. Williams had presented that evening; Mr. Dziczek seconded; all aye.

- 8:40 - Mrs. Allen went over old business. The proclamation for Fred Lee was signed by the Board; as well as the package store licenses for Sundays after Thanksgiving through December; and a document verifying the number of qualified votes for Norfolk County Commissioners.

- The Board read over a letter received from residents of Samoset Circle and Shaw Street earlier in the evening. Bob Ryan agreed to be spokesperson for the residents in attendance. He stated that they just wanted the facts to be brought to the Board's attention for their assistance and proper handling. Mr. Ryan said that they felt there was a conflict of interest as he was the contractor for the applicant and was on the Conservation Commission. He indicated there is an ongoing discussion on the Order of Conditions, and that Mr. Wickett may be reapplying. Mr. Dziczek felt Town Counsel should be asked for his opinion asap as he had received a copy of the letter. Mr. Brown inquired if the original Order of Conditions was given prior to Mr. Generazio being on the Commission - Mr. Ryan said it was, but now he is involved. Mr. Dziczek felt that this should possibly be discussed in executive session, or at least wait for a reply from Mr. Maciolek. Mr. Ryan told the Board they were before the Selectmen because they were the ones that had appointed Mr. Generazio. He stated that they would like to be involved in any further discussion there might be, and there was more behind the letter than what was stated. Mr. Dziczek said it was a one-sided issue at this

point. The Board agreed to let the residents be aware of any further action taken by them.

- The Board acknowledged a letter from the Planning Board going along with Mike Perrault's recommendations for the railroad bed for Hidden Pines. The Board requested a letter be sent to Mike Perrault to oversee this matter.
- It was noted that the Finance Committee was having a meeting on Wednesday, but Mr. Brown and Mr. Johnson would not be able to attend for a discussion on the special town meeting articles on the warrant, as they would be attending the Norfolk County Selectmen's Association meeting. Mr. Dziczek said he would go on behalf of the Board.
- The Board acknowledged the resignation of Nancy Russell from the Board of Health. Mrs. Allen stated that the vacancy has to be advertised and a joint meeting held between the Board of Health and the Selectmen to appoint someone to fill the vacancy until the May elections.
- The resignation of Hugh McLaughlin from the Computer Committee was noted.
- The Board acknowledged receipt of the document from Municipal News Letters.
- A copy of the current balance sheet from Town Accountant Bob Brothers was noted.
- Mr. Johnson brought up the sanders. Bob Power, who was present, said he had spoken to the welder that had given a quote to George Lee, who in turn passed it on to Kelly Adler, that the \$4200 **only** covers the **welding** on both machines. The quote did **not** include **parts** or **labor**, which would bring the quote to about **\$6000 per sander**.

Mr. Johnson said he had spoken to Dick Williams about sandblasting and painting, and asked if the equipment ever gets sandblasted. Mr. Higgins said when they have \$400, they try to do just that, but money was tight. Mr. Johnson felt it was good for preventative maintenance.

Mr. Power again expressed concern over the coming snow and ice, and that the Town only had **two** working sanders. He stated how it used to take **five** sanders **4 hours** to do all the roads in town, now with **two** it should take **8 hours** for **one** sweep. He again said the cost was \$9000 for regular steel and \$12000 for stainless steel sanders. Even with the Special coming up on November 30th, Mr. Power did not know if it was too late by then. Mr. Brown wondered if this would constitute an emergency situation, and could come out of snow removal monies - Mrs. Allen will check.

- Mr. Dziczek asked about some trailers parked on Broad Street. Mrs. Allen said the Building Inspector had written the owners a letter in that regard.

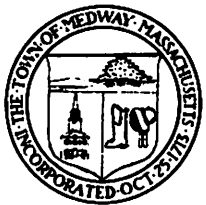
- Mr. Dziczek asked about the Videoman sign on Village Street. He was informed they had been issued a permit.
 - Mr. Dziczek mentioned he and Mr. Johnson had gone to the burning of the mortgage at the VFW the other day.
 - Mr. Dziczek said he had gone to the Millis Veterans Day ceremonies. He mentioned that half the fine against Tresca Brothers went back to the Town, and suggested Mrs. Allen contact Millis for further information. She mentioned that she is communication with Millis at this time.
 - Mrs. Allen asked the Board to look over the questions in the packet she gave them regarding the upcoming Police Sgts. and Lt. interviews, and let her know if they were alright. The Board felt they were OK.
 - It was noted that the Planning Board has no interest in the Cassidy property on Holliston Street.
- 9:15 - Mr. Brown made a motion to adjourn the meeting; Mr. Dziczek seconded; all aye.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

NOVEMBER 9, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 11-2-92 meeting.
- 7:05 - Open bids for gasoline and diesel fuel service.
- 7:30 - Public Hearing - Sunday openings for retail liquor stores.
- 8:00 - Richard Low - solicitor's permit.
- 8:15 - Site Plan - Kiewit Co.
- - Old Business
- - New Business
- 8:30 - Executive Session
R. Maciolek
- 9:00 - Meet with Friends of Elders re: Alternative Transportation.

NOTE: There should be some time allowed for discussion and voting on Special Town Meeting articles.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

7:00 p.m. - Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to accept the minutes of November 2nd; Mr. Dziczek seconded; all aye.

7:05 - Mr. Brown read the diesel and gasoline fuel ads that appeared in the Milford Daily News. No diesel bids were received. One gasoline bid was received from Mobil for a minimum 89% octane, 21,000 gallons for \$1.359 per gallon minus a discount of .06 cents per gallon of the pump price for a total of \$1.299. There would be no charge for an emergency opening. Their hours would be from 6 a.m. to 11 p.m., and they did have an emergency generator. Mr. Brown made the motion to turn the bid over to the Highway Superintendent for his review and recommendation; Mr. Dziczek seconded; all aye.

Kelly Adler, who was present, stated that service station owners are concerned. She felt they were confused over the specs - what was the intent - they don't have any answers. Mrs. Allen stated that anyone that asked any questions from her or the Highway Superintendent received answers - who was asking the questions, and why did they not go to the ones who initiated the specs? Mrs. Adler felt a joint meeting should be held inviting the service station owners - what was the harm? Mr. Higgins said they already went out to bid, and there was only one response. Mr. Johnson said, in speaking with Bill Condon of the Shell Station, that he would go to a meeting. Mrs. Adler suggested asking someone from Walpole to attend, as well as inviting the Town Accountant. Mr. Johnson said he did not just want to have to choose Aoude when there might be more information available.

- Mr. Johnson mentioned going to a seminar recently on labor negotiations to help in police negotiations. He just threw out the suggestion of hiring an attorney who is an expert on police negotiations.
- Mrs. Allen said that Boston Edison was requesting permission to place conduit in the same trench as New England Telephone on Milford Street. New England Telephone had no problem with this. The official public hearing for this is scheduled for November 16th, but Boston Edison wanted to get going before the November 16th deadline. Mr. Brown made a motion to grant Boston Edison's request for conduit on Milford Street; Mr. Dziczek seconded; all aye.
- Mrs. Allen asked the Board to sign a document for the Town Clerk that indicated the Building Inspector and the Local Building Inspector were qualified to hold those positions - they did sign.
- Mrs. Allen asked the Board if they would like to interview candidates for the Sergeant's and Lieutenant's positions. They said they would like about 15 minutes for each candidate.

- In reference to a question regarding the dead trees in the rear green belt area of parking lots posed by Mr. Dziczek, Mrs. Allen said that the Building Inspector had stopped by Sabina Doyle's as requested, but Mr. Griffiths was on vacation until the 24th.
- Mrs. Allen reminded the Board about the December 4th meeting with members of the business community.
- Mrs. Allen told the Board that the assessed value of the Cassidy property was \$609,000.
- The Board acknowledged receipt of a letter from Susan Thayer of Norfolk complaining about the lack of action of the Animal Control Officer when her child was bitten.
- Mr. Johnson talked about a phone call he had received about a dog bite at 242 Main Street. Mrs. Allen said the matter had been taken care of; that the police were there, and the dog in question is gone.

Mr. Johnson mentioned the Animal Control Officer in Millis seemed to be doing a good job - maybe she would be interested in Medway. Mr. Brown felt Mr. Cassidy had done his job with regard to the resident of Norfolk - the dog owner was fined; what more could be done? Mr. Brown asked that a letter be sent to the Ms. Thayer acknowledging her letter, and when enough complaints are received, they can call the Animal Control Officer in to see the Selectmen.

- 7:30 - Mr. Brown read the advertisement that appeared in the Milford Daily News with regard to Sunday package store openings from the Sunday after Thanksgiving through the Sunday after Christmas. Jack Dovenio of West Medway Liquors was present to state he would like to be closed, but if given the opportunity to be open, he would probably be open for a while. Ray DeGaetano of Medway Package said he would like to be open from 12 Noon to 9 p.m. like last year. Don Hovey and Jack McDonnell of Keystone Liquors also went along with the Noon to 9 p.m. Mr. Brown made a motion to have the Sunday openings from 12 Noon until 9 p.m. from November 29th through December 27th; Mr. Dziczek seconded; all aye.
- 7:35 - The Board decided to review the Special Town Meeting articles submitted for the November 30th STM.

- new police cruiser: Mrs. Adler said that the Chief had not gone to the CIPC, and they had no 5 year plan. David Verdolino said that was something the Finance Committee was aware of - that the Chief had asked for two, but agreed to accept one at the beginning of the fiscal year, with another, for later on in the fiscal year. Tucker Reynolds was concerned about how many miles were on the cars, while Mr. Dziczek was concerned about cost of repairs and safety issues. He felt more information should be received from the Chief. Mr. Brown differed saying if the Chief, the head of a department is making the request, then they should honor his request. Mr. Dziczek still would like more information

before he thought it should be on the warrant.

- two sanders: Mrs. Adler thought they had heard \$18,000 for sanders, now they were hearing \$24,000. Mr. Higgins clarified \$18,000 is for steel and \$24,000 for stainless steel. Mrs. Adler mentioned the quote she had received over the summer for all repairs and refurbishing of the two sanders for \$4,200. Mrs. Allen tried to clarify that this meant **everything** - repairs and parts and work - Mrs. Adler said everything. Disagreeing with Mr. Higgins, Mr. Johnson did not seem to feel that you should go to where sanders are sold for a quote; however, Mrs. Allen stated that that is where you purchase parts. Mr. Johnson seemed to feel that you could purchase parts and repair the sanders. Mrs. Adler again said the quote was from a certified welder and for \$4,200. Tucker Reynolds said the Town of Upton had gotten a chassis repainted by inmates cheaply - maybe the \$4,200 quote should be checked. Mr. Johnson mentioned the metal department at Tri-County. There has to be a way of sharing with communities. Mr. Higgins said he had talked to the Town of Mendon, and it was mostly body work that was done and it was long process to get it done. Mrs. Adler again said that she had asked Mr. Higgins for a quote back in June, and here it was November and nothing yet. Why does CIPC have to ask for more quotes? Mr. Johnson felt there should be some options - what about an insert? Mr. Higgins said he had had one and it did not work. Mrs. Adler asked what was wrong with taking longer for sanding and just use what we have?

- check writing machine: Mr. Dziczek noted the price of \$1,025. Mrs. Allen assumed Mrs. Tighe had gotten quotes. Mr. Verdolino said he had told Mrs. Tighe that if it was an emergency, to put an article on the warrant.

- line striping machine: Mr. Higgins mentioned that he believed grant money would take care of the machine. The Town would have to show proof the machine was bought and paid for, and then they could get the money back from the State.

8:00 - The discussion of the articles was interrupted for Richard Low who had an appointment with the Board to discuss a solicitor's permit to sell fish, etc. at the Medway Shopping Center. Mr. Low stated he had his State permit, the shopping center owners had given him permission to be there, and he had received his Board of Health permit. He was asking for a one year permit until he got established, and then go from there. Mr. Brown made a motion to approve a solicitor's permit for Richard Low for one year for Thursdays and Fridays from 10 a.m. until 6 p.m.; Mr. Dziczek seconded; all aye.

- Back to the articles.
pagers: Mrs. Adler mentioned that the pagers were becoming a part of the Fire Department's FY'94 budget, so why were the pagers on an article at this time? She had thought he was going to pursue getting the pagers as a Civil Defense grant, and would prefer not to accept the article. Mr. Brown stated how there are 45 men on the Fire Department, and only 6

paggers. Mrs. Adler mentioned that the Chief had not approached the CIPC, and he hasn't said it was an emergency. Mr. Verdolino wondered if the article was put on the warrant and it goes to Town Meeting, and should the recommendation be to dismiss the article, would he then say it was an emergency? Mr. Brown said that the Board asks department heads to submit articles for town meeting warrants if they feel it necessary - we should rely on their judgment. Mr. Verdolino said that maybe the length of time for opening and closing the warrant should be extended if there is not enough time to talk to department heads. He thought the Board wanted the CIPC directly involved in the process, and they should be asked if they think it is an emergency. Mr. Brown said he felt it should be on the warrant. Again, Mrs. Adler said the paggers were in the 5-year plan, and the Chief had not told the CIPC it was an emergency - the discussion should not be taking place at the town meeting. Mr. Dziczek said that people spoke to him at the last town meeting wondering why the Board of Selectmen put an article on the warrant and then oppose it at town meeting? There had to be less expensive ways of handling these types of matters. Mr. Johnson agreed saying everything shouldn't be put on a warrant. Mr. Reynolds felt it was irresponsible to hurry up and buy paggers especially if there was grant money available.

8:15 -

The discussion of the articles was interrupted for Kiewit who had an appointment to further discuss their site plan. Bob Hebler, Darwin Anderson, Erik Grundel of Kiewit and a representative of ESP were present. Mr. Grundel stated they wanted to go over a site plan with the Board for building on 50 acres of land that they owned off of Trotter Drive. He said that 11.6 acres was zoned residential/agricultural and 34.4 acres were zoned Industrial III. They wanted to develop 13 of the 34 industrial acres. The Board had already received a brochure explaining what Kiewit was about - that basically they are involved with construction projects, such as bridges, etc. Mr. Grundel explained that Kiewit wants to consolidate its facilities and make this their office headquarters with about 18,000 sq. ft, two stories, and 50-60 employees. There would be a small shop warehouse on the side. They would have a small diesel fuel storage container on their premises also, which has been approved by OSHA. They are under 81P, therefore, no approved subdivision plan is necessary. Their attorney said they were here before the Board for site plan approval as stated in the by-laws. Mr. Johnson said he would like the Town's engineer to look the plan over. Mrs. Allen suggested they come back to meet with the Board next Monday night, as long as the engineer had time to look over the plan and make any recommendations.

8:50 -

Chief Lambirth stopped in to meet with the Board after Mrs. Allen called him at home for more discussion on the cruiser for the STM. The Chief said an agreement had been reached with the FinCom that a second cruiser would be asked for at the end of 1992 for delivery in Feb/March if he did not ask for the two cruisers at the ATM. He mentioned the '91 Ford cruiser that they had delivered in the Fall of 1990, which already has 65,000 miles on it - with an average of 5,000

miles a month - by March, it should have 80,000. The Chief said they try to replace the vehicles every two years, and he would like to stay on a replacement schedule this fiscal year. Mr. Dziczek said the idea was to get into a system and work with CIPC - it's "need" vs "just buying". Mr. Dziczek said there hasn't been much documented in the past, but hopefully now it will be. Mr. Johnson asked if service contracts were ever considered? Mr. Brown said not for commercial use. Mrs. Adler asked how many cruisers there were? The Chief said 4 marked, and 2 unmarked. She then asked if he could delay the purchase from March to May? He said they could do anything, but then you could end up asking for 3 in one fiscal year. The Chief was asked if the cars in the worst condition could do a lighter work load? He said it was possible, but he did want to keep the front line in good shape.

- Chief Vinton stopped in to meet with the Board after Mrs. Allen called him at home for more discussion on the pagers for the STM. The Chief stated that since July 1st, 8 pagers have been repaired and 8 more now have to be repaired - this is eating up their budget. He stated it would cost \$370 per pager if they bought 12 or more, with a 5 year extended warranty - at this point, it was costing \$75 - \$130 to repair each pager. Mr. Dziczek said he was given a budget for the repair of radios. The Chief said the budget is for \$1,500. Lt. Paul Trufant, who was also present, said the budget is for all radio repairs, not just the pagers, including the base station, etc.
- -school article: The Board said Jeff Nutting, Chairman of the School Committee had asked that this article be placed in the event of finalization of contract negotiations.
- -Winiker property: Mr. Brown mentioned that the \$4.5 million bond issue was not redeemable until the year 2000.
- 9:28 - Mr. Brown asked if there were any more articles for discussion? Hearing none, Mr. Brown made a motion to go into executive session for the purpose of litigation and collective bargaining, and not to return to public session.
- Mr. Verdolino told the Board that there will be a meeting on December 9th in the High School band room at 7 p.m. for a joint meeting to discuss the fiscal outlook for FY'93 and FY'94 and to discuss why other towns can get grants, but not Medway. He said both State Reps would be invited.
- Jeff Nutting stopped in and mentioned that he had been to a civil service commission meeting recently and was speaking to a labor lawyer. He passed that name on to the Board. Mr. Nutting also just mentioned that the School Committee hopes to break even on the profits with the use of the lights on the football field.
- Mr. Brown noted the letter from the Finance Committee which stated they were setting up for the new audit. He stated this was not their responsibility. Mr. Brown said that the

FinCom was asked by the Board to review the management letter, not to take over the auditing process. Mr. Brown's perception of the situation was questionable. He recommended that the Board send a letter to the FinCom thanking them for their recommendations, but the Board of Selectmen is responsible for the audit, not the FinCom.

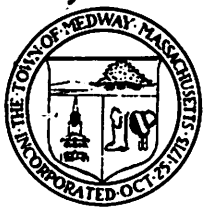
- Mr. Dziczek seconded Mr. Brown's motion on adjourning the meeting to executive session; all aye. Vote: Mr. Johnson - yes; Mr. Brown - yes; Mr. Dziczek - yes.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

NOVEMBER 2, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of October 19, 1992.
- 7:05 - Presentation by Fred Roth, Boston Edison.
- 7:15 - Public Hearing, Boston Edison.
re: West Street.
- 7:20 - Richard Cassidy.
re: land for miniature golf course.
- ~~7:30 - Carlo Molinari.~~ *Came after 9/11*
~~re: sidewalk bill.~~
- 8:00 - Finance Committee.
re: next special town meeting.
- - Old business.
- - New business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

- 7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to accept the minutes of October 19th; Mr. Johnson seconded; all aye. Mr. Brown made a motion to accept the executive session minutes of October 19th; Mr. Johnson seconded; all aye.
- 7:05 - Fred Roth of Boston Edison came before the Board to make a presentation to Fire Chief Vinton and Police Chief Lambirth. On behalf of Boston Edison, Mr. Roth wanted to thank both Chiefs for their help and cooperation in a Safety Day Program that was held on September 15, 1992. Lamps with meters attached were presented to them.
- 7:10 - The Board acknowledged communication from the VFW with regard to a dinner/dance being held on November 15th. Mr. Dziczek said he and his wife might be able to attend.
- The Board acknowledged communication from Millis with regard to their Veterans Day ceremonies on November 11th.
- Mrs. Allen reminded the Board of the Veterans Day services being held in Medway on November 8th at the Village Church at 10:30 a.m.
- 7:15 - Edmund Kelley of Boston Edison came before the Board for a public hearing on the placing of conduit on West Street. Mr. Brown read the ad that appeared in the Milford Daily News. Mr. Kelley said he had recently spoken to an abutter and he had no objection. As there was no one present in opposition, Mr. Brown made a motion to grant the petition; Mr. Dziczek seconded; all aye.
- 7:20 - Richard Cassidy came before the Board to speak about the property on Holliston Street that has been ear-marked for a golf course near the corner of Holliston and Main Streets. Chapter 61A specifically stipulates that the Town has an option to purchase the land at its full and fair market value for 120 days. It was felt that the 120 days begins with the day the letter was received, which was today.
- Mrs. Allen told the Board that since the letter was received today, and copies placed in the Planning Board, Assessors and Conservation Commission mail boxes, no time had been allowed for comments from them yet. Mr. Brown asked Mr. Cassidy about the fair market value? Mr. Dziczek agreed saying the Town needed an estimate. Mr. Cassidy admitted he never had the property appraised. Mrs. Allen said she could check with the Assessors to see what it's appraised value was. Mr. Johnson assured Mr. Cassidy the Board would act quickly on this and not delay him unnecessarily.
- 7:30 - Carlo Molinari came before the Board. It should be noted that Mrs. Allen had received a call from Town Counsel earlier in the day saying he and Mr. Molinari's attorney

and those involved would get together and go over all the figures and documentation once copies were made of all pertinent information. Mr. Molinari decided to speak to the Board anyway out of respect to everyone. He stated he had nothing to hide especially since he was a Medway resident and knew many people in town. He wanted to make it known that everything is on the table for each citizen in town to see, and hopefully the attorneys with Town Accountant Bob Brothers could come up with an amicable solution and bring it back to the Board. Mr. Molinari thought maybe there was a lack of communication - no one was at fault or to blame.

Mr. Johnson asked that the newspapers not report on this matter any further. Mr. Osborne took exception to the comment stating that any comments that were made at a previous Selectmen's meeting about the sidewalk situation was not held in executive session, and therefore, public information. Mr. Molinari felt whatever he did was in the best interest of the Town and its citizens. He said he did a few extra little things for people if they asked. Surprisingly, he found he had made an error in the Town's favor for an extra 3,000 ft.

Mr. Dziczek stated that the Town only has so much money - someone has to be responsible for this. Hopefully, a lesson will be learned so it doesn't happen again. The fire station land situation is a fiasco. Mr. Brown took exception to this comment stating it was a well thought out project. At this point, Mr. Brown thanked Mr. Molinari for coming to speak to the Board.

7:45 - Mrs. Allen asked that the Board sign the Project Request Form for the construction engineering and police details for Main/Summer/Village Street intersection to come out of Chapter 90 funds.

- Members of the Finance Committee were present as Vice-Chairman Tucker Reynolds gave the Board a letter from Chairman David Verdolino with reference to the article on the special town meeting dealing with the Winiker property. Mr. Verdolino recommended that Special Counsel be called for an objective second opinion and clarification of the issue. Mr. Reynolds agreed with Mr. Verdolino's letter, and felt that since this was an emergency, an emergency transfer would be approved to cover the services of special counsel for the second opinion.

Mr. Brown could not understand why a second opinion was needed. The figures on the table range from a high of \$400,000 to a low of \$150,000-\$175,000. He did not feel a second opinion would change those figures, only add to the numbers of opinions already expressed on the subject. Mr. Caccavaro stated that everyone is prejudiced on this because they are all Medway residents, which is exactly what Mr. Verdolino was saying. Mr. Reynolds agreed saying a second opinion would say to the Town they should take the offer or refuse it. Mr. Brown still felt they would be paying Special Counsel for information they already had. Mr. Reynolds

on November 30th or December 7th. Mr. Brown made a motion to open the special town meeting warrant this evening and to close it on November 9th; Mr. Dziczek seconded; all aye.

- Mrs. Allen mentioned the letter received from John Larney expressing an interest in being appointed to the Conservation Commission. Mr. Brown said he would not be interested in his appointment; Mr. Johnson agreed. Mr. Dziczek felt they could not just eliminate real estate people. Mr. Brown said he just would never appoint someone to that Commission who is involved in real estate. Mrs. Allen asked if she could send a letter to Mr. Larney notifying him of same - Mr. Johnson said no. Mr. Dziczek asked that his appointment be brought up again at a subsequent meeting.
- Mrs. Allen mentioned the retirement party for Fred Lee. She was asking on behalf of those planning the party if they could present Mr. Lee with the adding machine that he used all the years he was with the Town. The Board agreed.
- The Board asked that Mrs. Allen make up a proclamation for Fred Lee, and frame it as well.
- The Board discussed the letter from Commonwealth Engineers recommending that the bid for Main/Summer/Village be awarded to N. Cibotti of Braintree. It was noted that N. Cibotti's estimate was 5% lower than the engineer's estimate. Mrs. Allen reminded the Board that he had to be approved by the State. Mr. Brown made a motion to award and accept the low bid of N. Cibotti of \$169,238.25 for the reconstruction of the Main/Summer/Village Street intersection pending State approval; Mr. Dziczek seconded; all aye.
- Mr. Brown asked Diarmuid Higgins, Highway Superintendent about:

line painting - Mr. Higgins said he talked to the Governor's Council, and there may be possible financing available for a line striping machine for about \$4,380. He will work further on this, but it looked good at this time.

chapter 90 funds for Causeway and Fisher Streets - Mr. Higgins knew nothing yet.

chapter 90 funds for Village Street to Country Lane - Mr. Higgins had nothing yet - he would be talking soon to Mike Delaney.

crack filling - Mr. Higgins said chapter 90 funds can only be used when resurfacing the road.

chapter 90 funds for extra work at Village/Main/Summer - Mr. Higgins said it is being checked out.

Mr. Johnson asked about sidewalks - Mrs. Allen said there is no money.

Mr. Johnson asked about Thunder Hill - Mrs. Allen said the

bus stop signs are up, and they graded between the driveway and Lee Lane, and put bark mulch down.

Mr. Brown asked about a fence at the end of Howe Street - Mr. Higgins mentioned how someone put some telephone poles there where the fence was to go. Mr. Higgins will look into this.

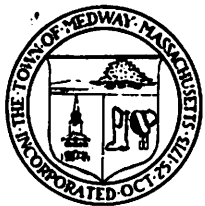
9:00 - Mr. Brown made a motion to adjourn the meeting; Mr. Dziczek seconded; all aye.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

AUGUST 20, 1992

- 7:00 p.m. - Open meeting.
- 7:05 - Building Inspector -
Robert Speroni
- 7:20 - Conservation Commission - interviews for three
vacancies
Paul Yorkis - re-appointment
David Faist - appointment
Samuel Mushnick - appointment
- 7:35 - Zoning Board of Appeals - interviews for one
vacancy
Paul Graney
Dionne Levasseur
Allan Osborne
David D'Amico
Bruce Hamblin
- 7:50 - Disability Commission -
Dionne Levasseur

Present: Walter Johnson, Richard Brown, Joseph Dziczek and Administrative Assistant Ruth Allen.

7:00 p.m. Mr. Brown made a motion to appoint Scott Guyette Sealer of Weights and Measures; Mr. Johnson seconded; all aye.

-Mr. Brown made a motion to appoint Tucker Reynolds to the Job Classification Review Board as the FinCom rep; Mr. Dziczek seconded; all aye.

-Mr. Brown made a motion to appoint Loring Maxwell, Charlotte Lee, Bruce Hamblin, Gretchen Heely, Kathleen Hickey, Shirley Nutting to the Torrent Fire Station Study Committee; Mr. Dziczek seconded; all aye.

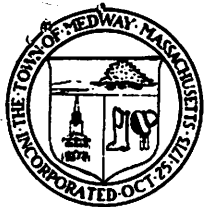
7:05 - Robert Speroni, Building Inspector came before the Board to discuss his reappointment. He was questioned on some recent violations. Mr. Johnson then produced a list of 13 streets he had gone to and found 15 pools without fences. Mr. Speroni mentioned he had already addressed two of them. Mr. Johnson said there was a town by-law that said anything over 2' high and over 1,000 gallons of water needed a fence. He then mentioned Medway Gardens that put a structure on a slab; did they go for a variance? Mr. Speroni said he would take a look at it. Mr. Johnson suggested that Mr. Speroni ride around town once in a while looking for violations. Mr. Dziczek stated that if the Police Department also sees pools without fences when they are riding around town, they should let Mr. Speroni know.

Mr. Dziczek questioned Mr. Speroni about a letter from Attorney Maciolek on a definition of structures and buildings. Both he and Mr. Johnson said that the Planning Board should address this in making revisions to the Zoning By-law. Mr. Speroni mentioned Planning Board member Dave D'Amico's interest in pursuing this.

Mr. Johnson asked about the CVS sign on Main Street. Mr. Speroni said it was just a replacement sign. Mr. Dziczek asked about his work hours. Mr. Speroni said he was in the office on Wednesdays from 4 to at least 6 for his office hours, and usually came in on Mondays and Fridays for various hours.

Mr. Brown asked about the inflatable balloon that was prohibited by the Zoning By-laws for the annual car show, and therefore had to go before the Selectmen. Mr. Brown and Mr. Johnson thought there should be some flexibility and common sense used; however, Mr. Dziczek said if it is against Zoning By-laws, the same procedure has to be followed for everyone.

7:35 - Mrs. Allen mentioned that David Faist would not be able to come for his scheduled appointment because of surgery he had recently. Paul Yorkis and Sam Mushnick were present, however, to discuss appointments to the Conservation Commission. Mr. Dziczek asked if there were any reasons why either one should not be on the Commission? Mr. Brown told



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

OCTOBER 19, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 9/28/92 and 10/5/92 meetings.
- 7:05 - Open bids for Main/Summer/Village Streets intersection.
- 7:30 - Tommy Deese.
re: solicitor's permit for furniture sales at Bob Elliott's Garage, corner of Milford and Summer Streets.
- 7:45 - Public Hearings.
 - New England Telephone Co. - Milford Street
 - Boston Edison - West Street
- 8:00 - Advance Sign.
re: appeal on sign permit for MetroWest Health Center.
- 8:10 - Terry Gross.
re: appeal on sign permit for 173 Main Street.
- - old business.
- - new business.
- - Executive Session.

Present: Richard Brown, Walter Johnson and Administrative Assistant Ruth Allen. Joseph Dziczek was absent.

7:00 p.m. Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to accept the minutes of September 28th; Mr. Johnson seconded; all aye. Mr. Brown made a motion to accept the minutes of October 5th; Mr. Johnson seconded; all aye. Mr. Brown made a motion to accept the executive session minutes of October 5th; Mr. Johnson seconded; all aye.

7:01 - Mr. Brown read the advertisement that appeared in the Milford Daily News for bidding on the reconstruction of Main/Summer/Village intersection. The bids were opened for the following companies (bid bonds were included with all):

Lorusso - Plainville - \$183,987.60
P. J. Albert - Fitchburg - \$199,643.34
N. Cibotti - Braintree - \$169,238.25
A. Amarillo - Worcester - \$198,312.05
LAL Construction - Fall River - \$199,976.25

Mr. Brown made a motion to turn the bids over to Commonwealth Engineers for their recommendation; Mr. Johnson seconded; all aye.

- Mr. Brown commented on the article that appeared in the Boston Globe with reference to some businesses stating that Medway was making it tough for them to open up here. Mr. Brown suggested a joint discussion/meeting with Gould, DFI, Medway businesses, along with the Assessors, Medway Business Council, and any appropriate boards to get some ideas going and talk about the atmosphere in town. If necessary, it could be a special meeting and not on a scheduled Selectmen's meeting night. Mr. Johnson agreed.
- The Board acknowledged Chief Vinton's letter concerning Tim Choate being accepted as a recruit at the Mass. Firefighting Academy.
- Mr. Johnson brought up the sidewalks done by Carlo Molinari. He stated that the Board was never notified of any extra change orders. He felt that the Town only owed him \$13,700 more as he did 8 extra driveways and 7 extra wheelchair ramps.

Tucker Reynolds, who was present, said that the figures we felt were owed to Mr. Molinari should reflect a difference for the 150' that was not yet done near 173 Main Street. He also suggested paying Mr. Molinari just for what the materials cost and no labor. Mr. Brown asked that Mr. Molinari be requested to come to the next Selectmen's meeting.

- Mr. Brown talked about the Community Church's requested use of the old Fire Station I. He suggested the Park Department remove the equipment from the old fire station and house it in the empty bay next to Fire Station II. Mrs. Allen

mentioned she had heard that the Church would not pay utilities, although they had agreed to do so. The Board felt a nine-month period initial use of the building would be satisfactory with the Board voting on sixty-day increments usage after that. They felt it was alright for the Church to use the downstairs back area (leaving the front area for the Lions to continue using), as well as the upstairs. Bob Power, who was present, commented that the Park Department also utilizes the Water Station and the Highway Garage for storage of their equipment.

- 7:30 - Tommy Deese did not show for his appointment with the Selectmen concerning a solicitor's permit.
- Mr. Brown noted the letter from Paul Cantiani Insurance stating the insurance premium had not been paid. This was not the first letter the Board had seen concerning non-payments and Mr. Brown asked that a letter be sent to the Treasurer's office asking what happened. Mr. Johnson asked that the letter be sent to both the Town Accountant and the Treasurer.
 - The letter from the Medway Lions concerning the selling of Christmas trees at the Medway Shopping Center was brought up. Mr. Brown made a motion to allow the selling of Christmas trees at the shopping center from November 28 to December 22 weekdays 4 p.m. to 9 p.m., Saturdays from 9 a.m. to 9 p.m., and Sundays from 12 Noon to 6 p.m.; Mr. Johnson seconded; all aye.
 - The Board acknowledged the list from Bob Power of the jobs the Highway Department had done recently. Diarmuid Higgins, who was present, asked that reminders be given to the press asking residents not to put leaves in catch basins or in the streets.
 - Mr. Brown asked about the Thunder Hill area and had the Highway Department been able to clear a walking area near Route 109. Mr. Power said some brush was cut and wood chips put down.
 - Mr. Johnson commented how the old fire station I had the roof edging taken care of. Mrs. Allen said Jonathan Power had taken care of the wire whisking and painting.
 - Mr. Brown asked about the gasoline and diesel bids. Mr. Higgins said the advertisement was placed and bids will be opened on November 9th. He was concerned about the \$3,000-\$4,000 recently spent on the new pumps, possibly for nothing.
- 7:45 - Ed Kelley of Boston Edison came before the Board for a public hearing for conduit on West Street. Mrs. Allen clarified that the Board had already given prior approval on this - this was just the public hearing. Mr. Brown made a motion to grant this petition; Mr. Johnson seconded; all aye.
- Pat Lovett of New England Telephone Company came before the Board for conduit on Milford Street. The Board was concerned

about the road since it had recently been paved. Mr. Lovett said he might have to do a temporary patch this time, but do the full job in the spring. Mr. Brown made the motion to grant the petition; Mr. Johnson seconded; all aye.

- Bill McConkey from Advanced Signing came before the Board to ask for a sign permit for MetroWest Health Center, formerly Health Stop on Main Street. He stated they wanted to place the sign on the side of the building and since it is against the zoning by-laws, the building inspector denied his permit application and had to tell him to come to the Board. Mr. Brown made a motion to approve his sign per drawing 5215S and that a permit be issued; Mr. Johnson seconded; all aye.
- Mr. Higgins informed the Board that they were having a Highway workshop on October 29th at 10 a.m. and the Board was invited. He stated that a company was bringing a tub grinder to relieve the town of its brush pile, and it should be done in about two hours.
- Mr. and Mrs. Gross, owners of 173 Main Street, came before the Board to request a sign permit for their antique shop. The sign they were requesting was to be illuminated and larger than is allowed in the zoning by-laws, therefore the Building Inspector denied their request and said they had to come before the Board. Mr. Brown made a motion to approve his sign per drawings submitted and that a permit be issued; Mr. Johnson seconded; all aye.
- Mrs. Allen asked the Board to sign the memorandum of agreement for the Chapter 90/Chapter 133 funds of \$63,491. She stated the funds have to be utilized in FY'92.
- The Board signed the November election warrant.
- The Board signed the Rebekah's proclamation.
- Mrs. Allen brought up the letter from Commonwealth Engineers for the construction engineering for Main/Summer/Village Street reconstruction project. The amount of \$21,600 would cover them through the rest of the project, similar to a clerk of the works. Mr. Brown made a motion to retain Commonwealth Engineers for the Main/Summer/Village Street intersection project with the approval of Mass Highway Dept. District 3 allowing the funds to come out of Chapter 90 monies; Mr. Johnson seconded; all aye.
- The Board signed the contract for Blue Cross/Blue Shield insurance coverage for FY'93.
- The letter from Supt. Bettencourt asking the Board's permission for donating some outdated books to victims of Hurricane Andrew was brought up. Since they are town property, the School Department wanted to get a release from the Board. Mr. Brown made a motion to allow the out-dated books be sent to Florida and Louisiana; Mr. Johnson seconded; all aye.

- Mrs. Allen asked the Board if they had any problem with the renewing of Ackerley Communications' license for outdoor advertising at Apollo - they approved renewal.
- The Board was reminded of the Norfolk County Selectmen's Association meeting on November 18th.
- The Board acknowledged that the Millis Consortium Workshop was being held on November 14th at Dean Jr. College at 8 a.m. They would let Mrs. Allen know if they were going to attend.
- The Board acknowledged receipt of the copy of the letter from Attorney Maciolek to Trustees for Lakeshore Estates concerning the Town's request to remove the structure from Lot A on Ryan Road.
- The Board acknowledged receipt of CableVision's quarterly complaint report.
- Chief Lambirth, who was present, had some concerns. He asked that some attention be placed to the crosswalks on Route 109. He suggested that highlighting be placed between the white crosswalks, possibly yellow. Mr. Johnson said the Board agreed with the necessity for more shading in of the area.

The Chief mentioned that the pedestrian button near the control box at the southwest corner of Main and Holliston Streets has never been replaced. Mr. Higgins mentioned that was something involving Tri-State Signal. Mr. Brown made the suggestion that green left-turning arrows be installed on Main Street so that traffic turning could be allowed to proceed prior to the main stream of traffic. Mr. Higgins stated the Town would need a state permit to do that.

The Chief mentioned that with the new sidewalks in place, "no parking" signs have been taken down and not replaced. He was especially concerned with the Village Street area near the Elm Club on Sanford Street. Mr. Higgins said that was in the process of being taken care of.

- Bob Power asked about the line painting and striping that needs to be done around Main/Holliston and Main/Highland Streets. He said it was too difficult to do during the day with the traffic and recommended it be contracted out so it can be done at night. Mrs. Allen will check into this.

Mr. Power also asked the Board for help in getting some new sanders for the Town. He stated that from six sanders, the Town was now down to three, and could not operate this way this winter, especially with all the new streets that have been built in Town. He estimated the cost of a new sander would be around \$8,000 - \$9,000, and the Town desperately needed at least one, and better two. He stated there were no more repairs that could be done to the rusted body, and to try and rebuild them might not even have them ready for winter. Even if approval was given, the Town would have to go out to bid, and there may not be enough time.

Mr. Higgins agreed and stated the Town was in jeopardy if the sanders could not get roads done quickly, even for police and emergency vehicles. He was concerned with safety for his men as well as vehicles on the road with the equipment they had. Mr. Brown stated that the Police Department was chastised for not going to the CIPC with their request for a cruiser so appropriations could be discussed. Unfortunately, the Highway Department has to go the same avenue for the sanders. Mr. Brown recommended the Highway Department invite the CIPC to view the equipment first-hand. Mr. Power commented that the CIPC thinks the sanders are "OK". Mr. Higgins adamantly stated that the Highway Department does not just ask for items randomly - they are asked for only when the need demands it. Mr. Power said the Town really needs to take a look at its priorities. Both Mr. Power and Mr. Higgins felt their 20+ years of experience on the job should be taken into consideration when their requests are made and trust their judgment, rather than listening to people who are appointed.

Mr. Brown told them they had the Board's support, but it was they (Mr. Higgins and Mr. Power) that had to convince the CIPC that their requests were genuine, as did the Safety Officer and the Fire Chief. He added that the CIPC were the ones that provided a recommendation at town meeting, and to aim for the next available special.

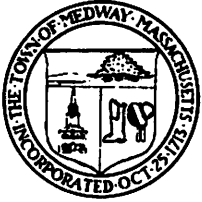
8:42 - The Board voted to go into executive session, and not to return to public session. The vote was: Mr. Johnson: yes; Mr. Brown: yes. Meeting adjourned.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

OCTOBER 5, 1992

- 7:00 p.m.- Open meeting, sign warrants, approve minutes of 9-28-92.
- 7:05 - David J. Cole - petition.
re: Lakeshore Estates.
- 7:08 - Elsie Robinson.
re: 100th Anniversary of Rebekahs - 10/31/92.
- 7:10 - Board of Assessors joint meeting to fill vacancy.
- John Mee, candidate.
- 7:15 - Peggy Tighe.
re: Treasurer/Collector position.
- 7:30 - Police Chief Lambirth.
re: Civil Service List regarding appointments.
- - old business.
- - new business.
- - monthly meeting to discuss items of concern of Selectmen.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed.

7:01 -David Cole of Lakeshore Drive came before the Board to discuss Bernie Lewis' property called Lakeshore Estates. Mr. Cole mentioned how Mr. Lewis has left a foundation on one parcel of land and never completed the structure, leaving a breeding ground for mosquitos and unsightliness. He presented the Board with a petition signed by 19 out of 22 homeowners (at least 1 homeowner from each house) of Lakeshore Drive, Ryan Road, Cynthia Circle, Lewis Drive asking that the Board continue in its efforts and litigation of the Lakeshore Estates property.

Mr. Johnson mentioned that possibly the Planning Board should be involved; and if a safety hazard, it should be brought to the attention of the Building Inspector or the Safety Officer. Mr. Johnson also suggested that, since Town Counsel is involved in this litigation, he be asked if a temporary fence could be placed around the foundation for safety and to also ask him how long did he feel the litigation would take.

Mr. Dziczek said that since it is private property, Mr. Speroni or Officer Bates should get involved. Mr. Johnson agreed. Raphaela Rozanski, who was in attendance, mentioned that the Army Corps of Engineers is involved, and Mrs. Cole stated that work was being done around the Millis area of the property. She also informed the Board that the Police have already been contacted about the hazardous structure. Mr. Johnson also asked about bond money being posted with the Planning Board, and Mr. Dziczek suggested coordinating with the Millis Planning Board.

7:15 -Elsie Robinson came before the Board with regard to the 100th anniversary of the Rosalie Rebekahs Lodge on October 31st. She outlined the many accomplishments of the Lodge and the support they give to others through their fraternal organization. She asked for a proclamation from the Board.

Mr. Brown made a motion that a proclamation be drawn up on behalf of the accomplishments of the 100 year-old Rosalie Rebekahs Lodge; Mr. Dziczek seconded; all aye.

7:20 -Board of Assessors members Harry Johnson and June Murray came before the Board with candidate John Mee to fill the vacancy on the Board created by the resignation of Al Borek.

Mr. Brown made a motion to adjourn the Selectmen's meeting; Mr. Dziczek seconded; all aye.

Mr. Brown made a motion to nominate Walter Johnson as chairman of the Joint Meeting between the Selectmen and the Assessors; Mr. Dziczek seconded; all aye.

Harry Johnson recommended that the joint boards appoint John

Mee to the position of Assessor until the May 1993 elections. He felt he would be an asset as he had a background in building, and would be taking the required courses in appraising and assessing put on by the Mass. Group of Assessors by the DOR.

Harry Johnson made the motion to appoint John Mee to the Board of Assessors for the unexpired term of Al Borek until the May 1993 elections; Mr. Brown seconded; all aye. The appointment slip was signed by both Boards. The joint meeting was adjourned, and the Selectmen's meeting reconvened.

7:30

-Peggy Tighe came before the Board to be interviewed for the position of Treasurer/Collector to fill the vacancy of Fred Lee who was retiring effective November 1st. She mentioned she had been in the position of Assistant Treasurer/Collector for 7-1/2 years, and with the Town for 15 years.

Mr. Brown asked her several questions. 1-with regard to the letter from the Dept. of Employment and Training stating our account was past due. Mrs. Tighe said they had never received the bills. 2-with regard to the last audit that bank statements had not been reconciled since December 1990. Mrs. Tighe mentioned that the Town had switched Town Accountants and documents had been signed by them; that the Interim Town Accountant had brought everything up-to-date. She recommended the reconciliation be done on a monthly basis; that they were in place but not tied to the general ledger; and they have to be signed by both the Treasurer and the Town Accountant. 3-with regard to what changes she would make. Mrs. Tighe said she would do a monthly reconciliation and verify it with the Town Accountant. 4-with regard to checks from customers not being cleared quickly. Mrs. Tighe said deposits are made daily. 5-with regard to monies out of employee's checks taking a long time to get to the banks. Mrs. Tighe said that there were three annuity companies involved, and has since been straightened out.

Mr. Dziczek asked her several questions. 1-who selected the annuity companies. Mrs. Tighe said the schools are solicited between September and December. 2-what are her qualifications. Mrs. Tighe said she worked closely with Fred Lee, and if she had any questions, she would call the DOR. 3-what about correcting some of the problems within the department. Mrs. Tighe said she would just shift the responsibilities of the employees in the department. 4-are there two Tighes working in the department. Mrs. Tighe said the other was her son, Edward. She said this was handled entirely by Fred Lee and he was hired by him as Financial Office Assistant. She said she would have to get a ruling from the Ethics Commission, that this was done by the classification board. They had advertised for a full-time and a part-time position, and not all that responded were qualified like Ed.

Mr. Johnson asked her a question. 1-why was it important that the appointment be made now. Mrs. Tighe said that the Registry has to be notified and the banks where the accounts

are. It should all be in place for November 1st.

Mr. Dziczek clarified that Mr. Lee would still be signing all documents until November 1st. He also asked if the books would be balanced. Mrs. Tighe said it was as important to her as it was to Fred Lee. Mr. Dziczek asked about the postings to the general ledger that were done now that the book is missing. Mrs. Tighe said the book is not in the Treasurer's office, that the auditors had taken the book; that the vault was searched, as well as their desks and all of the Treasurer's office.

Mr. Johnson asked for a motion to appoint after November 1st.

Mr. Brown asked if she was appointed, what about an Assistant. Mrs. Tighe said she would probably wait until the May elections, but would fill a position in the office.

Mr. Dziczek asked Mrs. Allen what would happen if the Town Administrator form of government is approved in May. Mrs. Allen stated that whoever is elected would serve the remaining two years of the term.

Mr. Dziczek asked if there was a need to make the appointment at this time, or just leave the vacancy open so others could apply - he was just putting it on the table. Mr. Johnson felt Mrs. Tighe was doing an exceptional job and had been keeping herself updated. Mr. Brown made a motion that Peggy Tighe be appointed Treasurer/Collector effective November 1st to fill the unexpired term of Fred Lee until the May elections 1993; Mr. Dziczek seconded; all aye.

7:50

-Chief David Lambirth came before the Board to discuss the civil service list for appointments. He stated he had been trying to get a list of permanent intermittents to fill the two vacancies approved at Town Meeting. The Chief said he had two candidates that he would like to present to the Board - one he recommended appointment of effective immediately; and the other to be scheduled for the academy around February 1993. He stated that they had started taking their physicals, and one out of three had passed all tests, and also holds a bachelor degree in criminal justice. The Chief said he interacts well with others, and has done investigation work with the task force. The second candidate should have a little delay as he needs a little more time and could be scheduled for February. If this does not work out, the Chief would go to the third candidate.

Mr. Brown made a motion to appoint Jeffrey Watson as a full-time patrolman effective immediately; Mr. Dziczek seconded; all aye.

Mr. Brown made a motion to appoint Richard Simard as a full-time patrolman conditional on readiness at the next recruit training academy in February 1993 effective immediately after that; Mr. Dziczek seconded; all aye.

8:10

-Mr. Johnson made a motion to go into executive session to

discuss the performance of the Town Accountant. He said he did not want this to be like it was for the Building Inspector in public. Mr. Brown told Mr. Johnson that they have to give Mr. Brothers the option of having the meeting in open or executive session. Mr. Johnson said he had spoken to Mr. Brothers that morning, and that he also wanted the Chairman and Vice-Chairman of the FinCom at the meeting. Mr. Johnson said he had some questions to ask Mr. Brothers. Mr. Brown asked if he just couldn't bring those questions to the Town Accountant. Mr. Johnson said no. On that, Mr. Dziczek seconded Mr. Johnson's motion to go into executive session and to come back to public session; all aye. Vote: Mr. Johnson -yes; Mr. Brown -yes; Mr. Dziczek - yes.

9:25

-The Board reconvened the meeting.

-Mr. Brown told Mr. Verdolino he would not be able to attend the FinCom meeting on October 14th as he would be out of town, but he did want to let him know that he still felt the educational incentive as included in the Water Department's budget was like a supplemental pay.

-The Board acknowledged the letter from Mary Speroni, Constance Liscomb, and Debra Morrison with regard to property on Lilly Street and the revoking of the drain layer's license of Paul Trufant.

-The Board signed the proclamation for United Nations Day.

-Mrs. Allen stated that Helen Luccio, Director of the Housing Authority, had asked if one of the town's backhoes could dig three test pits for the Rabaioli property where the structure is being built. Mr. Johnson felt it was good public relations to agree to do it. Mr. Dziczek made a motion that the holes be dug; Mr. Brown seconded; all aye.

-Mrs. Allen presented the Board with a request for an auctioneer's license for Arthur Long at the American Legion for October 17 and 18 from 4 p.m. to midnight. Mr. Brown made a motion that the license be granted; Mr. Dziczek seconded; all aye.

-The Board acknowledged a letter from Bay State Ambulance who wanted a copy of Quality Ambulance's bid for the new ambulance. Mrs. Allen said that he filed his reasons for disputing the bid with the Town Clerk and the Attorney General.

-The purchase order for the new ambulance was signed by the Board.

-Mrs. Allen mentioned there were two vacancies on the Computer Committee. She said Michael Borkum has requested to be on the committee again now that he had finished school. Mr. Brown made a motion that Michael Borkum be appointed to the Computer Committee; Mr. Dziczek seconded; all aye.

-Mrs. Allen mentioned that they had received the specs that

Walpole used for diesel and gasoline to go out to bid. These will be used for Medway to go out to bid for same.

-The Board acknowledged receipt of letters from Wheelabrator, copies of which were sent to the Board of Health, with regard to leaf disposal and a recycling plan.

-Mrs. Allen mentioned that she had no privacy when she needed to speak to an individual as Personnel Director. She was recommending the installation of portable partitions within the Selectmen's Office area.

-Mr. Brown asked about the Cottage Street work to be done, and was informed that it was all being coordinated with Bob Power and Michael Ferrault.

-Mr. Brown asked about getting some crack sealing done, i.e. Puddingstone Lane. Mrs. Allen mentioned that Mr. Higgins was planning on getting quotes on this.

-Mr. Johnson brought up the repairing of Village Street, and Mrs. Allen said she would check with Mike Delaney and see if Chapter 90 monies could be used for it.

-Mr. Dziczek mentioned how Bellingham got a grant for the repair of sidewalks; would Medway qualify.

-Mrs. Allen reminded the Board about police negotiations, and that the contract should be looked over.

Mr. Brown asked that Mrs. Allen get a list of police officers, a copy of their W-2 forms, their base salaries, and detail figures for the last couple of years from the Treasurer or the Town Accountant.

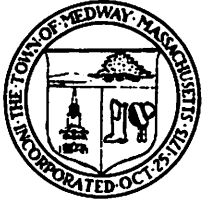
10:10 -Mr. Brown made a motion to adjourn the meeting; Mr. Dziczek seconded; all aye.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

5:00 p.m. - Boston Edison tour of facilities off Summer St.

AGENDA

SEPTEMBER 28, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of September 21, 1992.
- 7:05 - Raphaela Rozanski -
re: Conservation Commission matter.
- 7:10 - Jan Morris -
re: Conservation Commission matter.
- 7:15 - Building Inspector, Robert Speroni -
- 7:30 - E.M.S. Coordinator, Donald Grimes -
re: ambulance bids.
- 7:45 - Steven Grossman, CableVision -
re: solicitor's permit.
- 8:00 - Capital Improvement Program Committee -
re: underground fuel tanks.
- - Old business.
- - New business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to accept the minutes of September 21st; Mr. Dziczek seconded with a correction as to the nomination of Paul Wilson to the Conservation Commission - it was "all aye" on the motion; correction so noted; all aye.

7:04 -Raphaela Rozanski, chairman of the Conservation Commission, came before the Board with a prepared statement she read for the record, copy attached. She explained the problem she had with Paul Yorkis not being re-appointed to the ConCom, and tendered her resignation to the Board effective immediately upon its acceptance.

Mr. Johnson mentioned how they had not had a full board for several weeks because of different vacations, and had to postpone discussion on the subject. He explained their vote to not re-appoint Mr. Yorkis was not a political move.

Mr. Dziczek asked if her appointment was still good until someone was reappointed in her place? She said no, her resignation was effective upon their acceptance, and asked for a motion. Mr. Dziczek made a motion not to accept her resignation. Mr. Brown stated that the Board of Selectmen does not accept or reject resignations - that if she wanted to resign, she should go to the Town Clerk. Mrs. Rozanski again asked for a motion. Mr. Dziczek again restated his motion; no second was received.

Dennis Hayes, who was present, felt that complaints should not be made in public session. He referred to the accusation made in public session of a folder one inch thick on Mr. Yorkis. He stated that since the accusation was made in public session, that it should be public record or at least available to the complaintant. Jim Gallagher reminded the Board that it is the Board's pleasure if someone is appointed to serve or not.

Mrs. Rozanski mentioned how often she wrote letters and made phone calls with no response. Mr. Johnson stated that Mr. Yorkis' re-appointment was a grey area, but he did respect him and the knowledge he brought to the position. Mrs. Rozanski again asked for a motion on her resignation. Mr. Johnson made a motion to accept her resignation with regret; there was no second to that motion either.

7:20 -Jan Morris, past chairman of the Conservation Commission, came before the Board with a prepared statement he read for the record, copy attached. He also resigned from the ConCom, effective immediately upon the acceptance of Mrs. Rozanski's resignation. Mr. Dziczek made a motion not to accept his resignation; Mr. Johnson made a motion to accept his resignation; there was no second to either motion. The Board accepted both their letters for the record.

7:22 -As there was a little time, Mr. Johnson asked David Verdolino, who was present, if he had anything for the Board? Mr. Verdolino asked the Board if they had appointed anyone to fill the position of Treasurer/Collector for Fred Lee? Mr. Johnson said they would discuss it under new business.

7:23 -Robert Speroni, Building Inspector, came before the Board. His attorney, Joseph Antonellis of 288 Main Street, Milford, introduced himself. Mr. Johnson stated that Mr. Speroni was requested to come before the Board. Mr. Brown asked Mr. Speroni why was his attorney present? Mr. Speroni felt that because of the article in the newspaper and the minutes of the last meeting, he should be present. Mr. Brown made a motion to go into executive session. Mr. Speroni requested no executive session. He then asked why he was requested to come before the Board via Mrs. Allen's letter to him?

Mr. Johnson said that William McKenzie, who wanted to move into Mr. Rivkin's building on Village Street, had complained about Mr. Speroni's bad attitude and his lack of cooperation. Mr. Speroni explained his side of the story and how Mr. McKenzie had originally contacted him about a sign for the business he wanted to open. It was, at that time, that Mr. Speroni told him that his rental business could not operate in a Commercial III district from his interpretation of the Zoning By-laws. Mr. Speroni read the section in the By-laws that pertained to this subject.

Mr. Johnson said that Mr. McKenzie had contacted him, and he had told him to contact the other Board members as he was only one individual. Mr. Brown said the Board had looked at the Zoning By-laws and they felt it was OK for a rental store to go into a retail area.

Mr. Dziczek said that, at the last meeting, the Board had seemed to be on Mr. McKenzie's side and ready to issue that special permit to him without speaking to Mr. Speroni at all. Mr. Brown said their decision was based on facts, 20 year-old by-laws and the business he wanted to have. Mr. Dziczek stated that Mr. McKenzie just did not want to follow the process; he just wanted to move in. Mr. Johnson said the by-laws do not specifically refer to rentals.

Attorney Antonellis said that Mr. Speroni only has the Zoning By-laws to go by, and maybe they are flawed because there is no leasing mentioned, but that is all there is.

Mr. Johnson said he knew that Mr. Speroni had sent letters to residents with pools and no fences, but did he ride around town and look for violations? Mr. Speroni said that the Board had asked him to use common sense. That is what he said he did with the merchandise outside the stores. The Town gave him documents saying what is prohibited, and he had received a written complaint from Officer Bates on a violation in those documents. When given a written complaint, he had to take action, and he did. He personally talked to the owner of the store, and then had to likewise talk to other merchants in the area with the same situation.

Mr. Johnson asked why he didn't tell the Board he had received the written complaint? Mr. Speroni said that the Board had given him a job to do, and he didn't think he had to go to the Board all the time. Mr. Johnson asked about the merchandise in front of the Shell Station? Mr. Speroni asked if the primary function was service or retail - he interpreted it as service.

Back to the subject, Mr. Speroni said he did not know why Mr. McKenzie was even coming before the Board - this was a zoning issue with the Board of Appeals. He stated that if the Board of Selectmen did not want him, they have the latitude to remove him; but he did want the Board's support and professional courtesy. Mr. Dziczek did not understand either. He said he had been on the ZBA for 6 years and never heard that if someone was denied, that they go before the Selectmen. It was clarified that if there were changes to be made in a commercial district, that a site plan would have to go before the Selectmen. Mr. Speroni again went back to the "primary function", and that he can't stray for one individual, and change opinions for others.

Mr. Johnson brought up that Mr. McKenzie was told to file complaints against other stores in town by Mr. Speroni. Mr. Speroni reiterated that whatever was allowed prior to his becoming Building Inspector he had no jurisdiction over, but if something was allowed that he felt should not have been, then he had every right to file a complaint.

Mr. Johnson asked Mr. Speroni what he was going to do with the letter he received from the Board recommending that he issue a certificate of occupancy to Mr. McKenzie and Videoman? Mr. Speroni said he was not sure yet what he was going to do, but would try and make a decision that evening.

Mr. Brown mentioned that he was disappointed that Mr. Speroni was not at the joint meeting the other evening between the Selectmen, Zoning Board and Planning Board with regard to the Zoning By-laws changes. Mr. Speroni said he had all intentions of going, but then called Mr. Dziczek and said he would not attend because of personal reasons.

More conversation ensued with regard to the "selling of time"; Cassidy's sign; the shrubs in the form of a sign on Holliston Street; and the balloon advertisement. Mr. Brown agreed that someone has to make a judgment call. Mr. Johnson asked what if the by-laws don't get changed? Mr. Dziczek said again there is a process that has to be followed - the Board did not have the power to issue special permits and variances. Mr. Johnson asked about "grandfathered clauses"? Mr. Brown felt the appeals process was supposed to be only for a few things. The by-laws can be interpreted more widely if need be; they should be more liberal. Mr. Dziczek said the Town could get sued.

Mr. Speroni said he just tried to do the best job he could, and time will tell if he made wrong judgment calls. However, he still feels a lack of support from the Board. He also

wanted an apology from Mr. Brown for being referred to as an idiot - Mr. Brown did apologize. He also suggested a discussion between the Zoning Board, Board of Selectmen, Building Inspector and getting some interpretations for future matters. Attorney Antonellis suggested that "spot zoning" may be a possibility.

8:10

-Donald Grimes, EMS Coordinator came before the Board to discuss the ambulance bids that were received. The Board reviewed EMS' recommendations (copy attached) and the opinion that they should go with Quality Emergency Vehicles. Mr. Dziczek asked who helped prepare the specs for the ambulance? Officer Grimes indicated it was Quality. He said that a group did get together and jointly picked Quality, and the figure is under what was approved at Town Meeting (that figure was \$17,146). They also gave the most for trade-in at \$14,000.

Mr. Brown made a motion to accept Quality Emergency Vehicle's bid of \$71,226 with a lease purchase of \$16,376 annually. Mr. Dziczek suggested waiting a week to make a decision.

Mr. Verdolino, at this time, suggested that State House Notes might be able to finance some of the cost, and possibly that should be checked out before the award is made. The Town Accountant could do an analysis and see if it is any better. Mrs. Allen reminded the Board that Town Meeting voted for a 5-year lease for the ambulance. Mr. Verdolino stated that if it makes sense to buy and finance through the State, and there might be potential savings, it was worth looking into.

Officer Grimes said their committee had spent a great deal of time and money on this project, talking to Town Counsel, writing up the specs, going out to bid; he just saw another roadblock. Mr. Verdolino said he was in favor of this originally, but if the Town Accountant, Bob Brothers, does an analysis and finds it more cost-effective, then we could go to a special town meeting, rescind the vote and get another vote. Officer Grimes stated that if they wanted to purchase the ambulance, then they have to go out to bid again because the vote was for lease only. Mr. Dziczek stated that if there was the possibility of some money being saved, then he would prefer to wait one week; therefore, he could not second Mr. Brown's motion. Mr. Brown said the Town Accountant could check State House Notes and see what the interest rate was, but again Officer Grimes said he just wanted a decision to be made as they had put enough time in on this project as it was. Again, Mr. Dziczek said if it meant saving money, it was worth it. Mr. Johnson seconded Mr. Brown's motion to go with Quality Emergency Vehicle's bid; all aye.

8:40

-Steven Grossman of CableVision came before the Board to request approval of a solicitor's permit to canvas the Town for remarketing of Cable. Allan Osborne, who was present, asked him about senior citizens' discounts. Mr. Grossman stated that presently the discount is only being offered to those seniors in subsidized housing; he was working on getting discounts for other seniors. CableVision's

expiration date was mentioned as being in 1998. Mr. Dziczek asked if complaints were received, could the permit be terminated? - Mr. Grossman said, of course.

Mr. Brown made a motion to grant permission for CableVision's solicitor's permit from 4 - 8 p.m. through September and October; Mr. Dziczek seconded; all aye.

Mrs. Allen suggested that Mr. Grossman come to another Selectmen's meeting to discuss CableVision at another time.

8:50

-Kelly Adler, chairman of the CIPC, came before the Board as a follow-up to the meetings in June and July where the request was made that funds be appropriated for the removal of the underground storage tanks at a future STM. Mrs. Adler mentioned that Walpole has been buying gas for five years from a gas station, that they were open from 7 a.m. to midnight, and no problems - the system worked great. She mentioned that Walpole goes out to bid every year, as should Medway.

Mr. Brown concluded that CIPC recommends the Town go out to bid for the delivery of gasoline and diesel fuel, but who comes up with the specs? Mrs. Adler felt this was not CIPC's responsibility, but suggested contacting Walpole to get a copy of their specs. Mr. Brown recommended that Mr. Higgins prepare bid specs for the Board to review and put the request through with the other articles for town meeting; Mr. Dziczek agreed. The Board will review the list of articles later.

-Mr. Johnson talked about Fred Lee's resignation. He said the Board should appoint Mrs. Tighe and make provisions so she can appoint an assistant. Mrs. Allen said that her appointment could not be effective until November 1st when the resignation becomes effective.

-Mrs. Allen brought up the procurement law which requires going out to bid for purchases from \$4,000-\$10,000. It is State law for three telephone quotes for purchases from \$1,000-\$4,000. Mrs. Allen mentioned how the State goes out to bid for purchases over \$10,000. It was suggested this could possibly be brought up for the annual town meeting.

-Mr. Johnson talked about the sidewalk construction that was done, and the extra \$47,000 Carlo Molinari was invoicing the Town for. He mentioned that he walked the route with Mr. Molinari for 3-4 hours, and measured the entire area with him. Mr. Johnson felt the specs were loosely worded, and that change orders should have been submitted. What upset him the most was that the Board did not have any idea of the extra cost until the bill was submitted. Mention was made of work should have started in the center of Town first before moving on to the other streets in Town.

Mr. Higgins said he had told Mr. Molinari that it looked like they were spending more money, but Mr. Molinari had said not to worry about it. Mr. Brown was concerned that Mr. Higgins did not stop Mr. Molinari from doing the work when he

realized extra work was possibly being done, and in a sense, Mr. Higgins had given him a verbal go-ahead.

Tucker Reynolds, who was present, asked under what authority would Mr. Molinari get paid? Mr. Dziczek stated that if Mr. Higgins did not have the authority to tell him to bill the Town for a service, then the Town does not owe him any money. Mr. Brown said that after the bid was awarded, it was known that more wheelchair ramps would be needed. Mr. Higgins thought that most of the work to be done was known ahead of time. Mr. Brown felt that some errors on both sides may have occurred. Mr. Reynolds, however, said that if the agency (was he authorized?) had a contract (what did it say?) and did the work in good faith, then he should be paid. Mr. Dziczek asked if Town Counsel had seen the specs before they were given out - Mrs. Allen said no. Dennis Hayes, who was present, said there should be a standard wording for all specs.

Mr. Johnson said, in speaking with Town Counsel, that he felt the Town was responsible for the extra ramps and driveways, but not the extra lineal feet and granite. He wondered if it was a cost-plus job. Mrs. Allen suggested that Mr. Johnson, she and Mr. Higgins get together and discuss it further.

-The Board asked that Peggy Tighe come before the Board to be interviewed for the position of Treasurer/Collector.

-The Board acknowledged receipt of a note from Ella Ryan indicating she was against door-to-door solicitation in the Town.

-The Board reviewed the recommendation of the Computer Committee on the computer equipment for the mapping program. Mr. Brown made a motion to award the bid for the computer equipment to Arlington Data for \$8,639, and \$1,000 for a change in the monitor to a 17" or 19"; Mr. Dziczek seconded; all aye.

-The Board signed an updated Class I license for Medway Auto Sales.

-Mr. Brown made a motion to approve a common victualler license for the Corner Pizza on High Street; Mr. Dziczek seconded; all aye.

-Mrs. Allen told the Board that she had found the Town had accepted the plan of retiree insurance back in 1964 - where they pay 1/2 of the premium cost of group health and life insurance once retired. No question needed to be put on the election ballot in this regard.

-The Board acknowledged a letter from Dionne Levasseur, who is on the Disability Commission, concerning auditing the various buildings in Town for handicap and disability conformance. She said the Town has to have a plan. The Board agreed the audit should be done.

- The Board acknowledged a letter from the Farmers Home Administration concerning the variance in the cash balance with the trial balance. It is noted that Bob Brothers, the Town Accountant, was working on the reconciliation and should have a copy of this letter.
- The Board acknowledged a letter of license renewal for the Emergency Medical Services.
- Mrs. Allen mentioned the request for conduit on West Street. She stated that we would be having a hearing in about three weeks, and that it was just a formality. Mr. Dziczek made a motion to approve Boston Edison's request; Mr. Brown seconded; all aye.
- The Board acknowledged the letter from the DPW's Executive Office of Transportation and Construction stating that the Town now has \$36,893,950 more in their Chapter 90 monies. Mrs. Allen stated it has to be used by June of 1993. Mrs. Allen wondered if these monies could be used first for the Main/Summer/Village Street intersection - she will check on this further; maybe Commonwealth Engineers could try and get the monies for the project.
- Mrs. Allen brought up the permit that has been granted to the Fin, Feather and Fur Club for shooting on private property off of Adams Street. She said that the owners gave written permission to the club for this purpose, and that the Town has nothing to do with this.
- It was suggested that a sign be posted when entering Medway that there is no shooting allowed in the Town of Medway without an owner's permission.
- Mrs. Allen brought up ambulance bills from July 1st to August 30th, that there is a two-three month turnaround before the Town realizes any money. It was suggested the EMTs submit bills weekly. Mr. Brown said that the bills are turned over to the Treasurer; they put it in the ledgers, and then to Comstar. He suggested this just be done weekly - they all agreed.
- The Board signed the document proclaiming October 24, 1992 United Nations Day.
- Mrs. Allen said Jeff Nutting had called her and asked if it was possible to take a loader and put a gravel sidewalk from Lee Lane to Thunder Hill Road. It is known that there is much rock ledge, and it will have to be checked further to see what can be done.
- The Board acknowledged the United Chamber of Commerce's letter recommending a single tax rate instead of a dual tax rate.
- The Board acknowledged a letter from Bruce Nielsen concerning a request to purchase some town-owned land at 193 Village Street. Mrs. Allen will check this out further.

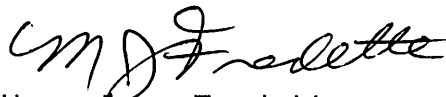
-The Board went over the articles for the upcoming STM warrant. The Board decided to put the articles on the warrant having to do with litigation, zoning board member increase, library custodial hours, salary transfers, underground tank removal; they decided not to put the articles on the warrant having to do with architectural drawings for town hall and a new police cruiser. The article having to do with town hall drawings was removed from the list primarily because David Verdolino and Kelly Adler, who were both present, told the Board that CIPC was to assist in the decision-making process of capital improvements, and they had not seen anything from the Municipal Building Utilization Committee on costs for the town hall. Mr. Verdolino asked if it made sense to fix up town hall, when possibly the school building committee had the idea of putting the town hall offices in the Burke School? CIPC should be consulted before going any further on town hall renovations. Mrs. Adler mentioned that a 5-year plan should have been submitted by the MBUC, and that coming Friday (10/2) was the deadline.

Mr. Brown made a motion to place the five foregoing articles on the Special Town Meeting warrant for October 26th; Mr. Dziczek seconded; all aye.

-Mrs. Allen, in checking with the DOR, discovered that they no longer do any "spot-auditing".

11:00 -Mr. Dziczek made a motion to adjourn the meeting; Mr. Brown seconded; all aye.

Respectfully submitted,



Mary Jean Fredette
Secretary

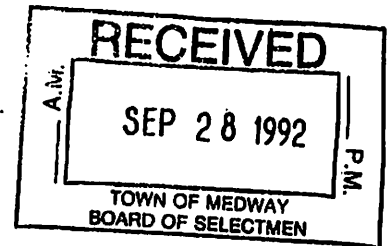
mj

Attachments



TOWN OF MEDWAY
CONSERVATION COMMISSION

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053



September 28, 1992

Board of Selectmen,
Medway, MA 02053

Dear Selectmen Johnson, Brown, and Dziczek,

My name is Raphaela Rozanski. I have been a homeowner and resident of Medway for 22 years. For the past three years, I have served the taxpayers of Medway on the Conservation Commission and at present, I am serving as Chairperson of that Commission.

By statute, a (Conservation) Commission is established for the promotion and development of.. natural resources and (for) the protection of watershed resources. In addition the Commission is the primary enforcement agent of the Wetlands Protection Act of 1972.

Recent actions by the Board of Selectmen have led me to believe that the majority of the Medway Board of Selectmen do not support the intent, or the work of the Commission.

In June, I advised the Selectmen, in writing, of the need to fill vacancies on the Commission and detailed the Commission's needs and made recommendations. When I received no response, I inquired and discovered that some negative feelings had been generated regarding an upcoming reappointment. I then appeared at the Selectmen's meeting on June 29 and provided written as well as verbal testimony regarding my recommendations. At that meeting Selectman Brown alluded to complaints regarding Mr. Yorkis. Chairman Johnson told me the matter would be given immediate and serious consideration.

Again, time passed and I received no response. The Selectmen assumed a Summer schedule, while the Commission entered its busiest time handicapped by two vacancies and with Mr. Yorkis expected to continue serving and giving his time without the recognition of reappointment. During this time, only two residents applied.

Finally, I was informed by one of the applicants, that letters had been sent to the two applicants and to Mr. Yorkis advising them that the Selectmen wished to discuss appointments to the Commission.

Rozanski, p.2

At that meeting, Mr. Brown claimed to have a file an inch thick regarding Mr. Yorkis, but Mr. Brown did not have the file available and was again unprepared to support his accusatory comments about Mr. Yorkis.

On September 18, three months after my first letter, two inexperienced members were appointed and Mr. Yorkis was specifically omitted even though the Commission still had one vacancy and had recommended reappointment of Mr. Yorkis. Mr. Brown has still to support his accusatory comments. For the record, in my opinion, Mr. Brown's treatment of the appointment process, and specifically, of Mr. Yorkis is a disgrace. The inference is partisan politics and goals inconsistent with the Wetlands Protection Act.

It is apparent to me, that the Conservation Commission has become a political football, without regard for the Commission's real purposes, that is, to protect the environmental resources of our community.

Unfortunately, the ultimate losers in this game will be the future residents and taxpayers of Medway. The environment is the issue of the next decade. Legal issues abound and the laws are complicated. Development without considering the quality of the environment and all the parts of the ecosystem, is development without considering the quality of life in our community and is just plain foolhardy. The EPA has already listed three hazardous substance sites in Medway; Medway may have environmental time bombs as yet undiscovered, or worse, ignored. The residents of Medway deserve 100% vigilance on these issues, not political maneuvers.

It has been my pleasure to serve in the town and to care about my neighbors, but I know I can not be effective while I wonder what the next move in the political game is. I will not serve special interest and I can not stand in the crossfire any longer. The decision to serve was difficult. The decision to make this statement was difficult. But my decision to resign is, by far, the most difficult.

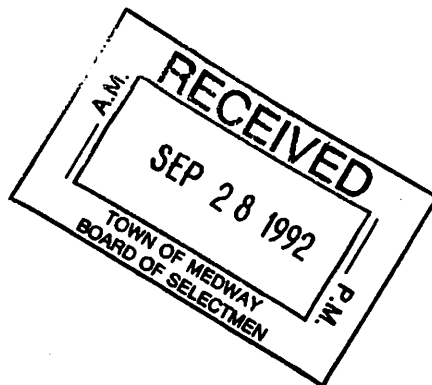
I submit this letter as my resignation, effective immediately upon acceptance by the majority of the Board of Selectmen.

Respectfully

Raphaela Rozanski
Raphaela Rozanski
Chairman, MCC

Cc: Board of Selectmen
DEP Worcester, J. Bellino
Medway Town Clerk
Attorney General Harshbarger

Jan V. Morris
18 Field Road
Medway, MA 02053



9/28/92

Medway Selectmen's Office
Village Street
Medway, MA 02053

Sirs;

I would like to take this opportunity to thank you for my appointment to the Medway Conservation Commission. I have enjoyed my time on the Commission.

However, it is with much regret, I feel that at this time it is impossible for me to do the type of job I feel I was appointed to do. I feel that some of the Medway Selectmen do not have the Medway Conservation Commission nor the Town of Medway's best interest in mind with some of their recent actions.

I feel strongly that the Environmental Laws of Massachusetts are for everyone. I will NOT show special treatment to those who yell the loudest or the most frequently.

In support of the Conservation Commission Chair-person, Mrs. Raphaela Rozanski, I tender my resignation effective immediately, upon acceptance of Mrs. Rozanski's resignation by the Medway Board of Selectmen.

Jan V. Morris

Jan V. Morris
Past Chairman

c.c. Mrs. Rozanski
Medway Town Clerk
D.E.P. / Worcester Office
File

mg.

MEDWAY POLICE AMBULANCE
EMERGENCY MEDICAL VEHICLES
315 VILLAGE ST.
MEDWAY, MA 02053

09-25-92

Board of Selectmen
Town of Medway
Medway, Ma 02053

Dear Mr. Walter Johnson
Chairmen

After carefully reviewing the six bids given to me, on 09-21-92 by the Board of Selectmen, I report the following to you for your recommendation.

The following is how the list of bids came in as far as low bidder,

1. Bay-State Ambulance Sales (National)
\$59,000.00 nothing stated on lease purchase
2. Bay-Sate Ambulance Sales (Marque)
\$63,350.00 nothing stated on lease purchase
3. Emergency Vehicles of New England
\$69,200.00 lease purchase \$15,967.68 annually
4. Quality Emergency Vehicles
\$71,226.00 lease purchase \$16,376.00 annually
5. Greenwood Fire E-one
\$71,479.00 lease purchase \$17,010.57 annually
6. Emergency Vehicles of New England
\$73,655.00 lease purchase \$17,069.64 annually

Bay-State Ambulance Sales (National), I reviewed the bid submitted by this company and have, found that the following was not acceptable according to the specifications set out by the Town of Medway for a Class I Type III 1992 ambulance.

- Bidder did not specify a lease purchase as requested.
- Bidder did not include a Tax Certification as required by Mass Law Chapter 62C Section 49A.
- I further found that there were several other bid requirements that were not meet as specified in the Town of Medway specifications.

Bay-State Ambulance Sales (Marque), I have reviewed the bid submitted by this company and found that the following was not acceptable according to the specifications set out by The

Town of Medway for a Class I Type III 1992 ambulance.

- Bidder did not specify a lease purchase as requested.
- Bidder did not include a tax certification as required by Mass Law, Chapter 62C Section 49-A.
- During a demonstration by the Bay-State Sales person, I observed that the modular of the vehicle has, very poor workmanship, as only one of the exterior doors, shut flush with the modular.
- Also with this vehicle I found that there were several other bid requirements that were not meet as specified in the Town of Medway Specifications.

Emergency Vehicles of New England (Medtec), I have reviewed the bid submitted by this company and found that the following was not acceptable according to the specifications set out by the Town of Medway for a Class I Type III 1992 ambulance.

- Bidder did not included a tax certification as required by Mass Law Chapter 62C Section 49-A.
- I further found that there were several other bid requirements that were not meet as specified in the Town of Medway specifications as listed below
 1. Cab extension was bid as constructed of a steel collar, not as all steel as specified.
 2. Modular Mounting was bid as "Mounting hardware shall consist of fourteen 5/8 inch SAE threaded grade eight bolts matched to keyhole slots." Specifications state clearly that module to chassis attachment process, will not consist of cutting of any module under-structure framing member, such as keyhole slotting.
 3. Cabinetry specify that cabinets shall be built as boxes and shall be built from aluminum. Bidder states that cabinetry compartments will have a "window face front fabricated from 3/4 inch lightweight cabinet grade luan.

Quality Emergency Vehicles Inc. (Horton), I have read this bid submitted by this company and found that this bidder states that, they will construct a new 1992 Horton Emergency Vehicle, Class I Type III Emergency Medical Vehicle, constructed and equipped as per our specifications, with the exception to the interior of the exterior compartments, as they shall be finished in polished aluminum diamond plate, rather than painted or carpeted. This will make it easy for cleaning purposes.

After carefully reading all other certifications, warranties, and specifications. I found that Quality Emergency Vehicles Inc. of Natick Ma., meet all specifications set by the Town of Medway for the purpose of purchasing a 1992 Class I Type III Emergency Medical Vehicle.

It is for these reason I have stated, that I recommend to the Board, on Monday September 28, 1992, that Quality Emergency Vehicles Inc. of Natick Ma. be awarded our bid.

Respectfully Submitted;

D. P. Grimes

Officer Donald P. Grimes
Coordinator of
Emergency Medical Services
Medway Police Department

such license revocation or suspension. Any license or certificate of authority suspended or revoked under this section shall not be reissued or renewed until the agency receives a certificate issued by the commissioner that the licensee is in good standing with respect to any and all returns due and taxes payable to the commissioner as of the date of issuance of said certificate, including all taxes and returns referenced in the initial notification. Any person aggrieved by the decision of the agency may appeal therefrom pursuant to the provisions of section fourteen of chapter thirty A.

62C:48. Liability of lessee for tax due from lessor.

Section 48. The lessee of real estate or tangible personal property of any corporation, company or association subject to taxation under chapter sixty-three shall also be liable for the payment of the tax due from the lessor under chapter sixty-three. Upon such payment, the lessee may, in the absence of an agreement to the contrary, retain it out of the rent of the property, or recover it in an action against the lessor.

62C:49. Information for collection of taxes; injunction.

Section 49. Taxes due from a company, association or corporation may be collected by an information brought in the supreme judicial court by the attorney general at the relation of the commissioner. The court may issue an injunction upon such information, restraining the further prosecution of the business of the company, association or corporation until such taxes, with interest and costs thereon, have been paid and until the returns required by this chapter have been filed.

*** 62C:49A. Certification of compliance with tax laws as prerequisite to obtaining license or governmental contract.**

Section 49A. (a) Any person applying to any department, board, commission, division, authority, district or other agency of the commonwealth or any subdivision of the commonwealth, including a city, town or district, for a right or license to conduct a profession, trade or business, or for the renewal of such right or license, shall certify upon such application, under penalties of perjury, that he has complied with all laws of the commonwealth relating to taxes. Such right or license shall not be issued or renewed unless such certification is made.

(b) No contract or other agreement for the purposes of providing goods, services or real estate space to any of the foregoing agencies shall be entered into, renewed or extended with any person unless such person certifies in writing, under penalties of perjury, that he had complied with all laws of the commonwealth relating to taxes.

(c) Any such agency, which has been notified by the commissioner pursuant to section forty-seven A that a person who holds a license or certificate of authority issued by such agency or who has agreed to furnish goods, services or real estate space to such agency has neglected or refused to file any returns or to pay any tax required under this chapter and that such person has not filed in good faith a pending application for abatement of such tax or a pending petition before the appellate tax board contesting such tax, shall refuse to reissue, renew or extend such license, certificate of authority, contract or agreement until the agency receives a certificate issued by the commissioner that the person is in good standing with respect to any and all returns due and taxes payable to the commissioner as of the date of issuance of said certificate, including all returns and taxes referenced in the initial notification.

62C:50. Liens upon property for nonpayment of taxes.

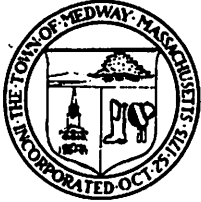
Section 50. (a) If any person liable to pay any tax neglects or refuses to pay the same after demand, the amount, including any interest, additional amount, addition to tax, assessable penalty or forfeiture, together with any costs that may accrue in addition thereto, shall be a lien in favor of the commonwealth upon all property and rights to property, whether real or personal, belonging to such person. The lien shall arise at the time the assessment is made or deemed to be made and shall continue until the liability for the amount assessed or deemed to be assessed is satisfied. Said lien shall in any event terminate not later than six years from the date it was created.

(b) The lien imposed by this section shall not be valid as against any mortgagee, pledgee, purchaser or judgment creditor until notice thereof has been filed by the commissioner:

(1) With respect to real property or fixtures, in the registry of deeds of the county where such property is situated, and

(2) With respect to personal property, in the office in which a security or financing statement or notice with respect to the property would be filed in order to perfect a mortgage or comparable nonpossessory security interest in tangible personal property belonging to the person named in the relevant notice. The filing of a notice of any such lien or of a waiver or release of any such lien shall be received and registered or recorded without payment of any fee.

(c) Even though notice of a lien provided in this section has been filed in the manner prescribed in subsection (b), the lien shall not be valid with respect to a security, as hereinafter defined, as against any mortgagee, pledgee or purchaser of such security, for an adequate



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

SEPTEMBER 21, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 9-14-92 meeting.
- 7:05 - Open ambulance bids.
- 7:15 - Station I - Fire Department.
- 7:30 - Ed Duggan -
re: Building utilization; United Way.
- 7:45 - Wes Chapman -
re: Old Fire Station I.
- 8:00 - Bill McKenzie - Video man

- old business.
- - new business.
- 9:00 - Executive Session
Richard MacIsaac
- 8:15 - David Verdolino
- 8:30 - 0199 - At Home Fair hours

Prior to the start of the meeting, Fred Lee came before the Board to tell them that he would be retiring from the position of Treasurer/Collector effective November 1, 1992, his 62nd birthday - a position he had held for 31 years. He recommended that the Assistant Treasurer/Collector, Peggy Tighe, be appointed for the interim period until the May elections. On behalf of the Board, Mr. Johnson wished him well and a happy retirement.

7:00 p.m. Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to approve the minutes of the September 14th meeting; Mr. Dziczek seconded; all aye.

7:05 - Mr. Brown read the ad that appeared in the Milford Daily News for the bidding on a new Type 3, Class I ambulance. Five bids were received as follows:

Greenwood Fire Apparatus - \$71,479.

Emergency Vehicle Services - \$85,655, less \$12,000 trade-in,
total of \$73,655.

Bay State Sales - \$68,000, less \$9,000 trade-in, total of
\$59,000.

Bay State Sales - \$72,350, less \$9,000 trade-in, total of
\$63,350.

Quality Emergency Vehicles - \$85,226, less \$14,000 trade-in,
total of \$71,226.

Mr. Brown made a motion to turn the bids over to the EMS Coordinator for his review and recommendation; Mr. Dziczek seconded; all aye.

7:15 - Mr. Brown nominated Paul Wilson to the Conservation Commission to fill the unexpired term of Richard DiGirolamo through June 30, 1994. Mr. Dziczek questioned if the motion made at the Selectmen's meeting last week was correct. He thought that the vacancy that had been left vacant first should be filled first, rather than Mr. Yorkis' term which he hold until someone is appointed. Mr. Brown said the motion that was made was correct. Mr. Dziczek asked Mr. Wilson a few questions. Mr. Johnson, at this point, seconded Mr. Brown's motion; Mr. Dziczek could not go along with the vote, nothing against Mr. Wilson; motion carried. (JD voted aye)

7:18 - Fred Tingley and other members of Fire Station I were present to make an official presentation to the Town of the first aerial ladder truck for Medway. Mr. Brown made a motion to accept their generous donation; Mr. Dziczek seconded; all aye.

7:22 - Mr. Johnson spoke with Diarmuid Higgins, who was present, and said he wanted to walk the new sidewalks that were done by Carlo Molinari with Carlo and Diarmuid some time during the week. Mr. Johnson also mentioned how the old Fire Station I had roof overhang areas that had iron rusting (it was not copper) and should be taken care of. Mrs. Allen suggested giving that project to Fred Sibley.

- Mr. Brown said he had received complimentary remarks about

the work done at Cynthia Circle and passed this info on to Mr. Higgins. Mr. Higgins will also check on the fill being used near Oakland Cemetery by Sam White.

- Mr. Dziczek relayed to Mr. Higgins the complimentary remarks by Trotter on the highway department's work done near the end of Trotter Drive. Mr. Dziczek also made mention of Trotter's appreciation for the cooperation extended by the Town to their firm.
- Mr. Johnson asked when Mr. Higgins was going to paint the diagonal lines between the crosswalks. Mr. Higgins said he was completing the paperwork to try and get a machine.

7:30 - Ed Duggan, chairman of the Municipal Building Utilization Committee, came before the Board to request that preliminary plans be drawn up for Town Hall renovations by an architect. He suggested that an article be placed on the next Town Meeting warrant to appropriate funds to cover the drawing up of the plans. These drawings would include an elevator, handicap access areas, get the cells removed, etc. With plans in hand, then we can go out to bid and come up with a more accurate figure for the renovation. A preliminary estimate of \$126,000 had been given, and approximately 5-10% of that cost would be what the plans would cost. He reiterated his concern that something has to be done, especially involving handicap problems. Mr. Duggan said the Town was to have a plan in place by July and the actual work done by 1995; there can not be more delay. He said he was looking to the Board for their support.

Mr. Brown suggested the article ask for the formation of a committee and monies for architectural drawings at the next special town meeting. Mrs. Allen mentioned that EOCD will give 50% matching funds for handicap access such as the elevator. Mr. Brown suggested planning for the end of October, beginning of November for a special. Mr. Duggan said he would like to have a meeting soon of the MBUC, with Mrs. Allen as well, to go over the details. He would try to set up an afternoon meeting. (Secretary's Note: Meeting has since been set up for September 29th at 2:30 at Town Hall.)

- On another matter, Mr. Duggan mentioned the difficulties he was still encountering with trying to have payroll deductions incorporated for United Way contributions. He stated that, as of right now, no one could make a contribution via their paycheck, and that is really the easiest way to do it. Last year only five people made cash contributions totalling \$250, and he felt that with payroll deductions, the amount would increase. Mr. Duggan had said, in speaking with Peggy Tighe, she did not know if slots for extra payroll deductions could be in place by January of 1993. Mr. Brown felt Arlington Data was aware of the situation; however, Mr. Duggan said he would not undertake the project again for only five people. Mr. Dziczek suggested he write to Arlington Data with his suggestions.

7:50 - William McKenzie, of 30 Ellis Street, came before the Board

representing Videoman in Millis. He stated that his wife owns the business in Millis, and since they were at the end of their lease and they lived in Medway, they had wanted to open their business in Medway on Village Street next to the Medway House of Pizza instead. He stated it is Commercial III retail space, but he was told by the Building Inspector it was not suitable for his business which he felt was service because of video rentals, not retail.

Mr. Brown asked that a letter be written to the Building Inspector telling him that the Board felt he was being too narrow in his interpretation of the zoning by-laws, and that the business was indeed retail. Mr. McKenzie stated that he was encouraged by the Building Inspector to file complaints with the Town Clerk's office on any businesses that don't have special permits where needed, and to agree to be a witness if called upon. He said he felt welcomed when he opened up the business in Millis, but not here in Medway. Mr. McKenzie said he did not like the Building Inspector's attitude, and said that he constantly told him he did not care. He said that the Building Inspector told him to get a note from the Zoning Board saying it was alright for the business to go into a Commercial III district; and if so, then he had no problem.

Mr. Johnson said it sounded like retail to him if the State stated they were taking taxes from him for retail sales. Mr. Dziczek said it was possible that the Building Inspector got an interpretation from Town Counsel on this, and reminded the Board that they were all in the process of trying to change the zoning by-laws.

Mr. Johnson said he had heard Ocean State Job Lot was leaving and he could not see why you can't put a row of items outside a store. He stated that when he was Building Inspector, he may have allowed such things to go on and he would stand by them. He didn't feel it had made the Town any worse for it. Mr. Dziczek said he wasn't sure of the definition of merchandise, possibly Town Counsel could assist. Also, if he challenged the Building Inspector, he should go to the Zoning Board. Mr. McKenzie said he understood that it would take a minimum of six weeks to three months for a zoning board hearing and appeal period - this is what businesses were facing from the Town of Medway.

Mr. Brown made the motion again to write a letter to the Building Inspector. He felt he was being an idiot and that he should be told to let this business in at the requested location, and to tell him he was interpreting the by-laws too narrowly; Mr. Johnson seconded.

Paul Mitchell, who was present, stated that not every type of situation can be mentioned in the by-laws. He also did not like the attitude of a Town employee if he spoke to Mr. McKenzie as he said he did. Mr. Dziczek again said that the Building Inspector should get an interpretation from Town Counsel.

Mr. Johnson again stated Mr. Brown's motion. Mr. McKenzie interrupted and said that the Building Inspector is the first contact to a new business and should welcome them to town. He felt the Building Inspector's behavior was totally inappropriate; responsibilities for commercial districts maybe should be split; maybe even terminate his appointment.

Again, Mr. Brown said a motion was on the floor and seconded; Mr. Dziczek said he was not opposed, but was abstaining. Mr. Brown also asked Mrs. Allen to have the Building Inspector placed on the Selectmen's agenda. Mr. Johnson commented that you can't always go to Town Counsel. Mr. McKenzie offered to help on a committee with re-doing the zoning by-laws.

8:20 - Wes Chapman, Pastor of the Community Church, came before the Board to inquire if it was possible to lease temporarily on a tenant-at-will basis the second floor of the old Fire Station I for his church's thrift store and food pantry. He said he had asked the Library for use of the old Cole Library and they indicated they did not want to be landlords, especially while Town Counsel is researching the title. Pastor Chapman said they would pay for the upkeep and maintenance of the building as well as any utilities in return for the use of the building until final disposition was made.

Mr. Dziczek expressed concern for combining church and state, as well as liability issues. Pastor Chapman stated he could check with his insurance company to see if they could get a rider on their present policy for this location. Mr. Brown suggested he meet with the Fire Chief, the Park Supt., the Lions Club and Mrs. Allen to work out a resolution. Mr. Dziczek also suggested he inform the Torrent Fire Station Study Committee so they are aware of what arrangement might be agreed upon; and to ask Town Counsel if he thought the lease arrangement was alright. The Pastor was reminded that the steps leading to the second floor were steep, and maybe he should just consider using the back of the first floor of the building.

8:30 - David Verdolino, Tucker Reynolds and Jeff Nutting came before the Board to ask that the subject of putting the Medway Special Act on the May ballot be discussed. Mr. Verdolino felt there could be more support generated if the question was put out in the open now. Mr. Nutting informed the Board that they are the only ones who can generate putting the question on the ballot.

Mr. Dziczek made a motion to put the acceptance of the Medway Special Act on the ballot for the May election, and to send a letter to the Town Clerk to this effect; Mr. Brown seconded; all aye.

- Mr. Verdolino also referenced prior correspondence the FinCom had sent on the pay scale that several employees had brought to his attention. He understood a difference in figures occurred when rounding out the fractions. He felt it was the principal of the thing; that if the base figure wasn't right, then all the figures would be wrong. Mr. Verdolino thought

the Treasurer was going to readjust the figures. Mr. Reynolds said if the figures were wrong now, they would be worse in five years.

Mr. Brown explained there was a difference in the rounding-off procedure to either two or three decimal places, but that there was 4% difference between steps. He also stated that the Board had agreed to stay with the original pay schedule as written and printed in the Personnel Policy Handbook that was distributed to all employees. Mr. Verdolino said he did not know that. (Secretary's Note: Department heads and Committee chairmen were also given a copy of the handbook.)

- Mr. Verdolino mentioned the next FinCom meeting on October 14th and asked if the Selectmen would come to discuss the audit for FY'91. The Board agreed to attend. Mr. Johnson and Mr. Brown also thought this would be a good time to discuss educational incentive and the connotation that it is a salary supplement.
- Paul Mitchell stopped by to question if Paul Wilson had been appointed to the Conservation Commission. When he learned that he had, Mr. Mitchell said he was pleased to hear that as he was in favor of his appointment. However, he did not see this on the agenda and chastised the Board for taking this out of order. Mrs. Allen noted that Mr. Mitchell felt it should have been taken care of under "new business".

- 8:45 - Olga from At Home Fashions in the Medway Plaza came before the Board to discuss a temporary sign (banner) for her store. She stated how empty the Plaza had become with no supermarket, and she and the other stores needed to draw customers into the area or the whole shopping center would become a ghost town. She mentioned how putting up her banner for only a few days increased sales 200% - 300%.

Mr. Brown made a motion to grant a special permit for a temporary sign (banner) for 30 days; Mr. Dziczek seconded; all aye. It was suggested that she send in a letter for renewal when the 30 days was up.

- 9:00 - Mr. Brown made a motion to go into executive session to discuss cases in litigation; Mr. Dziczek seconded; all aye. The vote was: Mr. Brown - aye; Mr. Dziczek - aye; Mr. Johnson - aye.

- 9:35 - The Board came out of executive session.

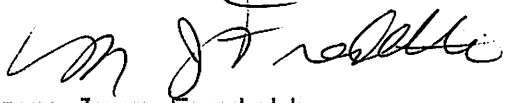
- Mr. Brown made a motion to have a Special Town Meeting on October 26th, November 2nd or November 9th, whichever first date was available at the High School Auditorium; Mr. Dziczek seconded; all aye.
- Mr. Brown made a motion to open the warrant this evening and close it at the next Selectmen's meeting on September 28th; Mr. Dziczek seconded; all aye.
- While Town Counsel, Richard Maciolek, was in attendance, Mr.

Dziczek asked him whether Videoman would be able to go into a Commercial III district. Mr. Maciolek said the Board of Selectmen has the authority to overrule the Building Inspector and say he is not interpreting something correctly; the Board appoints him.

- The Board acknowledged a letter from the Town Clerk complimenting the Custodian, Walter Mahoney, on his assistance with the tallying machines at the State Primary on September 15th.
- The Board acknowledged the Planning Board's letter to Town Counsel with regard to the revoking of covenant releases of lots in two subdivisions where there had been no bonds posted. It was noted that the letter was sent to Mr. Maciolek, not to the Board of Selectmen.
- The Board acknowledged the letter from Dugan & Knight, attorneys representing Paul Rivard and the Hidden Pines subdivision. The Board felt if Mr. Rivard satisfied the six requirements as stipulated by P.M.P. Associates, the Board would be satisfied; however the sewer plans have nothing to do with this Board. Mrs. Allen will so inform them.
- The Board acknowledged the letter from Town Accountant Bob Brothers with regard to going out for proposals for the annual auditor's report for a 3-year period of Fy'92, Fy'93, Fy'94. The Board agreed it should be done; however, Mr. Johnson wanted to make sure that the disagreement about the highway and selectmen's office salaries would be a part of the audit.
- The Board acknowledged the letter from Kathy Rehl with regard to the grant application sent in for the recycling truck. Mr. Johnson had signed the application; however, Mrs. Allen said that recycling is under the Board of Health, and it should have been signed by them. (Secretary's Note: The last time the Board of Selectmen signed a contract for recycling, Mr. Parchesky had stated to the Secretary he hoped the Board of Selectmen knew how they were going to pay for it since they were authorizing it.)
- The Board acknowledged receipt of a letter from Dustahouse giving the Board a quote on cleaning services for the Town Hall. The Board agreed that the present custodian, Walter Mahoney, should be given a work schedule of jobs that need to be accomplished.
- The Board was in receipt of a letter from Douglas Priest of the Millis Board of Selectmen asking the Medway Board to make a decision with regard to the Apollo building on Route 109 since it was in the Route 109 right of way. The Board asked Mrs. Allen to have Town Counsel look this over as they were also interested in proceeding.
- Mrs. Allen mentioned the annual meeting and trade show in January. All the Board members said they would attend.

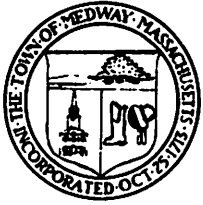
10:15- Mr. Brown made a motion to adjourn the meeting; Mr. Dziczek
seconded; all aye.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

AUGUST 24, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 7/27/92
- August 10 and executive session minutes of August 10, 1992.
- 7:05 - Public Hearing - Boston Edison
re: Milford Street - northwest of Green Street.
- 7:15 - Richard Cassidy - Holliston Street
re: preliminary site plan - mini golf.
- 7:30 - Henry Park - Medway Historical Society
re: request for balloon float/banner for auto festival.
- 7:45 - Mike Geary
re: soccer tournament.
- 8:00 - Margaret Hennessey
re: site plan - Colonial Plaza.
- 8:10 - Site plan - Woods store
- 8:15 - Executive Session.
- - old business.
- - new business.

Present: Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen. Joseph Dziczek was on vacation.

7:00 p.m. The warrants were signed. Minutes for acceptance will be held over until there is a full board.

- Mr. Brown and Bob Brothers, Town Accountant who was present, discussed the pay rate schedule that was approved by the Selectmen, and Mr. Brothers agreed that he is following what was approved by the Board.

7:05 - Ed Kelley of Boston Edison came before the Board for a petition for underground conduit on Milford Street northwest of Green Street for Rosenfeld Estates. Mr. Brown read the notice that appeared in the Milford Daily News. No residents were present to object. Mr. Brown made a motion to grant the petition; Mr. Johnson seconded; all aye.

7:10 - The Board talked about Richard Cassidy coming in later with his site plan for the mini golf on Holliston Street. Mrs. Allen mentioned that since nothing has been received yet at the Town Clerk's office of the legal standing of the suit, the Board could not officially approve the site plan, except to say "subject to".

- Mrs. Allen said she had spoken to New England Telephone about hanging banners on the telephone poles, and the representative had stated that the petitioners would need to have written permission to use the poles both from NET and Boston Edison. She mentioned again that the firemen are not getting involved with any hanging of banners.

- Sgt. Richard Malo stopped in to mention to the Board the Department's concern that the crosswalks had not been painted yet. It seems that the spraying machine was broken. It was also mentioned that maybe diagonal lines could be painted in the crosswalks for better viewing by motorists. Mrs. Allen mentioned that the crosswalks are part of the bid for line painting.

7:20 - Richard Cassidy came before the Board to talk about his golf course. He showed the Board the site plan and stated that he was allowing 20' extra near Holliston Street for shrubs. He has allowed 42 parking spaces, 2 handicapped. Lights would be installed lower than the tree line. He stated the plan was for the driving range, the mini golf would come later.

Mr. Brown made a motion to accept the site plan dated 8/20/92 as presented for a golf driving range, subject to receipt of actual letter of release of appeal at the Town Clerk's office; Mr. Johnson seconded; all aye.

7:40 - Henry Park of the Historical Society came before the Board to discuss an inflatable balloon they want to use for the annual car show to be held at the high school. Mr. Park stated that Mr. Speroni had refused to grant permission as it was against the Zoning By-laws, and to then appeal to the Selectmen. Mr. Park said it was a 20' helium blimp to float over the field

at up to 200' in the air that Bose Corp. is letting the Society use for the one day.

The Board mentioned to Mr. Park how permission has to be granted by both NET and Boston Edison for telephone pole banners, so he asked if he got their permission, would it then be okay with the Board - they said it would. Sgt. Malo suggested using the fence at Cassidy's property. Mr. Park asked if it would be okay to put the banner on poles and just have it higher than the other signs that are presently there? The Board felt it was okay as long as it was just above the fence.

Mr. Brown made a motion to grant permission for the Historical Society to have an inflatable balloon over the high school field for the annual car show on September 13th; Mr. Johnson seconded; all aye.

- 7:45 - Mike Geary came before the Board to discuss a soccer tournament that the Medway Youth Soccer Board is planning for Memorial Day weekend May 29-31, 1993. It would be held at the Burke and High School fields, and they would also be talking to the Park Commissioners as well as the School Committee. He asked for any suggestions the Board had to prevent any problems.

Mr. Johnson suggested getting the Safety Officer involved, and commended the Soccer Board for establishing this program. Both Mr. Johnson and Mr. Brown endorsed their efforts.

- 8:00 - Margaret Hennessey came before the Board to discuss a site plan at Gould's Plaza for the daycare center's play area. She mentioned that Officer Bates wants a crosswalk to be put in near the play area so the kids have a safety area to walk in, and that they would be using the play area from 10-11 a.m. and 2-3 p.m. each day.

Mr. Brown made a motion to accept the fenced-in area for the Little Footprints daycare center; Mr. Johnson seconded; all aye.

- 8:10 - John Kehayoglou came before the Board to discuss a site plan for a pizza shop at the old Wood's Store on the corner of High and Village Streets. He mentioned that they would be using the main area, and sometime possibly expanding to the other little area next door. Mr. Kehayoglou said the owner had already received the approval of the Board of Health; but Mrs. Allen mentioned that he still would have to get a food handler's license from the Board of Health. Mr. Johnson told him there were 7 parking spaces there for him to utilize, and Mr. Kehayoglou felt that would be enough. He was told that if Mr. Currihan, the owner of the property, wanted to clear the lot out back, he would have to stay 15' away from the neighbor's property.

- 8:15 - Diarmuid Higgins, Highway Supt., was asked about the crosswalks, and he said he was working on it. He was asked about the yellow area that used to be on the curb to denote

no parking. He said yellow lines would be painted next to the curbing to indicate this. Mr. Higgins was also asked if diagonal lines could be painted in between the crosswalks to highlight the area more; he felt this could be done. Mr. Higgins mentioned how their line striping machine was broken after 24 years, and that he would either have to rent another machine or have someone do the work. Mr. Brown mentioned painting directional arrows on the streets and some no parking yellow lines across from the Little Store. Mr. Higgins mentioned the joint project with Norfolk County on Cynthia Circle that was almost done and passed some pictures around.

It was noted that an estimated completion date for Summer/Main/Village Street intersection was for July of 1993. The Board wondered if it was possible to go out to bid now and ask the bidders to hold the price in place for when the project could be done. Mr. Higgins seemed to think it was better just to wait until spring, but the Board asked him to go out to bid now, and check with Commonwealth Engineering on specs and bid info.

- 8:25 - Mr. Brown made a motion to go into executive session to discuss strategy with respect to litigation; Mr. Johnson seconded; all aye.
- 9:20 - The Board reconvened the meeting.
- Mrs. Allen submitted the names of three people interested in serving on the Arts Lottery Council. Mr. Brown made a motion to appoint Judith Dutra Mitchell, Kim Pike and Michael Parrella to the Arts Lottery Council for the first of two year terms; Mr. Johnson seconded; all aye.
 - The Board signed the appointment slips for the Torrent Fire Station Study Committee. Mr. Brown asked that the Committee come to the next Selectmen's meeting so that their charge could be given, their responsibilities, their options, etc.
 - A request for a block party on September 12 from 12-6 was submitted by Caroline Guyette of 3 Charles River Road. Mr. Brown made a motion to approve the request; Mr. Johnson seconded; all aye.
 - Mrs. Allen brought up the joint Salt Bids that needed to have an official award of bids made. Mr. Brown made a motion to award the rock salt bid to Akzo Salt, Inc. of Clarks Summit, Pa. for \$27.74 per ton; Mr. Johnson seconded; all aye. Mr. Brown made a motion to award the solar salt bid to Eastern Minerals, Inc. of Lowell, Ma. for \$28.13 per ton; Mr. Johnson seconded; all aye.
 - Mrs. Allen brought up a letter received from the Town of Holliston's Paul LeBeau asking if the Town was interested in trying to resolve concerns on Hill Street, a street which goes through both towns. The Board asked Diarmuid Higgins be asked for his recommendation.

- Mrs. Allen brought up a letter received from SWAP asking the Town of Medway to join. She mentioned a letter she had sent to Planning Board chairman Allan Fraser last year asking him if there were any Planning Board members that would be willing to attend the SWAP meetings. She had received no response.
- The Board was in receipt of a letter from Dennis Hayes, Medway Soccer Director, giving the Board a copy of two different responses from their soccer board. Mr. Brown felt that Town Counsel did not have to recommend a response as they requested, but he should continue to receive all correspondence, as he has in the past.
- Karen Neufman of 11 Meadow Road registered a complaint with Mrs. Allen of noisy motorcycles near Sabina Doyle's in the Drybridge Crossing shopping center in the early morning hours.
- Mrs. Allen said that Mark Flaherty mentioned to her that Jeff Nutting had called him about a jetvac the city of Cambridge was disposing of, and if there might be any interest by the Town of Medway. The Board thought that CRPCD might be more interested in purchasing this than the Town, but they were amenable with working with the district and maybe renting it from them if we needed it.
- The Board acknowledged a letter from Raphaela Rozanski, Chairman of the Conservation Commission, endorsing Paul Yorkis as a member on the Commission.
- Mrs. Allen mentioned to the Board that the plates have been turned in for the truck that the park department was no longer able to use.
- Mrs. Allen mentioned to the Board that it might be costing the Town an extra \$47,000 for the sidewalks that were done. She has asked Diarmuid Higgins for a calculation of the work that was specified versus what had to be done.
- The Board acknowledged receipt of the letter from the ABCC on Sunday package store openings being allowed from Thanksgiving through New Years, if they choose, with a permit issued by the Selectmen after a public hearing.
- The Board acknowledged receipt of a letter from the EOCD on their next meeting in Hopkinton regarding Grant application.
- The Board was in receipt of a proposal from Michael Ciccioria's office for management advisory services in the reconstruction of the general ledger cash account for FY'91. Mr. Brown seemed to think that the DOR could do it at no additional cost. Also, possibly it could still be done internally with available documentation.
- The Board decided to have a public hearing on the revised personnel policies on September 8th at 7:00. Department heads will receive copies of just the changes.

- It was mentioned that there had been a change in the Trotter open house; that a ribbon-cutting ceremony had now been planned for ~~1:00~~ 3:30 p.m. on September 20th since the Governor was coming. 3:30

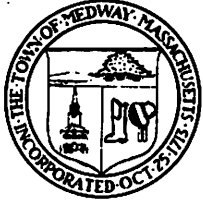
10:10- The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

SEPTEMBER 14, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 7/27/92, 8/10/92, 8/20/92 and 8/24/92 meetings.
- 7:05 - Public hearing - New England Telephone & Boston Edison - re: Milford Street.
- 7:15 - Conservation Commission appointments.
- 7:30 - Torrent Fire Station Study Committee.
- 7:45 - Open bids for Mapping Computer equipment.
- 8:00 - Chester Tangerini - re: Class II license.
- 8:15 - Thomas Mansfield - re: solicitor's permit.
- 8:30 - Ye Ole Curiosity Shop - re: sidewalk sale permit.
- - Old business.
- - New business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

Prior to the start of the meeting, the Board agreed to set aside one Selectmen's meeting per month, possibly the first Monday of each month, as a time to just discuss items of concern to the Selectmen with no scheduled appointments.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed.

-Mr. Dziczek made a motion to accept the Selectmen's minutes of July 27, 1992; Mr. Johnson seconded; all aye.

-Mr. Brown made a motion to accept the Selectmen's minutes of August 10, 1992; Mr. Dziczek seconded; all aye.

-Mr. Brown made a motion to accept the Selectmen's minutes of August 20, 1992; Mr. Dziczek seconded; all aye.

-Mr. Brown made a motion to accept the Selectmen's minutes of August 24, 1992 with a correction of the Trotter ribbon-cutting ceremony for 3:30 p.m. instead of 1:00 p.m.; Mr. Johnson seconded with the correction as noted; all aye.

-Executive session minutes of August 10, 1992 and August 24, 1992 were not accepted yet.

-The Board signed a letter welcoming Trotter to Medway.

7:05 -New England Telephone Company came before the Board to discuss a petition from NET and Boston Edison to place anchors and guys on Milford Street. Mr. Brown read the advertisement that appeared in the Milford Daily News. There was no one present to object to this petition. Mr. Brown made a motion to grant New England Telephone and Boston Edison's petition for anchors and guys on Milford Street, beginning on the north side at pole 24/64; Mr. Johnson seconded; all aye.

7:15 -David Faist and Paul Yorkis came before the Board to discuss appointments to the Conservation Commission. Mr. Faist mentioned that he had recently graduated from Clarkson University and was working as a civil engineer at E & PS Associates. He stated he would refrain from participation at any meetings that would seem to be a conflict of interest.

Mr. Brown made a motion to appoint Samuel Mushnick to fill the vacancy of Paul Yorkis, and David Faist to fill the vacancy of Tricia Diggins; Mr. Johnson seconded; all aye.

Mr. Dziczek made a motion to appoint Paul Yorkis to fill the third vacancy on the Commission, that being of Richard DiGirolamo; this motion received no second; motion failed. Mr. Dziczek questioned as to what reason the Board had for not seconding his motion? Mr. Johnson stated he did not have to give a reason. Mr. Dziczek asked the Board then, if there is no reason, let the rest of the Board members know why he

should not be appointed? Mr. Johnson clarified that Mr. Yorkis' appointment is in effect until the appointment of his successor. Mr. Dziczek then asked if the vote that was just made was to replace Mr. Yorkis? Mr. Johnson said yes, they just filled the vacancy created by Mr. Yorkis' expired term. Mr. Dziczek asked where is the one-inch file Mr. Brown referred to at a previous Selectmen's meeting? If there was information that some of the Board members had, the rest of the Board members should have that information as well. Mr. Johnson said he was not going to give any reasons for not wanting to appoint Mr. Yorkis, and he did not have to.

Paul Yorkis, who was present, stated that he did not believe a one-inch file existed. He said that Mr. Brown had stated he would bring copies of the file letters to Mr. Yorkis the day after the Selectmen's meeting, and to this date, had not produced anything. He said Mr. Brown had made a statement, and has not substantiated it. Mr. Dziczek stated if Mr. Brown wanted to keep this in executive session so he could see the file, fine. Mr. Yorkis asked that it be officially recorded in the minutes that Mr. Brown had made a statement, and never produced the file to this date.

Mr. Brown stated he was advised not to bring the documents in public because those that wrote the letters did not give their permission to do so, and so he preferred not to make them public. Mr. Yorkis stated he would like an executive session and was officially requesting copies of the letters. Mr. Johnson ended the conversation by saying it would be discussed at another time.

7:25 -Den 5 of Pack 748 made a spontaneous visit to the Selectmen's meeting, and the Board acknowledged their presence. The Board briefly outlined to the boys some of the duties of the Selectmen and the office.

7:30 -Members of the Torrent Fire Station Study Committee including Gretchen Heely, Loring Maxwell, Charlotte Lee and Shirley Nutting, came before the Board to discuss what the charge was for their committee. Mr. Johnson mentioned the Board would like a study made of the best ways the building could be used. Mr. Brown suggested coming back late January with the suggestions of the committee as to how it should be utilized. Some of the key points to keep in mind would be: 1-to preserve the historic significance of the building; 2-that someone has to maintain the building; and 3-to keep the Cole Library building in mind. Mr. Brown said the building could be sold outright, but if they want it to belong to the Town, it could be leased, i.e. to lease it to the Community Church but they would have to maintain it. With regard to the Town's utilization of the building, Mr. Brown said that the Town always has the school buildings to have meetings if necessary, but that the Committee should keep in mind that there is no parking at the Torrent Fire Station, and the Town does not have money to repair or maintain the building.

Mary Ellen Lavenberg, who was present, suggested keeping long and short-range figures in mind for its utilization. Allan

Osborne, who was also in attendance, said that he believed Jim Brodeur may have filed a report on the building in the past. Mrs. Lee suggested sending letters to all committees and groups in Town asking for their input. Mrs. Lavenberg also suggested the Committee talk to other towns who had old buildings reused for other purposes when it was discovered that the town could not afford to keep and maintain them.

7:45 -Mr. Brown read the ad that appeared in the Milford Daily News for equipment for computer mapping. Bids were received from PC Plus (Item 1-\$3970; 3-\$1085; 5-\$545); Eppic (1-\$5094; 2-\$3450; 3-\$2395; 4-\$1495; 5-\$495); Simplistics (1-\$2916.25; 2-\$2999; 3-\$768.75; 4-\$1599; 5-\$529); Walley (1-\$6989; 2-\$3245; 3-\$1049; 4-\$478; 5-\$666); Municipal Mapping (1-\$8610; 2-\$375; 3-\$995; 4-\$1699; 5-\$525); Arlington Data (1-\$3279; 2-\$3150; 3-\$720; 4-\$2145; 5-\$495); Data Tech (1-\$3520; 3-\$1097; 4-\$1295; 5-\$492).

Mr. Brown made a motion to turn over the bids to the Computer Committee for their review and recommendation; Mr. Dziczek seconded; all aye. Mrs. Allen said the items can be bought separately, not necessarily as a package.

7:55 -Mr. Brown mentioned getting a phone call from someone who said there was junk, not fill, being dumped behind Oakland Street Cemetery for sloping. The Board asked Mrs. Allen to have Supt. Diarmuid Higgins look the area over.

8:00 -Chester Tangerini came before the Board to request a Class II license. He explained he would basically be acting as a broker from his home at 86 Lovering Street, and therefore, there would be no vehicles kept at his home address. Mr. Dziczek suggested he check with the Building Inspector/Zoning Enforcement Officer to make sure there was no problem, otherwise he had no problem with the issuance of the license. Mr. Brown made a motion to grant a Class II license to MetroWest Truck Sales at 86 Lovering Street to Chester Tangerini; Mr. Dziczek seconded subject to Building Inspector approval; all aye.

8:10 -Thomas Mansfield of Direct Marketing Services came before the Board to discuss a solicitor's permit for his company for a polishing cloth. He stated the permit would be from 9-15-92 to 10-15-92 from 10 a.m. to 7 p.m. for any of eight salespeople. He confirmed that they would be completed before dark, and requested that if there were any complaints, to notify him immediately. Mr. Brown made a motion to approve a solicitor's permit for Thomas Mansfield of Direct Marketing Services from 9-15-92 to 10-15-92; Mr. Dziczek seconded; all aye.

8:15 -Barbara of Ye Olde Curiosity Shoppe of Village Street came before the Board to discuss a yard sale permit she wished to get for her store. Mrs. Allen informed the Board that it is against the zoning by-laws to display merchandise outside of the store in a commercial district. She said that any business wishing to have a yard sale/sidewalk sale would have to go before the Zoning Board for a variance. The Board

agreed the Zoning By-laws need to be changed, and they mentioned a joint upcoming meeting between the Planning Board, Zoning Board, Selectmen and Building Inspector. The Board also suggested Barbara contact the Medway Business Council for a possible joint effort on behalf of all the businesses. Mr. Johnson told her that a vote at the annual town meeting on a zoning by-law change requires a 2/3 vote of those present, and to let the townspeople be aware of their concern if they wanted a favorable vote.

8:30

-Mr. Brown mentioned he had received a phone call speaking highly of the work that was recently done by the Highway Department on Cynthia Circle, and to pass this information on to the Highway Supt.

-Town Counsel Richard Maciolek and Town Accountant Bob Brothers were present to discuss some concerns Mr. Brown had about two invoices submitted by the Fire Chief. Mr. Brown stated that Treasurer Fred Lee had voided the two vouchers after the warrants had been approved by the Selectmen on the advice of Town Counsel - he asked for some clarification on this. Mr. Maciolek said if they were special employees, it would have been alright. He stated that if someone works for the Town, and does separate work for another department, it is a separate contract and it is a conflict; but if that person is a special employee, then it is different. Mr. Brown asked Mr. Johnson to speak to Mr. Lee, and if there is a question in the future on a voucher, then to give it to Mr. Brothers first for clarification. Mr. Brothers said that possibly Mr. Lee did not know these individuals were special employees. Mrs. Allen said that the Town Accountant and the Town Clerk have the list of Special Employees, and that the Board of Selectmen appoints the position, not the person. Mr. Brown asked that Mrs. Allen send a copy of the list of the special employees to Mr. Lee also.

-George Lee of the Planning Board stopped by, and while Mr. Maciolek was present, asked him why he did not stop the issuance of certificates of occupancy for two houses that had no bond? Now the Town was stuck with finishing the 2 roads that the developer, Charlie Glynn, did not complete. Mr. Lee stated that the Planning Board had asked that no occupancy permit be issued on the houses on Musquit Road and Castle Road. Mr. Maciolek said he had received no such letter, and anyway, why were their concerns not told to the Building Inspector who issues the certificates of occupancy? Mr. Dziczek suggested the Planning Board write a letter to Mr. Glynn asking him to follow through on finishing the streets. Mr. Lee told the Board how each subdivision is taken separately, and if a problem arises in one subdivision, that problem has no bearing on another subdivision by the same developer. He also said that the Planning Board is now accepting only bank books and bonds.

-Mr. Brothers informed the Board that he was able to reconstruct the cash account that was in the missing general ledger instead of having Cicoria's office do it.

-Mr. Lee also mentioned to the Selectmen his feeling that storage tanks could be put on high ground. Mrs. Allen asked that Mr. Lee also let the Water/Sewer Commissioners be aware of his opinion that tanks could be located near drinking water.

-Mr. Lee also expressed the opinion that all the political signs at the corner of Holliston and Main Streets was a disgrace.

9:05

-The Board was concerned about the recent invoice from Carlo Molinari for an additional \$47,000 for the sidewalks he did. Considering the original bid was for just under \$100,000, this additional amount for extra work seemed unexplainable. Mr. Johnson said he would like to look at the contract and the specs, and then talk to Supt. Higgins and Mr. Molinari about it.

-Mrs. Allen stated that the Town was shortly going out to bid for the Summer/Main/Village Street intersection. Commonwealth Engineering had almost everything put together. Mrs. Allen was to check and make sure the specs included police details.

-The Board acknowledged receipt from Supt. Bettencourt of the notice on the Town Meeting on Education Reform that will be held in Hopkinton on September 16th.

-Officially for the record, Mr. Brown made a motion to appoint Ruth Allen Personnel Director; Mr. Dziczek seconded; all aye.

-Officially for the record, Mr. Brown made a motion to accept the Personnel Policies as printed and discussed at the public hearing held on September 8th, effective September 8th; Mr. Dziczek seconded; all aye.

-The Board acknowledged receipt of a memorandum from John McGlynn, Commissioner of FERA, stating that members of the Norfolk County Retirement System cannot accept the provisions of the Retirement Incentive Program. Mrs. Allen said she sent copies of the memo to the Police and School Departments.

-The Board acknowledged receipt of a letter indicating the next SWAP meeting would be on September 24th at Franklin Town Hall.

-The Board acknowledged receipt of a letter from Louis Ruggieri of 150 Summer Street who was concerned about a drainage easement on his property that he would like piped.

-The Board acknowledged receipt of letters from the Dept. of Revenue concerning revised cherry sheet estimates on FY'93 tax rate; as well as guidelines for annual assessment and allocation of tax levy.

-The Board acknowledged receipt of a letter from MMA about the Selectmen's Annual Fall Workshop to be held on October 3rd in Westborough. Mr. Brown had attended last year and

said it was a good workshop.

-Mr. Brown mentioned a dedication of the lights on the high school football field.

-Mr. Brown made a motion to appoint Fred Tingley to the Job Classification Review Board through June 30, 1993; Mr. Dziczek seconded; all aye.

-Mr. Brown made a motion to appoint Bruce Hamblin to the Historical Commission through June 30, 1995; Mr. Dziczek seconded; all aye.

-Mrs. Allen told the Board that Peterson Catch Basin Cleaning Service had not submitted a performance bond or certificate of insurance, so the Board needed to rescind their vote of July 27, 1992 awarding the bid to them. Mr. Brown made a motion to rescind the Selectmen's vote taken on July 27, 1992 for awarding of catch basin cleaning to Peterson; Mr. Dziczek seconded; all aye. Mr. Brown made a motion to award the catch basin cleaning bid to Lloyd Truax Company for \$4.98 per basin; Mr. Dziczek seconded; all aye.

-Richard Moore, Chairman of the Committee on Election Laws, sent a letter to the Board looking for three people from the Town of Medway who would like to serve on a committee, Overall Economic Development Plan (OEDP). This committee would be to formulate plans for the application of grants for water and sewer to industrially zoned areas of town. Mrs. Allen said she had asked Dick Parrella, but he could not serve. Mr. Johnson said he did not mind being on the committee, but he did not want to be the only one from Medway.

-Mrs. Allen told the Board they should review the management letter received from Michael Cicoria's office, and make recommendations as to any action that should be taken. She asked the Board if she had their permission to at least write to the School Department saying they had to follow the Procurement law of getting three phone bids for purchases between \$1,000 and \$3,999, and filling out the necessary forms.

-The Board reviewed the Kelly Street area plan that, at one time, included going out to Elm Street. The property is in the process of being sold and this was a preliminary revised plan.

-Mr. Dziczek acknowledged various pieces of correspondence that he had received while away on vacation.

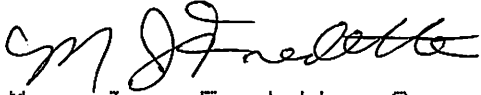
-Mrs. Allen mentioned the 109 Corridor Project, and how Millis wants to try and separate from Medway on the project, since it seems as if Medway is holding up the work for Millis. She said Mr. Maciolek wants to see the plan.

-Mr. Dziczek mentioned the letter received from a resident complaining about a bus not picking up one of her children,

even though the bus was picking up her other child and transporting to a different location. Mrs. Allen told Mr. Dziczek she should go to the school committee, if she has tried all the other sources to appeal first.

9:40 -Mr. Brown made a motion to adjourn; Mr. Dziczek seconded; all aye.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

Mr. Yorkis that he knew he was well-versed on Conservation laws, but he had a folder one inch thick of complaints. Over the last two years, he had received complaints that he was using his authority in an incorrect manner. Mr. Yorkis said he knew of only one instance that there was a problem. Mr. Brown said he would bring the complaints in if the Board felt it was necessary. Raphaela Rozanski, Conservation Commission chairman who was present, asked why he did not bring the complaints to the meeting as he knew Mr. Yorkis would be present to discuss his reappointment?

Mr. Yorkis said he was not chairperson for the last 1-1/2 years. About two years ago, the committee members were each put on a rotating basis to sign building applications and answer residents' questions, so that the chairperson does not receive all the phone calls and complaints. He also stated that it is in their rules and regulations now that a member cannot be chairman or vice-chairman for more than two years if there is a member of the Commission who has not done either. Mrs. Rozanski concurred explaining how they interact with people, trying to answer their questions, as well as informing them of the new conservation laws. She heartily endorsed Mr. Yorkis, and her personal goal was to promote networking between boards. Mr. Brown explained his feelings about a conflict of interest for Mr. Yorkis and Mr. Morris being involved in real estate. Mrs. Rozanski confirmed that if there is the slightest possibility of either having any prior knowledge of an individual at a hearing, they leave the meeting. Jan Morris, who was also present, stated that they leave the meeting to prevent a conflict of interest, and they both leave the room when an individual's piece of property is listed with their office. He explained the law states that a realtor is not in conflict of interest, and he could not understand why this issue keeps coming up. Mr. Johnson agreed this was a gray area, and asked that Mr. Brown bring in the information he had.

Mrs. Allen mentioned she was scheduling Mr. Faist to come and meet the Board on September 14th; possibly Mr. Yorkis could come back that night; Mr. Mushnick said he was not coming back just for a volunteer appointment. Mrs. Rozanski asked that all appointments be delayed until that evening. Mr. Brown said he thought Mr. Yorkis was aware of all the problems. Mr. Yorkis asked for a copy of the complaints that Mr. Brown had; and Mr. Brown said he would give them to him the next day.

8:00 - Paul Graney, Dionne Levasseur, Allan Osborne, Sr., David D'Amico, and Bruce Hamblin came before the Board to seek an appointment to the one vacancy on the Zoning Board of Appeals. Mr. Brown asked them what they would bring to the position. Mr. Hamblin mentioned his being a planner and his working with zoning boards, developments, and mediation. Ms. Levasseur mentioned she was a licensed architect and has worked with Mass. codes as well as being a facilities engineer. Mr. Graney has worked with tax laws and wants to get involved with the Town. Mr. Osborne said he had been on the ZBA for 25 years, as an alternate, and just wanted to

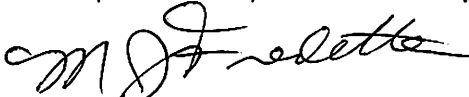
continue; however, he did say that a woman should be considered for the ZBA, maybe if it ever got to be a five-man board. He stated that he would always be in favor of doing anything he could to keep a second generation family in the community as long as it did not hurt an abutter.

Mr. Brown made a motion to appoint Dionne Levasseur to the Disability Commission; Mr. Osborne to the Zoning Board of Appeals; and Mr. Hamblin as alternate to the Zoning Board of Appeals, and to keep all names on file for future possible expansion of the board; Mr. Dziczek seconded; all aye.

- Mr. D'Amico mentioned that the Planning Board and the Zoning Board are trying to have a meeting and they wanted the Board of Selectmen to attend to try and work on the Zoning By-laws. This has been tentatively set up for September 22nd. The Board agreed with this. Mr. Dziczek asked if a committee should be formed to do this, and Mrs. Allen said it should be the Planning Board that sets that up.
- Mr. Dziczek made a motion to reappoint Robert Speroni as Building Inspector; Mr. Brown seconded; Mr. Johnson opposed; motion carries.
- Mrs. Allen brought up Chapter 81 monies for the safety of highways and roads that Mrs. Allen was submitting which would be \$651,830 for FY'93; the actual figure would be reflected on the cherry sheets. She mentioned that FY'92 figures were \$612,841.25.
- Mrs. Allen mentioned that two young men wanted to open up a pizza shop at the old Wood's Store on the corner of High and Village Streets. Did the Board want to review a site plan, and just mention to them the availability of parking at the rear of the property if the owners cleared it out? The Board agreed it should be mentioned to them. Mrs. Allen reminded them that the Board of Health still would be taking care of any food licenses and permits.
- Mrs. Allen went over the agenda for August 24' since Mr. Dziczek would be away on vacation.

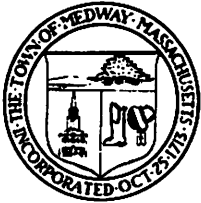
8:50 - The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

166 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

AUGUST 10, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 7-27-92 meeting.
- 7:05 - Water/Sewer Commissioners
re: educational incentive
- 7:20 - David Ablondi
re: Rotary Club sign at Speroni's
- 7:35 - Industrial Development Finance Authority
appointment
- 7:40 - Disability Commission appointment
- 7:45 - Nancy Honey of "Our Cleaners"
re: site plan - drive up window and door
- 8:00 - Sealer of Weights & Measures appointment
- 8:15 - Park Commissioners
- 8:30 - Donald Grimes
re: ambulance
- 8:45 - Highway Superintendent
Assistant Highway Superintendent
- - old business
- - new business

Present: Richard Brown, Joseph Dziczek and Administrative Assistant Ruth Allen. Chairman Walter Johnson was on vacation.

7:00 p.m.-Mr. Brown called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Acceptance of the minutes of July 27th was postponed since Mr. Brown was not present at that meeting.

-Paul Mitchell, who was present, thought the Board was going to discuss the appointment of someone to the Zoning Board this evening and wanted to express his support for Allan Osborne. He felt Mr. Osborne, who has been an alternate for many years, would carry much experience to the position. He also felt it might not be in the best interest of the Town to have a member of the Planning Board also serving on the Zoning Board as that person might already have an opinion if the same petitioner came to both boards. Jim Gallagher and Ann Mahan, also present, expressed the same support.

7:05 -Water/Sewer Commissioners Bob Heavey and Ron Wilson with Supt. Mark Flaherty came before the Board to discuss educational incentives. Mr. Wilson stated how he had been against this in the past, but now that the State has made many more demands on the knowledge of the water/sewer personnel, he had changed his mind and wanted his people to be certified in these new areas.

Mr. Brown felt that some of the courses would be unnecessary as they were already included in the job description. Mr. Wilson said there were now more certifications required that were added to the descriptions. Mr. Brown reiterated that the incentives were added during the first week of the fiscal year, so it seemed that they were getting this extra credit for courses already taken. What would stop others from wanting credit for courses taken years ago?

Mr. Heavey expressed his concern for wanting to keep the people they already had by giving them these incentives, or else go out and hire more expensive people. He stated that two employees would be getting 1% and one 2%. Mr. Brown still could not understand why the Town should pay for the employees to go to school, and then give them more money on top of that; that is why merit increases were given. He felt this was a back-door way of getting a salary increase; and what would be available for one department should be available for all departments. Mr. Brown stated he would be concerned if the water/sewer personnel were being mistreated or underpaid, but they were not, and did mention some of the salary increases they had received. Mr. Flaherty stated two out of the three people were at their maximum step. Mr. Dziczek said if that was the case, then the salary schedule should be looked at so those at maximum step see an incentive in the future.

Mr. Brown thought that maybe a bonus would be an attractive proposition. It was suggested that a joint meeting be held of several departments to discuss the subject further with a resolution in about 60 days. Mr. Dziczek told the

Commissioners that the line item was already approved at Town Meeting and it will still be held there for them, but that more discussion is needed. Mr. Flaherty said that he didn't want it prejudiced against the water department, if no one else got the incentive. Mr. Wilson asked who the Board was that they could change the payroll voucher as submitted by the Water/Sewer Dept.? Mr. Brown stated that the Board is granted that authority because they have to sign the warrants, and by signing them, they were agreeing with them. Mr. Heavey asked that this all be clarified quickly.

7:50 -David Ablondi came before the Board to ask about a Rotarian sign to be placed on the corner of 109 and Summer Street near Speroni's for the purpose of advertising the meetings held by the Rotary Club. He indicated the sign would be 32" wide x 4' high with black and white emblems. Mr. Ablondi said the sign would be placed about 5-1/2' above the street level of the pole, at about 3' in from the curb. Mr. Dziczek stated that the Safety Officer should take a look at the location and see if he viewed any problems. Mr. Ablondi assured the Board he would take the sign down if there were any future problems. Mr. Dziczek made a motion to grant the Rotary Club permission to put a sign at the corner of 109 and Summer St., as long as the Safety Officer approves the location, and that if the Town ever requested that it be removed, that it would be taken down; Mr. Brown seconded; all aye.

7:35 -Paul Graney came before the Board to discuss the vacancy on the Industrial Development Finance Authority. He was told that it was a 5-year term. Mr. Graney asked the Board for more information on what was involved as it might be a conflict of interest with his present job as it related to code of conduct. Mrs. Allen had told Mr. Graney to speak to Fred Lee, a present member of the Authority, but Mr. Lee had not returned his call; so Mrs. Allen suggested Mr. Graney speak to John Dronzek, another member. Mr. Graney said he would do so and then get back to the Board.

8:00 -Dionne Levasseur was scheduled to speak to the Board about the vacancy on the Disability Commission, but did not show up for her appointment.

8:01 -Nancy Honey of Our Cleaners came before the Board to speak to them about a site plan for a drive-up window and enlarged doorway. She mentioned she had already had discussions with the Building Inspector and the Zoning Board. Mrs. Honey mentioned 3 parking spaces would be used up in creating this drive-up area, but it would be made up elsewhere in the parking lot. Mr. Dziczek and Mr. Brown expressed concern for safety signs and adequate notice for pedestrians of the driving area. Mr. Brown said he would like to hold off making a decision until he hears what Chief Lambirth and Officer Bates had to say, as well as Chief Vinton. The Board of Health would also have to give some input to the matter.

Allan Osborne, who was present, told the Board that Mrs. Honey's drive-up window was denied when she came before the ZBA in February of 1991. He said she would have to go before

the Planning Board since it was within two years that she had been before the ZBA. Mrs. Allen suggested Mrs. Honey get a hold of Peggy Wickstrom to get on the Planning Board agenda.

8:16 -Scott Guyette and John Boczanowski III came before the Board to discuss the appointment of the Sealer of Weights & Measures. Mr. Guyette said he had no experience, but the previous Sealer, Richard Tighe, had told him to apply for the position. Mr. Boczanowski said the only experience he had was in using scales in his business. He was informed that the position required the checking of scales in town at stores, deli's and gas stations. The Board said they would consider both gentlemen when Mr. Johnson returned.

8:25 -The Park Commissioners came before the Board as requested. Mr. Brown said Mr. Johnson was the one who wanted this meeting, but believed the issue was a discussion on the combining of the Highway and Park Departments. He said he did not feel there was adequate supervision of the Park Supt., and if Park was part of Highway, they would be better observed. Regardless, he was in favor of combining them as then there would be space at the Highway Garage for park vehicles. Also, then the Park Commissioners could focus more on recreation and the use of fields and oversee the parks.

Mr. Rombalski explained his feelings on a Town Administrator as it would relate to the Park Commissioners, and that he had voted for it; but feels this would be a back-door way of doing what was voted against at Town Meeting and also he had concerns for the Park Supt. Mr. Magliaro asked about Mr. Sibley, and Mr. Brown felt it would be a lateral move and he would still be Park Supt. Mrs. Gove asked if his first concern would be the parks, and Mr. Brown agreed they would be first, but he would be under the Highway Supt. during the winter months. Mr. Brown assured the Commissioners nothing would be done until after everyone, including the Commissioners, the Board of Selectmen, and the Superintendents, had gotten together and discussed the idea and set down the conditions. Mr. Dziczek felt that combining would form a better working arrangement between park and highway and the use of trucks. He thought it would be a more efficient way of utilizing personnel and equipment. Mr. Brown thought that Mr. Johnson just wanted to know if the Park Commissioners wanted to talk about combining.

Mr. Rombalski asked about the schools and how would they be dealt with. He said they don't respond, and Mrs. Gove agreed. Conversation then went on about a truck that was not supposed to be in use, and which seemed that it was. The Commissioners mentioned their next meeting coming up on Wednesday and Mr. Dziczek said he would attend as he is Selectmen's liaison to the Park Department.

8:50 -Donald Grimes, EMS Coordinator, came before the Board to discuss the bid specs for the new ambulance. Mr. Brown asked that all specs that go out from the Board of Selectmen should indicate "Town of Medway". Since the Town does not want to keep the old ambulance, Officer Grimes will call Chalk

Ambulance to see if they would be interested in purchasing it.

Mr. Dziczek, on another matter, brought up the \$107,000 deviation in the auditor's report on ambulance billing. The Board agreed that the figures have to be reconciled with the Treasurer/Collector.

9:10 -Chief Lambirth came before the Board to inform them of his upcoming vacation, and to also mention the candidates list for the vacancy in the Department, and two candidates that were coming in next week. The Chief mentioned he would be doing a background check on them, and also look for a another list from civil service.

9:15 -Highway Supt. Diarmuid Higgins and Assistant Bob Power came before the Board. Mr. Brown again mentioned that Selectman Johnson was the one who wanted the meeting. He did ask Mr. Higgins if everyone on Highway had their CDL license, and if the men paid for the licenses themselves. Mr. Higgins said they did pay the fees, and only one did not have his CDL. Mr. Dziczek mentioned the previous discussion that evening with the Park Commissioners on the possibility of combining Highway and Park.

-It was mentioned that the missing "Holliston Street" sign was now in place, and Mr. Dziczek asked Mrs. Allen to send a letter to Scott Yanco informing him of same.

-The Board went over the letter received from Mr. Paradise concerning his accident on Farm Street. The Board acknowledged no blame on this incident with the tree in question.

-Mr. Dziczek mentioned the letter received from the Police Department on lack of details, and said Mr. Higgins should get a copy. Mr. Dziczek asked Mr. Higgins if he could come up with a tally on police details. Mrs. Allen mentioned that the sidewalk project was almost 10% of the cost of the project. Mr. Brown stated this is part of the contract negotiations.

-Mr. Power mentioned how bad the brush pile was getting. The Board asked Mrs. Allen to write a letter to the Board of Health on this matter.

9:35 -Mr. Brown made a motion to go into executive session for the purpose of discussing 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; Mr. Dziczek seconded; all aye. The vote: Mr. Brown: yes; Mr. Dziczek: yes.

10:25 -The Board came out of executive session and reconvened the meeting.

-Mrs. Allen brought up the check received from the Medway Friends of Elders, Inc. that they wanted donated to the

Council on Aging for ceramic services. Mr. Dziczek made a motion that the check for \$600 be turned over to the Council on Aging and kept in a separate account; Mr. Brown seconded; all aye.

- Mrs. Allen brought up the letter from Mike Perrault on the Hidden Pines subdivision of Cottage Street for the sewer easement area. The Board agreed with his recommendations as stated in the letter of July 22nd.
- Mrs. Allen brought up the interest of the individuals in being on the old Fire Station utilization committee. Mr. Dziczek suggested Mrs. Allen choose seven and give her recommendations to the Board. Mr. Brown agreed.
- Mrs. Allen mentioned a departmental meeting with Chief Vinton, Mark Flaherty, Officer Bates, Diarmuid Higgins, and herself to discuss the underground tanks together as a group. She said Mr. Flaherty insisted that the tanks have to come out because of the aquifer nearby. The possibility exists that if the tanks are pulled, the diesel tank could be put above ground. This will be investigated as well a gas station using a key system vs. a station being open 24 hrs. They will check on cost figures and Mrs. Allen will check to see what DEP says.
- The Board decided to hold off appointing Tucker Reynolds to the JCRB until Mr. Johnson returned.
- Mrs. Allen mentioned that Norfolk County would be doing some traffic counts in town.
- Mrs. Allen told the Board about the Conservation Commission hearing on August 17th about #3 Cottage Street, and the ZBA hearing on August 12th about Summer/Main/Village Street intersection.
- Mrs. Allen informed the Board that the State had approved the extra work order for Summer/Main/Village Street intersection out of Chapter 90 monies for \$3,461.57.
- The Board acknowledged the resignation of Al Borek from the Board of Assessors effective July 31, 1992.

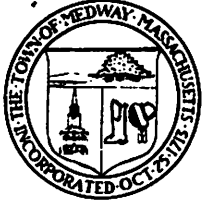
11:25 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JULY 27, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of July 13, 1992 meeting.
 - Joint meeting with School Committee to fill vacancy of William Yanco.
- 7:30 - Kathy Rehl
re: Recycling Grant Application.
- 7:45 - Board of Assessors
re: Letter from John Thompson.

Present: Walter Johnson, Joseph Dziczek. Selectman Richard Brown and Administrative Assistant Ruth Allen were on vacation.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Dziczek made a motion to accept the minutes of July 13th as written; Mr. Johnson seconded; all aye.

7:01 -A joint meeting was held between the Selectmen and the School Committee to fill the vacancy on the School Committee due to the death of William Yanco. Mr. Nutting nominated Mr. Johnson to be chairman of the joint meeting; Mr. Dziczek seconded; all aye. Mr. Nutting made a motion that nominations be closed; Mrs. Boyan seconded; all aye. Mr. Nutting stated that everyone was familiar with the three candidates, and asked that they just vote and move on until the election in May, as they did not want to dwell on the circumstances of the vacancy. Mr. Nutting made a motion that the three candidates' names be placed into nomination; that being Steven Barrasso, Richard Kenney and Walter (Dusty) Lardin; Mr. Dziczek seconded; all aye. It is noted for the record that Mr. Barrasso was not present as he was on vacation; Mr. Lardin and Mr. Kenney were present. Mr. Nutting suggested a first round elimination of the lowest vote-getter, and then a final round between the two remaining candidates.

Mrs. Boyan, Mr. Downing, Mr. Nutting voted for Mr. Kenney; Mr. Dziczek voted for Mr. Barrasso; Mr. Johnson and Mrs. Meyer voted for Mr. Lardin; Mr. Young abstained because he would have preferred a town election and felt their board could have operated as a five-man board. On that first round, Mr. Barrasso was eliminated. On the second round, Mrs. Boyan, Mr. Downing, Mr. Dziczek, Mr. Johnson and Mr. Nutting voted for Mr. Kenney; Mrs. Meyer voted for Mr. Lardin; Mr. Young abstained. Mrs. Meyer made a motion that the vote be unanimous for Richard Kenney; Mr. Nutting seconded; all aye. The appointment slip was signed.

-Mr. Dziczek questioned Mr. Nutting about the auditor's report and wondered if Mr. Nutting had seen the draft as submitted by Michael Cicoria concerning the funds that should be in the Treasurer/Collector's office. Mr. Nutting stated that Mr. Gallo, the Business Manager went to see Mr. Lee about the accounts and they should be in the Treasurer's Office by about September 1st. According to Mr. Nutting, the accounts were maintained by the School because Mr. Lee did not want them.

7:15 -Mr. Johnson said that as long as there were a few minutes remaining before the next scheduled person on the agenda, that Mark Flaherty could speak to the Board. Mr. Flaherty came to the Board to clarify the educational incentives. He stated that the idea had come up several years ago to use incentives to make a better functioning department. The Commissioners thought about it, and checked with Town Counsel and he saw no problem with the arrangement. Basically the individuals would get a 1% increase per year with every

course they take with the range being 1-4%, not included on overtime. It is listed separately on the payroll voucher. Mr. Dziczek clarified that this is included in the budget separately every year; that it necessarily might not be in the budget next year; Mr. Flaherty agreed. Mr. Flaherty said this incentive program could also be done for Highway or Town Hall employees. Mr. Dziczek clarified that it has to be related directly to and benefiting that employee's specific department. Mr. Flaherty said this was the first year of implementing the idea.

Mr. Dziczek told Mr. Flaherty this would have to all be explained to Mr. Brown when he returned from vacation. Mr. Flaherty explained the Fire Department does this already. Bob Brothers, who was present, said this was not a problem to put into the system if the Selectmen approved it.

Mr. Flaherty also mentioned a bill pending about inspections. Right now, the State has control over OSHA and fines won't necessarily be imposed; if the Federal Government adopts OSHA, we have no control. Mr. Flaherty wanted to contact the dept. of labor and industries for pre-inspections, but this could jeopardize other departments, so he won't do anything until he hears from the Board of Selectmen.

7:30

-Kathy Rehl came before the Board to discuss a grant for yard waste. She gave a list of the towns of Holliston, Ashland, Hopedale, Foxboro, and Hopkinton who wanted to share a chipper for brush, pallets, stumps, etc. One town would be the host town and in charge of maintaining it, and then billing the other towns their share. The cost of maintenance would be \$15,000-\$30,000 per year. Mrs. Rehl said the State is buying four of these chippers and putting them geographically in the State. Those towns who did not get the award could rent them. Mrs. Rehl said the chipper would rotate among the towns for various times during the year. She said the application of interest had to be in by July 31, and she had tried to reach Philip Parchesky, Chairman of the Board of Health a number of times, and did not get a call back. The Selectmen felt it did not hurt to show interest. Mr. Johnson suggested Mrs. Rehl talk to the Board of Health about this, and Mrs. Rehl said they won't be meeting until August, and she needs to explain in the grant how the Town will handle this.

Mr. Dziczek asked that a letter be written to the Board of Health asking them what their plans are for the recycling grant? What is their position and desire? That the Town needs to act quickly on this for a September delivery date. Mrs. Rehl is to get a copy of the Board of Health's reply to the Selectmen.

Mrs. Rehl also said that the Recycling Committee voted to go with BFI for newspapers at \$250 per trip or \$22.73 per ton. She said the contract could be cancelled within 60 days at any time, and terms are net 30 days. She said she needed the signatures on the contract, with a copy going to the Board of Health and the Recycling Committee. The Board signed the

contract and it is with the Selectmen's Office for further disposition. The Secretary questioned Mrs. Rehl as to why the Selectmen were signing the contract when the Recycling Committee is under the Board of Health? Mrs. Rehl said the Selectmen sign all contracts.

7:55

-The Board of Assessors came before the Board to express their concern over a recent dog bite incident at 15 Cassidy Lane involving their Field Inspector, John Thompson. Harry Johnson, Chairman, stated that Mr. Thompson had gone to that address at a scheduled time and an unleashed dog came running out and bit him. Mr. Thompson did not feel he got the proper response from the Police and the Animal Control Office that he thought a dog bite should have gotten. He resigned as Field Inspector, but said he would come back if he could get assurances that if he called on both again, he would receive a prompter response. (The incident occurred on a Saturday, but he did not speak to the Animal Control Officer until Tuesday.)

Chief Lambirth was present as well, and spoke on behalf of the Department. He felt that they had responded adequately, and took some of the comments the Assessors made as personal attacks on him and his department. There was much discussion after this and some arguing back and forth as to what was an adequate response, and if the ball had been dropped between the Police Department, the Animal Control Officer, and Mr. Thompson.

Chief Lambirth also stated that the dog has been restrained and the owner was fined, and that they necessarily don't send a cruiser out. Mr. Johnson took exception to this saying if the Animal Control Officer was unavailable, then a cruiser should have been dispatched because the assault by a dog was no different than an assault by a person.

The Board felt there might have been a breakdown in communication between Mr. Cassidy and Mr. Thompson, as it seems that Mr. Cassidy responded over the weekend even though he did not touch base with Mr. Thompson until the following Tuesday. The Police assumed Mr. Cassidy would follow through as he told them he would take care of it.

Mr. Johnson seemed to think Mr. Thompson would come back, but he felt Mr. Thompson would have liked to have seen an accident report on the incident, more to satisfy himself that everything had been logged in and that he had not been ignored.

Town Clerk Maryjane White, who was also present, assured everyone that proper procedures had been followed, and that the dog was licensed after the incident occurred.

The Board of Assessors will relay to Mr. Thompson the assurance that he will receive cooperation if such an incident ever occurs again.

8:35

-Diarmuid Higgins, Highway Supt., told the Board that Milford

Street had been paved and the drainage was in. He mentioned how three of his men were out this week limiting what was scheduled to be done. He also had some comments to make on underground storage tanks.

Mr. Higgins was concerned if there was a power outage, would there be a backup generator. He said they had been using the key system, and it was no problem. He asked if an ambulance or a fire truck needed fuel, would they be serviced. In the wintertime, if the front end loader has to go to a service station, it would be inconvenient to go too far at 15 mph. He suggested finding out who wants to bid first. Years ago, it would have been cheaper to have had the tanks removed - now, it is costly. Mr. Johnson agreed, but said it has to be done. Mr. Higgins questioned if no one wanted to bid - is one station going to be open 24 hours. Mr. Dziczek said we have to find out what the best alternative is - if it is to just leave them and we can't afford to do this, fine, then we need to find other alternatives and sources.

Kelly Adler, Chairperson of the CIPC, was present and stated she felt implementing a direct fuel purchase program was a fresh and innovative approach to the underground gasoline/diesel storage program presently being used. She felt this was the way to go and could not believe no one in town would service the vehicles. She had talked to DEP, and even if gas and diesel cost more, the payback is well worth it. The State and Federal governments have regulations that would be followed. Mrs. Adler said that the amount of gallons used by the departments is relatively small compared to having all the gasoline/diesel stored. David Verdolino, who was present, said that the specs would have to be tightly written. Mr. Higgins said he would go along with going out to bid and seeing what the response is. Mr. Higgins asked about the present contracts with Nydam and Holliston. Mrs. Adler said they might have to have 30-day notices if it is decided that this is the way to go.

Mr. Verdolino noted that the vote at the town meetings for funding the replacement or installation of new tanks was close on this issue indicating that the town wants to do what is best. Again, because the site is sitting on the edge of the aquifer, this was a dangerous situation.

Mr. Johnson mentioned that this has to be brought up at Town Meeting and that Town Counsel should be consulted. Mr. Dziczek did not feel that anyone would be against it, and that it might be spring when this would be in place. Mrs. Adler felt they could go out to bid in the next couple of weeks, and could be in place sooner than that. Mr. Johnson suggested Town Counsel look over the current contract with Nydam and Holliston. Mr. Johnson asked that Town Counsel be consulted with regard to: the present bids; they could be terminated; going out to bid; termination clause. The Board said they would wait to go out to bid until a response from Town Counsel had been received.

-Mr. Verdolino brought up the lease/purchase of ambulance

letter received from Town Counsel, where he stated we could not use the stabilization fund for a new ambulance. Mr. Verdolino said he could not understand Town Counsel's reasoning for this. The Board gave permission for Mr. Verdolino to call Mr. Maciolek on this issue. Town Accountant Bob Brothers, who was present, stated he did not understand either why this was so. He said he had called the Dept. of Revenue and they did not understand Mr. Maciolek's letter too. They seemed to believe also that the funds could be used for any purpose, and did not understand why it would be illegal.

-Mr. Verdolino mentioned that Peggy Tighe is taking care of the pay rate schedule. Mr. Dziczek said she will have it redone on the computer, and that it's a matter of just correcting some of the figures.

-Jane Armstrong of the CIPC was present just to ask the Board to approve their emergency transfer for a secretary for the CIPC. Since it was not known at town meeting that this committee was being reformed, funds were not made available. Mr. Dziczek made a motion that an emergency transfer be submitted to the FinCom for \$500 for salary and \$145 for expenses; Mr. Johnson seconded; all aye.

-Mr. Dziczek made a motion to award the catch basin cleaning to Peterson Catch Basin Service as a cooperative bid with other towns for 2800 catch basins at \$4.94 per basin for a total of \$13,832; Mr. Johnson seconded; all aye.

-Mr. Dziczek made a motion to approve the annual block party at Fairway Lane for August 1, 1992 from 10 a.m. to 5 p.m.; Mr. Johnson seconded; all aye.

-Mr. Dziczek made a motion to grant permission for the Planning Board to ask Town Counsel some questions on the zoning law as per their letter to the Board dated July 16th; Mr. Johnson seconded; all aye.

-The Board decided to hold a public hearing on the personnel policies on August 18th at 7:00 p.m. in Sanford Hall, continuing to August 19th, same time and location, if the need is warranted. Copies of the drafted policies will be given to all department heads at least a week before the hearing. The hearing will be posted with the Town Clerk.

-Mr. Johnson informed the Board he would not be present at the Selectmen's Meeting on August 10th as he would be away on vacation. He asked that some of the interviews scheduled for that evening be rescheduled to Thursday, August 20th - those being for those interested in being on the Zoning Board, Conservation Commission and the Building Inspector. That date was alright with Mr. Dziczek, who would be on vacation the following week.

-The Board acknowledged letters from Mr. Rivkin concerning the outside display at Medway Hardware; also Mike Perrault's letter concerning the area on Cottage Street that abutters

have complaints about Mr. Rivard's excavation; also the FinCom's letter about shortages in several accounts; and a letter from a doctor interested in being the town physician.

- Mr. Dziczek brought up the letter received from the MAPC concerning funding that might be available with the Intermodal Surface Transportation Efficient Act that had been created. He asked that Mrs. Allen follow through on this as possible funds could be allocated for the old fire station #1 or for a linear park as both have to do with transportation.
- The Board forgot to discuss the concerns of Sgt. Saleski as outlined in his letter to Chief Lambirth. Mr. Dziczek asked that it be brought up at the next meeting and be put on the agenda.
- Mr. Dziczek requested a copy of the current Police Contract for each of the Board members.
- Mr. Dziczek said he would like to pursue the petition of the Board of Selectmen in Hudson concerning local aid. He thought maybe the School Committee could be contacted for their comments, and also suggested bringing it up again when Mr. Brown returned.
- The Board acknowledged the letter from Algonquin Gas concerning pipeline replacement on August 4th, and asked that Conservation get a copy of the letter.

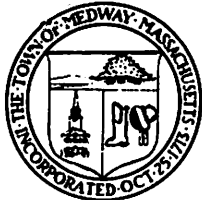
10:30 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JULY 13, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of June 15th and June 29th meetings.
- Joint meeting: Selectman Chairman, Town Moderator, School Committee Chairman - appoint Tri-County School Committee Representative.
- 7:05 - Jack Sharpy - Insurance Cost Control.
- 7:15 - Vern Robertson - re: Cable Access - new equipment.
- 7:30 - Paul Rivard - re: railroad bed easement
- - old business.
- - new business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

Prior to the start of the meeting, the Board discussed the monies in the Salary Payroll voucher under educational incentive for members of the Water Department. Mr. Brown stated that if the Water Department could use such a program, so should the Highway, Park and even Town employees, not just some employees. Mr. Brown said he was signing the warrants on the assumption that this item would be eliminated in the future subject to an explanation from the Water/Sewer Board.

7:00 p.m.--Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Mr. Brown made a motion to accept as written the minutes of June 15th and June 29th; Mr. Dziczek seconded; all aye. The warrants were signed.

7:01 -Town Moderator, Richard Maciolek; Chairman of the School Committee, Jeff Nutting; and Chairman of the Board of Selectmen, Walter Johnson met to discuss the appointment of a representative to the Regional Vocational School. Mr. Johnson was nominated as Chairman of this joint committee. Mr. Nutting mentioned that there were three nominees for the position: Loring Maxwell, Mary Ellen Lavenberg and Robert Heavey. Mr. Maciolek mentioned that all three seemed qualified, but that he felt it was helpful to have someone in the trade. Mr. Johnson agreed. On that basis, Mr. Nutting nominated Robert Heavey, Mr. Maciolek seconded; all aye.

7:04 -Mr. Dziczek had some questions for Mr. Nutting on the draft as prepared by Michael Cicoria's auditing office. Mr. Nutting said he had not seen the draft yet as it had been sent to the Supt., but would certainly review it. The Board was reminded the School Committee would be coming to the Selectmen's meeting on July 27th for a joint meeting to appoint someone to fill the vacancy on the School Committee.

7:05 -Jack Sharry, Vice-President of Services for Insurance Cost Control, and the one who will be handling the Town of Medway's account, came before the Board. Peggy Tighe was also present. Mr. Sharry clarified that there will be no disruption in service for subscribers; ICC is just changing the funding mechanism. ICC has notified Blue Cross/Blue Shield that claims will be paid on a monthly basis starting in September. Mr. Sharry mentioned that about 98% of those who have 50 or more subscribers are now self-funded. He also stated that he would tell the Board in January of 1993 what the Fiscal '94 appropriations should be. He stressed the importance of having the Insurance Advisory Committee be aware of how the system works; therefore, he would be looking to a meeting mid-Fall to show the committee how claims would be affected. Mr. Sharry stated it was law 32B that says the employee pays 10% and the Town 90% for an HMO. He stated that they do try and protect the retirees. He also suggested that the Town consider some joint purchasing. Mr. Sharry said he would like to come back in September and advise the Board how things are progressing. Mr. Brown mentioned that someone should go over the rate and have it approved every year, maybe the Board of Selectmen and should not just be

accepted. Mr. Sharry agreed with this and will make sure it is done in the future.

7:30

-Vern Robertson came to update the Board on what was new with Cable Access. He stated that this was the 8th programming season, and they were trying to be more visible and accessible to the public. He had high praise for Whittle's sending of educational programming to the High School. Now that the satellite has been installed, additional educational and special programming is available to viewers, and he said he would like to see some of this special programming available to all the schools. Mr. Robertson mentioned that approximately \$5,000 has been turned back to the school system in various ways.

Mr. Brown asked about the broadcasting of town meetings, selectmen's meetings, all-boards, etc. Mr. Robertson mentioned the lack of manpower, but did state that if one central room was available, that that room could be pre-wired, rather than setting up and taking down for each meeting.

7:45

-Paul Rivard came at the request of the Board because Mr. Johnson had been asked questions by abutters near Cottage Street wondering when Mr. Rivard would take care of the area near the railroad bed that he had excavated. Mr. Johnson mentioned that he and the other Selectmen had met with him on a Saturday and Mr. Rivard was to come up with a plan of elevations showing low spots. Mr. Rivard mentioned the as-built plan from Frank DeSimone. Mr. Johnson said that when he went out and looked at that area with Ray Kelley today, he noticed some low spots and stones sticking up; and that the field mix placed there has died out; and how was the buildup of water problems going to be resolved? Mr. Rivard said he would put some rye down and fix the sink holes. Again, the residents that were present asked why Mr. Rivard could not put back what was there to begin with? They just wanted the area to look as it was before he started excavating. Diarmuid Higgins, who was present, mentioned the ditches alongside the railroad tracks that used to take the water overflow. Mr. Rivard again reiterated that, in conversations with previous Selectmen, he understood he was to seed and they did; what was there is there, possibly at different elevations; where the manholes were to go, and what elevations they were to be. He said he could do some grading from one manhole to another by drawing some topsoil from the subdivision. Again Mr. Johnson stated that this all has to be resolved, and asked that Mr. Higgins work with Mr. Rivard and the excavator in getting all of this taken care of. Mr. Rivard stated that, since 1987, the Planning Board, the Water/Sewer Board, and the Board of Selectmen have given him directives to get the sewer service in and mentioned that there were other difficulties along the railroad bed too; all this was only going to create more problems. Mr. Johnson asked that Mr. Higgins meet with Mr. Rivard on Thursday with Mark Flaherty to look the area over, and then the Board of Selectmen can discuss the situation again. Mr. Higgins said he would ask Mike Perrault to come along also. Mr. Rivard

stated that as long as he is involved, some of the problem is his, however, it does have to end at some point.

8:10

-Mr. Brown made a motion to award the bid for the purchase of a fire alarm truck to Covin's of Waltham for \$12,800 upon the recommendation of the Fire Chief; Mr. Dziczek seconded; all aye.

-Mr. Brown made a motion to award the bid for the refurbishing of Engine #4 to E. J. Murphy of Woodville for \$10,443.60, which does not include the repair of the front end; Mr. Dziczek seconded; Mr. Johnson abstained because of a conflict of interest.

8:12

-Mrs. Allen brought up the request of the Computer Committee to solicit bids for equipment for the mapping program. Mr. Brown had some questions about installation, using the minimum on MB for the hard drive, and a question on cables being a separate item. Mrs. Allen will check on these concerns but the committee was given permission to go out for bids.

-The Board acknowledged receipt of a letter from Barry MacDougall who had encountered problems while jogging on the high school track. Mr. Brown felt that a sign should be posted saying what and who should not be allowed on the track. Mr. Dziczek agreed saying there should be some restrictions posted. Mrs. Allen will write to the School Committee expressing the Board's request.

-Mr. Brown asked Mr. Higgins about various highway projects:

Mr. Higgins said that they would be starting on Milford and Fisher Streets on Tuesday with the 15" drainage. He stated that Summer Street was being held up by the State, and hearings are being scheduled with the Zoning Board and the Conservation Commission.

Mr. Johnson asked about the lift at the highway garage, and Mr. Higgins said it was installed and working fine. Highway mechanic, George Cole, had already worked on three cars and a schedule had been set up. Mr. Brown suggested reports from Mr. Cole on a periodic basis.

Mr. Brown commented on the excellent sidewalk job that was done, and that it looks as if they are almost done. Mr. Johnson did not like the police details that had been used for the project, and Mr. Brown said this was one area that should be negotiated in the contract. When Mr. Brown inquired about the sidewalks for Village Street, Mrs. Allen stated there is no more money. Mr. Brown felt, however, that there were still monies in other contracts that could be used. Mr. Brown asked about Causeway Street and Fisher Street repairs, and Mr. Higgins said he had not heard from the State yet.

In reference to street lines, Mr. Higgins said they would be

putting down painted lines, not thermoplastic lines.

Mr. Johnson asked about crosswalks, and if different color lines could be painted between them? If not, permanent signs? A noticeable bump also appears on Holliston Street because of a settling sewerage trench. Mr. Higgins mentioned he had not forgotten about Mrs. Bailey's dip in front of her house on Milford Street, as well as the dips on Village and Awl Street.

- Mr. Dziczek brought up a conversation he had a while back with young Scott Yanco who asked why there was no sign on Holliston Street and 109 saying "Holliston Street". Mr. Dziczek felt this was a good thing for a child to bring up and encouraged other such suggestions from children.
- Mr. Higgins asked that any requests for signs from the Police Department be routed first through the Board of Selectmen. The Board agreed with this request.
- Mr. Brown had a question on firearms posting, and needed to know what the law is in this regard. Mrs. Allen will check with Town Counsel.
- Mr. Brown made a motion to award the cooperative bid to Traffic Markings, Inc. of Franklin for 4" centerline at .0185 per linear foot and 4" edgeline at .0185 per linear foot; and to also award the bid for thermoplastic traffic markings to Traffic Markings Inc. for 4" centerline at .21/per linear foot and 4" edgeline for .21/per linear foot; Mr. Dziczek seconded; all aye.
- Mr. Brown made a motion to award the bid for washed sand to 1- Sagamore of Sandwich at \$4.48 per ton delivered; 2- Kingstown of Plymouth at \$5.28 per ton delivered and 3- Kimball of Mendon at \$5.44 per ton delivered; Mr. Dziczek seconded; all aye.
- Mr. Brown made a motion to award the bid for catch basin frames and covers to Putnum Pipe of Hopkinton from \$125 to \$145 each; Mr. Dziczek seconded; all aye.
- The Board acknowledged receipt of a letter from School Supt. Bettencourt informing the Board of the vacancy on the School Committee, as required by law.
- It is noted that the Police Sgts. exam is scheduled for September 12th.
- The Board mentioned the letter received from Trotter inviting the Board to their open house on September 20th. It seems most of the Board members were planning on attending.
- The Board acknowledged receipt of the letter from Bob Speroni in reference to 31 Coffee Street, and that Fire Chief Vinton will be following through on the owner for the placard on the truck.

- Mrs. Allen acknowledged the letter from Town Counsel on the fire station II renovations involving Paul Crisafulli. She stated she went through the documentation available and will provide Mr. Maciolek with what the office had.
- Mrs. Allen informed the Board that the FinCom was asking that the Selectmen come to their next meeting on July 15th. Mr. Dziczek said he would go since he is the Selectmen's rep to the FinCom. Mrs. Allen indicated that the reason the Selectmen were invited was to discuss the pay rate schedule that the Board voted to accept, since there seems to be a penny difference in some totals. Mr. Brown explained how the computer program came up with the schedule as it was printed. He also stated how the FinCom used to work the schedule out with the Treasurer, but then the Town Accountant was asked to do it, and Mr. Brown was, in turn, asked for his assistance as to how it was formerly prepared.
- A question as to the disappearance of the Town Accountant's General Ledger was brought up, and Mrs. Allen said the Board would have to talk to him about it. She said Mr. Brothers and the auditors looked everywhere for it, but could not locate it. Mr. Dziczek suggested bringing in the state investigators.
- Mrs. Allen brought up Claybrook Farms and their soil removal permit. She asked if the Board wanted to go along with the recommendations of Mike Perrault. Mr. Brown made a motion to grant the soil removal permit to Claybrook Farms, with the three stipulations as stated in Mike Perrault's letter of July 6th; Mr. Dziczek seconded; all aye.
- The Board acknowledged the letter from the MMA with regard to health insurance being provided by MIIA.
- Mrs. Allen mentioned again that the Highway Department is not going to have sufficient funds to cover the department's salaries and no overtime or differential. Mrs. Allen will prepare information to give to Mr. Dziczek for the FinCom meeting on Wednesday.
- The Board acknowledged the letter from the MMA stating that the Town of Medway did not receive the Technical Assistance Grant that had been applied for, for recycling.
- The Board acknowledged the DPS party invitation from Mark Flaherty.
- Mr. Brown made a motion to appoint the Democratic election workers as nominated in the Democratic Town Committee's letter to the Board; Mr. Dziczek seconded; all aye.
- Mr. Dziczek made a motion to appoint Ronald Dolloff as Tree Warden/Moth Agent; Mr. Brown seconded; all aye.
- The Board discussed the people that have applied for various vacancies on different committees. Mrs. Allen will ask them all to come before the Selectmen for interviews.

- Mrs. Allen asked the Board if a committee should be appointed to study the use of the old Torrent Fire Station. She mentioned how there is hardly any parking there. Mr. Brown mentioned that if it was leased to the church, it could be under the stipulation that they fix it up. Mrs. Allen will advertise for people to be on the committee.
 - The Board asked that Mrs. Allen schedule meetings with the Park Commissioners, the Highway Supt. and his Assistant, the Building Inspector, and with the Administrative Assistant for a future Selectmen's meeting.
 - Mr. Brown made a motion that the following be reappointed since they have not been sworn in for their positions within the allotted time: Brett Allen, James Cassidy, Nicholas Cipoletta, Gordon Crosby, William Dickson, Robert Dubovsky, Edward Duggan, Fr. Austin Fleming, Francis Gallo, Scott Guyette, Gwendolyn Hendry, Virginia Hochella, David Lambirth, Helen Luccio, Harold Lynch, Richard Malo, Jeffrey Mushnick, Michael Mushnick, Linda Myers, Mary June Nylander, Edward Reardon, John Reardon, John Rojee, Joseph Roy, Mitchell Schwartz, Constance Sheehy, Richard Simard, Frederick Souza, Gerald Tracy; Mr. Dziczek seconded; all aye.
 - The Board discussed the draft as prepared by the office of Michael J. Cicoria for the auditing of town records for FY'91. The Board questioned the receipts of ambulance billing and the variance of \$107,000. Mr. Dziczek said they should not even go out to bid without clarifying that amount. It was suggested that when they do go out to bid that the selling or auctioning of the old ambulance be one bid, and the new ambulance a separate bid. Mrs. Allen and Officer Grimes will work out the specs, and she will also check out the abatements.
- The Board also mentioned concerns about the missing general ledger from the Town Accountant's office. Mrs. Allen told the Board they should check with Mr. Brothers to find out how it disappeared.
- Mr. Dziczek mentioned equipment sharing with the SWAP program, and thought it was a good idea for Medway to go along with other SWAP communities. He, therefore, made a motion to join with other SWAP communities in seeking EOCD funding to implement an inter-community program for facilitating sharing of public works related equipment; Mr. Brown seconded; all aye; the document was signed
 - It was noted that the 12-1/2% coming back from the State for Hurricane Bob would go into the general fund for FY'93.
 - Mr. Osborne informed the Board that there was illegal dumping going on at the Village Cemetery.
 - Mr. Osborne was concerned about a recent Zoning Board decision that was made concerning the back lands of residents. He expressed the need that the Planning Board

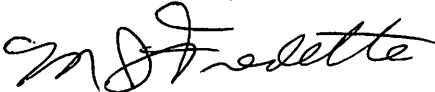
address this issue. He also would like to see a 5-man board so that decisions did not have to be unanimous as it is with the present 3-man board. Mr. Brown said that the next town meeting could address it by an article changing the zoning by-law from a 3-man board to a 5-man board.

-Mr. Dziczek mentioned receiving a letter concerning a dedication for Bill Yanco. It seems the School Committee wants to wait awhile before making a decision on something they feel is appropriate in this situation. Mr. Dziczek said he would give Chairman Jeff Nutting a copy of the letter.

-The Board was going to review the rest of the personnel policies, but then felt the extra insertions that were given out for sexual harassment and absence and tardiness would be enough to add to the present policies that were prepared. It was felt that the public hearings that will be held in the future will help to make any other corrections that are needed. Mrs. Allen mentioned the need to insert the drug-free workplace into the policies, and the Board agreed. It was also agreed that the Board should set up a date for the public hearing at the next Selectmen's meeting when they have looked at the retyped version.

10:10 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

file

MEDWAY DEMOCRATIC TOWN COMMITTEE

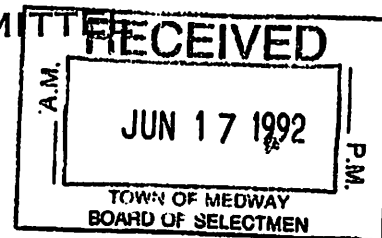
MEDWAY, MASSACHUSETTS 02053

Chairman

Medway Board of Selectmen

Medway Town Hall

Medway, MA 02053



June 15, 1992

Dear Mr. Chairman:

In accordance with the provisions of Section 12, Chapter 54, General Laws of the Commonwealth of Massachusetts Relating to Primaries, Caucuses and Elections, the following recommended list for election workers is hereby submitted:

Evelyn J. Austin, 502 Mahan Circle....533-4832
Leonard R. Carucci, 2 Sun Valley Dr...533-8946
Bertha L. Conena, 32A Holliston St....533-8792
James Cottam, 14D Kenney Drive.....533-6933
Dorothy L. Schavrien, 12 Lee Lane.....533-7309
Leo P. Szymanski, 2 Pine Street.....533-8704
Eunice Hanlon, 10 Pine Street.....533-6502
Robert H. Clorite, 129 Main Street....533-7093
Ernestine Hoban, 91 Holliston Street..533-2224
Sandra Collum, 2 Sunset Drive.....533-7581
Florence M. Mucci, 2 Richard Road.....533-6206
Richard Gildea, 21 Maple Street.....533-7183
Paula Bisson, 4 William Street.....533-2981
Joseph Albano, 27 Sunset Drive.....533-7181
Caren Carew, 18 High Street.....533-5868
Diane Ziolkowski, 1 Spruce Road.....533-5833
Lee Henry, 207 Main Street.....533-8233
Robin Gelbwachs, 62 Fisher Street.....533-5219

Sincerely yours,

Robin P. Gelbwachs
Robin P. Gelbwachs
Chairman

cc: Medway Town Clerk

*cc: selectmen
6/24/92*



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JUNE 29, 1992

6:30 P.M. - HIGH SCHOOL ROOM 111

- 6:30 p.m. - Open meeting; sign warrants.
- 6:35 - Open bids for Fire Alarm Truck.
- 6:40 - Open bids for Fire Truck Repairs.
- 6:45 - Raphaela Rozanski -
re: Conservation Commission appointments.
- 7:00 - Adjourn to Special Town Meeting.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

6:30 p.m.-Mr. Johnson called the meeting to order in the Clothing Room of the High School. The warrants were signed.

-Mrs. Allen brought up the new salary schedule that the Board approved for FY'93 saying some have questioned that the amounts are off by a few cents here and there, possibly adding up to forty dollars by the end of the year. The Board felt it was fine, and Mr. Brown will pass on the disc to Mr. Brothers that came up with the calculations.

6:35 -Mr. Brown read the ad that appeared in the Milford Daily News for bids for a fire alarm truck. The bids received were from:

Doering Equipment Co. - Franklin - \$13,950

Colvin's Equipment - Waltham - \$12,800

Mr. Brown made a motion to turn the bids over to the Fire Chief, and to get back to the Board with his recommendation; Mr. Dziczek seconded; all aye.

-Mrs. Allen asked the Board to sign a common victualler license for Medway Associates D/B/A Medway Restaurant. Mr. Brown made a motion to approve a common victualler license for Medway Associates D/B/A Medway Restaurant; Mr. Dziczek seconded; all aye.

-The Board signed the special beer licenses for the Police Association at Oakland Field and the VFW Field.

-Mrs. Allen asked the Board to sign an automatic amusement license for weekdays and a Sunday entertainment license for Papa Gino's for their video game. Mr. Brown made a motion to approve the licenses; Mr. Dziczek seconded; all aye.

-Mr. Brown read the ad that appeared in the Milford Daily News for bids for refurbishing Engine #4. The bids received were from:

E. J. Murphy - \$10,443.60; modification to front suspension \$7,500.00; total \$17,943.60; with bid bond.

Middleboro Fire Apparatus - \$13,500.00; with spring option \$2,495.00; total \$15,995.00; with bid bond.

M & R - \$11,566.00; with front option \$3,489.00; total \$15,055.00; other extras also offered; no bid bond.

Mr. Brown made a motion to turn the bids over to the Fire Chief, and to get back to the Board with his recommendations; Mr. Dziczek seconded; all aye.

6:45 -Raphaela Rozanski came before the Board to discuss the

Conservation Commission and the reappointment of Paul Yorkis. She was following up on a letter she had already written to the Board. She stated there were two vacancies on the Commission and if Mr. Yorkis was not reappointed, there would be three. She said he gives a great deal to the Commission and is present at 99% of their meetings. She felt the environment is the issue of the 90's and the Town needs a strong commission with strong involved people. Mrs. Rozanski said she needs a seven member board. The State can supersede any of their decisions, and with only four members, everything will require a consensus of the Commission. She said she would not be making this request if it was not important.

Mr. Johnson told her he is still a member of the Commission until someone is appointed in his place. Mr. Dziczek seemed to feel Mr. Yorkis would not be a problem, as he was only one vote out of four. Mr. Brown stated that the Board has gone through several problems with Mr. Yorkis in the past. Mr. Brown still feels there is a conflict of interest with real estate and Conservation Commission, and with a partner in real estate and in the Conservation Commission. Mr. Brown said he has received several phone calls about him and that he was out of his jurisdiction in certain areas.

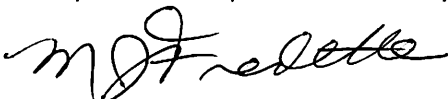
Again, Mrs. Rozanski said he was only one vote, and if anything comes up at a meeting that is a conflict, that Commission member excuses himself from the meeting. Mr. Johnson agreed with Mrs. Rozanski that Mr. Yorkis had a great deal of knowledge about conservation, but he remembers that he was abusing the authority as a constable as well. Mrs. Rozanski mentioned that now all the Commission members have identifying cards. She asked, in conclusion, that the Board reconsider Mr. Yorkis' appointment. Mr. Johnson affirmed that the Board would take her recommendation under advisement.

-Mrs. Allen told the Board that she need their approval for the petitioning of the personnel administration to replace the two retired patrolmen with two police officers at the lowest scale. Mr. Brown made that motion; Mr. Dziczek seconded; all aye.

7:00

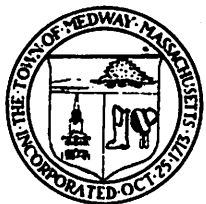
-The Board adjourned to the Special Town Meeting in the auditorium.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JUNE 15, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 6-1-92.
- 7:05 - Insurance Cost Control.
- 7:30 - Library Trustees.
re: to fill vacancy on that Board.
- 7:45 - Kathy Rehl.
re: CRINC.
- 8:00 - Kelly Adler.
re: CIPC
- 8:15 - David Franchi.
re: earth removal permit.
- 8:30 - Mobil Excavating.
re: graffiti on fence.
- 8:45 - Richard Cassidy.
re: temporary sign.
- 8:50 - Chief Wayne Vinton.
re: departmental matters.
- - old business (including personnel policy and appointments).
- - new business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Mrs. Allen advised the Board that ICC had called and cancelled their appointment for 7:05 that evening. Mr. Johnson said that Mrs. Cuning of 126 Summer Street, who was present, had some concerns that she could discuss with the Board in that time slot.

-The warrants were signed. Mr. Brown made a motion to approve the minutes of June 1st; Mr. Dziczek seconded; all aye. Mr. Brown made a motion to accept the special meeting minutes of June 8th; Mr. Dziczek seconded; all aye. At that special meeting, the Board noted that they would like to get together with the Building Inspector, Highway, Park, Mrs. Allen, possibly in small little meetings.

-Mr. Brown made a motion to approve a one-day beer license for the American Legion for June 21st; Mr. Dziczek seconded; all aye. Mrs. Allen will check on the hours of the permit.

-The Board signed a license, already approved, for the Police Association for a three-day beer license for the softball tournament in July. Mrs. Allen will check on the hours of the permit.

7:05

-Mrs. Cuning of 135 Summer Street came before the Board because of two problems - first, she said a ditch near the front of her property was being blocked by roots and therefore, water was not running freely; secondly, she said when Claybrook was blasting back in September of 1991, they damaged her well at the back of her house.

Mrs. Allen stated that Claybrook had tested the water, and it was fine. Mrs. Cuning insisted the blasting had ruined the vein of her well. Diarmuid Higgins, who was present, said that according to Mike Perrault, the well tested OK. He also said there was no water in the ditch when he looked at it, but that the Highway Department could break up the roots that were in the ditch, but the tree would, in all probability, be lost.

Mr. Johnson said that the Highway Department could, indeed, help with the ditch, but the well problem rests with the Planning Board, and the resurfacing of Summer Street belongs to Claybrook. Mrs. Cuning said she had attended the last Planning Board meeting, and they had sent her to the Board of Selectmen - she felt she was getting a runaround. Mrs. Allen was asked to write to the Planning Board since Claybrook is part of their subdivision plan of Summer Street, it should be their problem insofar as the well was concerned.

7:15

-Members of the Board of Library Trustees were present to join with the Board of Selectmen in appointing someone to fill the vacancy on Library Board since Mr. Buckley had moved. Mr. Johnson was nominated chairperson of the joint selection committee. Mrs. Lessard stated that Thomas Carpenter was

their nominee for the remainder of the term until the next election of May 1993. Mr. Brown nominated Mr. Carpenter to the Board of Library Trustees; Mr. Dziczek seconded; all aye. Members of both Boards signed the appointment slip.

-Mrs. Lessard mentioned that the Board had discussed long-range goals; the first being the Minuteman system recently installed; the second was more custodial service. She mentioned that there just is not enough time for two hours a day at the library for the custodian to complete all that he needs to do. The Board thought, now that the police are no longer at town hall, that it would free up some time for the custodian to work an extra hour at the library instead of the town hall. This would not create an extra expense as his time has already been budgeted; it would mean just transferring five hours a week from the Town Hall budget to the Library budget. Mrs. Allen did not feel this would be a problem. Mr. Dziczek expressed concern in the transferring of monies from one account to another; he questioned the similarity between this, and the transferring of monies from the Selectmen's account to the DPS account recently discussed. Mr. Johnson agreed and felt that during the year, this should be straightened out so there were no problems such as what recently occurred.

Mr. Dziczek stated that at Town Meeting, you should find out what the town says, however, the Board of Selectmen should let Mrs. Allen decide what is best for the two departments, and if she felt it was OK, then it would be her decision in the management position she has. Mr. Johnson was inclined to feel it should be left as is; Mr. Dziczek still did not want any monies transferred without town meeting approval; Mrs. Allen will work on this.

7:45

-Kathy Rehl came before the Board to update them on the Millis Consortium. She mentioned that they are in the process of filing a grant that was just issued, and basically have until September 15th to complete it.

Mrs. Allen mentioned that Bob Brothers, the Town Accountant, had suggested that she be the "grant coordinator" just to keep track of grants that are sent to the Town so they can be dispersed to the proper parties; Mr. Dziczek agreed. On that same note, Mr. Dziczek asked that any correspondence that came into the Selectmen's Office, if it had any reference to any other departments, that it be copied for that department even if the Selectmen had as yet not seen it.

Mrs. Rehl also mentioned that they are doing a study to find out how other towns are handling yard waste. She stated that CRINC had stopped in their quest of using Holliston for a site because of hazardous waste. She said they may still issue another proposal and the State should help pay the legal fees. Mrs. Rehl said the Town of Medway would get an executed contract with the Holliston site, and would then get an amendment if the site changed.

Mr. Dziczek asked about the capping of the landfill and any

grants, and Mrs. Allen mentioned that a portion had been capped. Mrs. Rehl mentioned that the trucks for recycling would still be available with this grant. Mr. Dziczek inquired about users fees for brush. Mrs. Rehl stated that a sharing of a chipper between Millis and Medway might be possible with the grant. It still has to be found out what is most cost effective.

Mrs. Rehl asked if Mitchell Schwartz could be designated as alternate to the Millis Consortium instead of the previous alternate Maria Roberts.

-The Board signed the appointment slips of those individuals that they had appointed on June 1st.

8:00

-Mrs. Allen stated that Mobile Excavating had repainted the fence that had the graffiti on it, so that they would probably not be in at the 8:30 appointed time.

Kelly Adler, chairman of the Capital Improvement Program Committee and other members of the committee were present to discuss an article on the town meeting warrant for the removal and replacement of underground storage tanks. They were Bernie Cornelia, Rich Kahn, Bob Ferioli and Bob Brothers.

Mrs. Adler stated that the committee did not have a firm recommendation. They are concerned with leakage and being near wells. They do have quotes for removal and replacement. She gave to the Board a list of questions the committee had. Mrs. Adler also mentioned the possibility of \$2 million in grant money that might be available. She questioned the need for a consultant, saying the issue needs to be addressed; is it worth it to spend \$90,000. The possibility of getting diesel fuel in town was discussed, and it was mentioned that there is only one diesel station on Milford Street.

Mrs. Adler stated that when grant information is finalized, it will be sent to the Fire Chief. If the Town went with new tanks, the potential for future liability will be less.

Mr. Dziczek mentioned that Mobile Excavating on West Street was pretty much set up for above-ground tanks, and possibly CIPC should contact them - maybe to lease space. He asked about other towns - and it was noted that Franklin and Millis have underground tanks.

Bob Ferioli was concerned with slow leaks and contaminating wells; that they should be encased in concrete bunkers. Precast concrete 3,000 gal. was about \$5,100 delivered. Mrs. Adler mentioned having two written quotes for \$80,000 +. Mr. Ferioli mentioned having diesel tanks above ground, and gasoline below ground. Mr. Johnson felt that was the best. Mrs. Adler mentioned Chief Vinton was looking for sites - 21,000 gallons is estimated for gas, and 6,000 for diesel. Mrs. Adler stated that \$2 million in grant money for all the towns in Massachusetts is not very optimistic. She mentioned the need for someone to be overall responsible for

this so it is handled correctly, but the committee will work towards a decision. Mr. Johnson asked about specs from a town that had changed over; and Mr. Ferioli said any vendor that is licensed should have specs. Mrs. Adler asked what if tanks are pulled and there is contamination - the Town may need legal counsel; regardless, the tanks have to come out in six months.

- 8:25 -David Franchi of Claybrook Farms came before the Board about an earth removal permit. He stated that they were developing Claybrook Farms subdivision to remove excess fill and manure. They indicated they would be leaving 6" of loam on each lot, and would not be stripping the lots, and leaving about 500 yards of clay fill for each lot.

Mr. Franchi was asked about Mrs. Cuning's concerns brought before the Board earlier in the evening. Mr. Franchi said the well tested fine. He said she has a dry well and it could be surface water runoff she's experiencing. Mr. Johnson wondered if the new construction was changing the flow of water. Mr. Franchi's partner said she should have an artesian well. Testing costs about \$375 and a new well about \$4000. Mr. Dziczek suggested Mr. Franchi think about putting in a new well for her, which might be cheaper than all Mrs. Cuning would be doing legally to correct the problem. However, Mr. Franchi and his partner said they know they did not do anything.

Mr. Brown made a motion to approve the earth removal permit for excess loam for a 3 year period maximum, subject to obtaining all the necessary signatures; Mr. Dziczek seconded; all aye. Mrs. Allen reminded the Board that the permit could be revoked with a hearing if need be.

- 8:45 -Bill of Mobile Excavating stopped in to make sure the Board knew that the fence had been painted. Bill said they had tried cleaning and staining and it had not worked. It is now known, he said, that the ones that had defaced the railroad tressle had defaced his fence as well. He wondered why the tressle had been cleaned but not his fence. Mr. Dziczek said he could go to the courts for a claim for replacing the fence.

Mr. Dziczek asked Bill if he had specs for the above ground tanks, and he said he did.

- 8:50 -Richard Cassidy came before the Board to say that the time had expired for his temporary sign permit on Holliston Street for the upcoming golf range. He stated that Mr. Speroni had told him the sign would have to come down June 7th, so he had suggested Mr. Cassidy go back to the Selectmen. Mrs. Allen stated that all temporary signs are 30 days.

Mr. Brown made a motion to approve a temporary sign for 30 days for Mr. Cassidy; Mr. Dziczek seconded; all aye. Mr. Dziczek suggested writing a letter to the Board if he needed to extend the permit further.

8:55

-Members of the Medway Fire Department and Chief Vinton came before the Board to discuss the articles that would appear on the Special Town Meeting warrant on June 29th.

First, however, Chief Vinton explained that the \$1,100 increase in stipends is only \$30 per man as designated at the Annual Town Meeting, although the intent had been to make the increase \$50 per man. The Chief said he was, therefore, requesting that the men be classified at a grade 5, step 2 for \$9.71 per hour as agreed to by the JCRB.

Mr. Brown suggested talking to the FinCom about a transfer from the reserve fund to the stipend account. There should be enough in the salary budget to pay stipends first. Mr. Brown made a motion to set the hourly rate as requested by Chief Vinton to \$9.71 per hour per man, and the Deputy Chief's stipend to \$1,500, Assistant Chief to \$1,000, Captains to \$600, Lieutenant to \$475, and Firefighter to \$250; Mr. Dziczek seconded; all aye.

Chief Vinton brought up the requested \$23,500 for the repair of Engine 4. He stated that CIPC recommended \$10,500. The Chief was requesting permission to get bids and open them prior to the Special Town Meeting on June 29th. He stated that the vehicle was unsafe as is. Steve Reding indicated that the Fire Department needs the Board's support - engine 4 is in need of repair. Conversation also centered on the pagers. CIPC had suggested 5 year plan, but the Board would rather the monies be spent at one time to keep the budget in line after that. If you only bought a few pagers, who gets them? Chief Vinton stated that some men had bought their own radios, and indicated the pagers are part of the base station system the Department now has.

The Board and Mrs. Allen suggested the Fire Department talk their case among the townspeople - the Board's support would not be enough. It was also suggested to bring the pagers to the Special Town Meeting, give out flyers, etc.

The Chief talked about the Hepatitis B vaccinations for all emergency personnel. Mr. Dziczek said he talked to OSHA and the requirement was only for businesses - towns are not involved, and can't be forced. He suggested the Chief talk to them. It was stated that many towns are doing the vaccinations, especially when there is a chance of exposure. Mr. Dziczek said it is really difficult to contract the virus and it can be cured. Mr. Brown asked about the liability to the town. Mr. Dziczek said he could support this if the Town wants the extra expenditure, however, he suggested finding out if this could be covered under insurance, and to what extent the town was liable.

On the extra monies for training for the Department, The Chief indicated the number of new personnel that need the training, such as on the jaws of life, etc.

Mr. Dziczek mentioned that, in the future, if there are any internal problems, to ask to meet with the Board in executive

session. The Chief told Mr. Dziczek he was welcome to come to their officers meeting as liaison to the Fire Department, which are held on the last Tuesdays of each month.

Chief Vinton voiced his frustration that everyone was told to come up with a zero-based budget and then to ask for items from the annual at the special town meeting, and now CIPC is suggesting 5 year plans. The Chief said state law is that you can't charge for fire service; but EMT's have a state law that says they can charge for service.

Going back to Engine #4, Captain Harry Lynch said he would be writing a letter to Chief Vinton saying that his men would no longer ride on that truck because it was unsafe. Lt. Steve Reding said there is a liability now on the town and on the Chief.

He asked if they had the Board's support on the training? Mr. Dziczek stated that was why CIPC had been contacted for their recommendations.

10:00

-Mrs. Allen indicated that town employees are wondering if the holiday would be observed on the Friday before July 4th, or the Monday following. The Secretary of State's office had been called and it seems as if it is being scattered between Friday and Monday. Mr. Brown made a motion that the holiday would be observed on Friday, July 3rd; Mr. Dziczek seconded; all aye.

-Mr. Brown made a motion that the fuel bids be awarded to Holliston Oil for #2 fuel at \$.6435 and diesel at \$.6535; and to Nydam Oil for mid-grade gasoline at \$.9830; Mr. Dziczek seconded; all aye.

-Mr. Brown made a motion to award the highway materials bids as read (per the attached list), with the exception of washed sand. Mr. Dziczek seconded; all aye. On the Washed Sand, Mr. Higgins said the lower bids came from companies that might be too far away, and he was not sure of the quality of the sand. He suggested holding off a decision on Washed Sand until the next Selectmen's meeting.

-Mrs. Allen brought up some individuals for reappointment. She first brought up the list of election workers, wardens and clerks by the Republican Town Committee. Mr. Brown made a motion to appoint those people (per the attached list); Mr. Dziczek seconded; all aye.

Mr. Brown made a motion to appoint Mitchell Schwartz as alternate to the Millis Consortium; Mr. Dziczek seconded; all aye.

The appointment of a Veterans Agent came up next, and the names of Robert Lebert and Anthony Mastroianni were considered. Mr. Brown made a motion to appoint Anthony Mastroianni; Mr. Dziczek seconded; all aye.

The appointment of a Selectmen's representative to the

Capital Improvement Program Committee was brought up, and the names of Bernie Cornelia and Doug Downing were considered. Mr. Brown made a motion to appoint Bernie Cornelia; Mr. Dziczek seconded; all aye.

Mrs. Allen mentioned that Col. Matondi had submitted two names of individuals, Donald Smith and Robert Watson, to replace two others who did not wish to be reappointed. Mr. Brown made a motion that Mr. Smith and Mr. Watson be appointed to the Memorial Committee; Mr. Dziczek seconded; all aye.

Mr. Brown made a motion to appoint David Verdolino and Linda Reynolds to the Finance Committee; Mr. Dziczek seconded; all aye. Mr. Brown said he could not make a motion for Tucker Reynolds to the Finance Committee because he felt he was political. However, Mr. Johnson made a motion to appoint Mr. Reynolds to the Finance Committee; Mr. Dziczek seconded; motion passed. Mr. Brown made a motion to appoint Dennis Hayes to the Finance Committee; Mr. Dziczek seconded; all aye.

-Mr. Brown made a motion to approve the FY'93 salary schedule as proposed, which is the FY'92 salary schedule plus 2%; Mr. Dziczek seconded; all aye.

-The Board acknowledged the following communications:

- from Mary Livermore commenting about her street name and the lack of a supermarket in town.
- from Raphaela Rozanski concerning Paul Yorkis' reappointment. It was mentioned that there would be a letter forthcoming from Jan Morris as well.
- from the Board of Health in reference to a violation at 2 Lilly Street.
- four letters from EOCD concerning funding and grants. This prompted Mr. Johnson to ask if there would be any funding available for the drainage problem at Cottage Street. Mrs. Allen said she would check.
- two letters from MMA on the state budget. Mr. Dziczek asked that copies of any communications received that might be relevant to small businesses in town be sent to the Medway Business Council.
- from the Department of Employment and Training looking to the Board for help for payment of delinquent bills sent to the Town Treasurer totalling \$14,389.21. Mrs. Allen said it seemed to be for unemployment. Mr. Brown was surprised in light of the fact that they went to the Finance Committee for monies for emergency transfers. He asked that the letter be turned over to the Treasurer/Collector, and to ask the Town Accountant what happened.
- from the Norfolk County Selectmen's Association with regard to their meeting on June 18th - no one can go.
- from the Community Church's Charlotte Lee apologizing for missing the Selectmen's meeting.
- from the Building Inspector for his monthly report.
- a copy of Gardner Rice's letter to Arlington Data on the billing program.
- from the EOCD concerning "tools for change", which Mrs.

- Allen asked the Board to look over.
- from Anne Bailey of Main Street concerning the condition of the street in front of her house.
 - Mr. Johnson signed the annual letter sent to Michael Cicoria concerning the audit done for FY'91.
 - Mrs. Allen suggested Mr. Johnson meet with Mr. Nutting and Mr. Maciolek after the Special Town Meeting on June 29th concerning the appointment of a representative to Tri-County. This was fine with him.
 - Paul DeSimone, who was present, asked the Board if he could speak to them concerning a neighbor's complaint, Mrs. Hamill, of a truck belonging to Mr. Van Patten-Steiger parked on Coffee Street. The resident had spoken to him because she was concerned that the truck implied there were hazardous materials in it. Another neighbor, Mrs. Baer, had said she had seen him pouring gasoline three times into a nearby drain, and then covering the area with sand. Allegedly, she had complained to the Town but nothing was done.
- It was mentioned that the Building Inspector should enforce that the truck not be parked there. Mrs. Baer has supposedly called DEP, and also spoken to Maureen McLoughlin of Sun's Transportation on this.
- Mr. DeSimone also talked about 5 Douglas Street where a resident is supposedly repairing washing machines from her home. He indicated there is between 8 and 15 washing machines there at one time. Mr. DeSimone suggested Mr. Speroni look at the truck on Coffee Street at the same time he looked at the washing machines on Douglas Street.
- The Board said they would look over the balance of the personnel policies at the Selectmen's meeting on July 13th; have copies made of the complete package for all departments and personnel; and then set up a date for a public hearing.

11:00 - The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

Attachments

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

DATA FRAME'S COVERS

TOWN OF

DATE _____

SUMMARY OF BIDS
MATERIAL TO BE USED FOR *C.13. FRAMES' & COVERS*
DAHL FRAMES' & COVERS

TOWN OF

DATE _____

MEDWAY, MASS.
JUNE, 1992-95

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

SUMMARY OF BIDS

MATERIAL TO BE USED FOR WASHED SAND.

TOWN OF MEDWAY JESS
DATE - June 1, 1992 - 93

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

Learn

TOWN OF

558

DATE JUNE, 1992 - 93

[illegible]

SUMMARY OF BIDS

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

MATERIAL TO BE USED FOR

DEPARTMENT OF PUBLIC WORKS

CAUSED (DATE)

TOWN OF MEADOW, MISS

DATE JUNE 1-1992 - 93

[illegible]

SUMMARY OF BIDS

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

MATERIAL TO BE USED FOR

USED FOR
P.V. BERM MIX
IN PLACE.

TOWN OF

DATE _____

MEDICAL AFFS.
JUNE, 1992-93.

[illegible]

MATERIAL TO BE USED FOR
PREFCAST. C.B + MH

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

SUMMARY C¹ BIDS
MATERIAL TO BE USED FOR *SEAL COATING*
CRACK FILLING

TOWN OF MEDWAY, MASS.
DATE JUNE, 1992 - 93.

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

3/8 CHIP4 SAND
SEAL

TOWN OF

554

DATE JUNE 1, 1992 - 93

[illegible]

SUMMARY C. BIDS

MATERIAL TO BE USED FOR
CONCRETE PIPE.

TOWN OF

5545

DATE JUNE 1, 1992 - 93

[illegible]

SUMMARY BIDS

TOWN OF MEADOW JASS

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

MATERIAL TO BE USED FOR *WASHED STONE*

DATE JUNE, 1992 - 93

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

TOWN OF

TOWN OF MEDWA, MASS.
DATE JUNE, 1992-93

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

METAL PIPE

Aluminum Pail / COMET PAVE

TOWN OF

DATE TIME / 1992 - 93

NEWAY MISS.

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

SUMMARY OF BIDS

MATERIAL TO BE USED FOR COLD PATCH

TOWN OF

VIEDUA, MASS.

DATE June 1, 1992 - 93

[illegible]

SUMMARY OF BIDS

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

MATERIAL TO BE USED FOR
BANK GRAVEL.

TOWN OF MIDDLEBURY

DATE JUNE 1, 1997 - 93

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

MATERIAL TO BE USED FOR

DENSE GUIDED BASE

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

SUMMARY OF BIDS
MATERIAL TO BE USED FOR *Hot Top in Place*

And F.C.B.

SUMMARY OF BIDS

Hot Top in Race

TOWN OF

MEDELY 1955.

DATE July 1, 1992 - 93

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

OF BIDS
CATCH BASIN

And MANHOLE'S + FRAMES

TOWN OF

MEDWAY MASS

DATE JUNE 1, 1992 - 73

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

6" - Stone

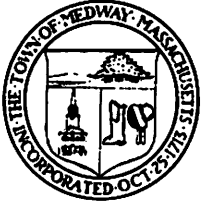
TOWN OF MEDWAY / MS
DATE June / 1992 - 93

[illegible]

DATE - JUNE, 1992 - 93

MATERIAL TO BE USED FOR

[illegible]



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JUNE 1, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 5-18-92 meeting.
- 7:05 - Open Fuel Bids.
- 7:15 - Open Highway Bids.
- 7:30 - Representative from Community Church -
re: old Fire Station I.
- - new business.
- - old business.

Present: Walter Johnson, Richard Brown, Joseph Dziczek and Administrative Assistant Ruth Allen.

7:00 p.m.-The meeting was called to order by Mr. Johnson in the Selectmen's Meeting Room 2 of Town Hall.

-The mylar of Main/Summer/Village Street intersection was signed by the Board.

-Mr. Brown made a motion to approve the minutes of May 18; Mr. Johnson seconded; all aye.

-The signing of the warrants was postponed until later.

7:05 -Clerk Richard Brown read the ad that appeared in the Milford Daily News concerning fuel bids.

Bids were opened from Holliston Oil of Holliston and Nydam Oil of Linwood. Mr. Brown made a motion to turn the bids over to the Highway Superintendent for his recommendation; Mr. Dziczek seconded; all aye.

-As there were a few minutes left before the next bid opening, Mr. Higgins mentioned that the lift for the new highway garage should be in this week. He would also follow up on the highway getting reimbursed for working on drug task force vehicles. Also, Mr. Higgins mentioned that a Rhode Island firm takes the used oil.

7:15 -Mr. Brown read the ad that appeared in the Milford Daily News concerning highway materials bids. Bids were opened from: Bardon/Trimount Inc. of Stoughton; Highway Concrete of Wareham; Sagamore Sand & Gravel of Sandwich; City Foundry Co. of E. Providence, RI; Putnam Pipe Corp. of Hopkinton; Scituate Concrete Pipe Corp. of Scituate; Sealcoating Inc. of Hingham; J. H. Lynch & Sons of Cumberland, RI; Bartlett Consolidated Inc. of Plymouth; All States Asphalt, Inc. of Sunderland; Kingstown Corp. of Plymouth; LeBaron Foundry Inc. of Brockton; Thos. W. DiPlacido Corp. of Wrentham; J & R Precast of Berkeley; Pyne Sand & Stone Co. of Hopkinton; Hood Construction Co. of Uxbridge; Penn Culvert Co. of N. Billerica; E. C. Murray Construction of Framingham; Kimball Sand Co. of Mendon; Lorusso Corp. of Plainville; and S. M. Lorusso & Sons Inc. of Walpole. All companies had enclosed either a bid bond or a check. Mr. Brown made a motion to turn the bids over to the Highway Superintendent for his review and recommendation; Mr. Dziczek seconded; all aye.

7:45 -A representative from the Community Church was not present to discuss the old Cole Library and the old Fire Station I, even though they were on the agenda at their request. However, members of the Historical Commission, including Chairman Mary Ellen Lavenberg and members Grace Hoag and Ginny Hochella, were present.

Mr. Brown suggested that the old fire station be placed on the next town meeting warrant for the Board of Selectmen to dispose of the station. Mrs. Lavenberg felt there should be

some preservation restrictions, or a caveat, on the property. The Board seemed to be in agreement on this. She also mentioned the possible situation of lead paint in the building that would have to be addressed. There were other questions posed, but the Board said that the Selectmen would have to follow through on the actual details later on. Mr. Dziczek said he did not feel there were any ZBA problems, as it is zoned ARII and residential. Mr. Brown felt that the end result of this meeting would have been the same whether the Community Church representative was present or not - the Board agreed the article to dispose of the old Fire Station I should appear on the June town meeting warrant.

8:00

-Mrs. Allen mentioned that the CIPC was meeting on Tuesday with various groups.

-Mrs. Rehl had been in contact with Mrs. Allen and mentioned that CRINC had withdrawn from Holliston.

-The Board acknowledged the notes received from Commonwealth Engineers in regard to the Main/Summer/Village Street intersection. It was mentioned that the meeting with the Conservation Commission had been postponed to June 15th at Commonwealth's request so answers to ConCom's questions could be obtained. Mr. Dziczek questioned the possibility of going before the ZBA for a variance.

-The Board acknowledged receipt of a letter from Castagne Corp. in regard to the outstanding matters at the new Police Station.

-The Board looked over the list of Selectmen liaisons for various boards and departments. It was agreed that Mr. Dziczek would take Mr. Dronzek's departments, and a few committees were eliminated from the list as they are inactive.

-Mrs. Allen said that communication had been received from the School Supt. asking the Board's permission to use town counsel for reviewing the potential agreement between the semi-pro football team and the Medway School Committee. As there was no extra expense to the Town, the Board granted the request. Mr. Brown made the motion that the School Department be granted permission to use Town Counsel to review the potential agreement between the Tigers and the School Committee, and to also have town counsel generate a lease for consideration by both parties; Mr. Dziczek seconded; all aye.

-Mrs. Allen presented a solicitor's permit to the Board from the Massachusetts Campaign to Clean Up Hazardous Waste. The request for solicitation was approved on a motion from Mr. Brown from June 1st to June 18th, weekdays from 4 - 8 p.m., and weekends from 11 am. to 7 p.m., and to provide a list to the Police Department each day of the individual canvassing and in what area of town; Mr. Dziczek seconded; all aye.

-Mrs. Allen reminded the Board of the Norfolk County

Selectmen's Association meeting to be held on June 18th. Mr. Dziczek told the Board he could not attend, and Mr. Brown and Mr. Johnson will let Mrs. Allen know if they could go.

-Mrs. Allen presented the Board with a request from the Police Association asking that a permit be granted to them for a permit to sell beer at the VFW field and the Oakland Field during a softball tournament on July 17 - 19. Mr. Brown made a motion to grant a permit to the Police Association, pending Park Commissioner's approval, for the selling of beer at the Oakland Field and the VFW Field from July 17-19, with a copy of the letter granting permission to the Park Commissioners and the Police Department; Mr. Dziczek seconded; all aye.

-Mrs. Allen brought up the Cottage Street situation, and mentioned that Mr. Higgins had checked with ConCom, and a notice of intent has to be filed. Commonwealth Engineering will provide all necessary assistance for \$950 if the Town will grant approval. Mr. Brown made a motion to tell Commonwealth Engineering to proceed with ConCom; Mr. Dziczek seconded; all aye.

-Mr. Dziczek brought up the graffiti on the fence at Mobile Excavating. He said he would like them to come before the Board as he felt adequate time has been given to them to follow through on removing the graffiti from the fence, and also he believed there was a breach in the variance granted to them because of this. Mrs. Allen will send them a letter.

8:20

-The Board discussed the personnel policies as had been drafted. Mr. Brown read the policies line by line unless the Selectmen had a concern, comment or question to bring up. It was mentioned that the drafted policies should be posted at the highway garage, police station, library and town hall after the Selectmen have reviewed the initial draft and made their own corrections. A date will be set up for the public hearings and department heads, as well as the general public, will be notified of this date. They will also get a copy of the drafted policies for their review.

As a mention, Mr. Brown stated that the crossing guards, matrons and summer help yet have to be classified by the Job Classification Review Board.

The Board decided to end at Section 10, and continue on at the meeting on the 15th.

9:50

-The Board went over the articles for the Special Town Meeting on June 29th. Mr. Brown read the individual articles for any Selectmen's comments. He also asked that the Town Accountant be asked for his recommendations on the articles.

Mrs. Allen questioned the article from the FinCom that had been requested to be placed on the warrant stating monies had been transferred at the last special town meeting that should not have been done as it has to be borrowed for eight years; the vote should be rescinded. Mr. Verdolino, who was present, said the intent of the FinCom is to get surplus

funds into stabilization. Mrs. Allen will investigate further. Article 31 seemed to be OK, but it needs to be known how the Treasurer/Collector paid for the bond as unused funds were to be used to pay for the bond. The FinCom's next meeting is scheduled for June 10th, and figures will try to be obtained from Bob Brothers for that meeting.

-The Board asked that the staff of the Selectmen's office reopen the office to the public on Friday mornings.

-Mr. Johnson brought up the warrants to be signed. At this point, only one Selectmen signature appeared on the warrant; that being Mr. Brown's. Mr. Johnson said he had called the Bureau of Accounts, and they had stated that the Selectmen's office can only use DPS funds if working directly for them.

Mr. Brown suggested that it depends on what was explained to the Bureau of Accounts that will determine how they will answer. Possibly, not the whole story was explained to them. He suggested Mr. Johnson talk to the Town Accountant. Mr. Johnson said he might talk to the auditors that are scheduled to be in town tomorrow; at this point, he could not sign the warrants.

Mrs. Allen brought up the point that at last year's town meeting, it was voted that there would be no overtime; yet, the Treasurer/Collector's office had frequently been working overtime. Why is the Selectmen's office being so scrutinized, and no one else?

Mr. Dziczek asked if the Town Accountant approved the warrants? It appeared that he had. On that basis, Mr. Dziczek signed the warrants stating that if it was not legal, then he would be held accountable. Mr. Verdolino mentioned the Legal Department of the Dept. of Revenue as a source for information.

Dennis Hayes, who was present, mentioned that at town meeting, the citizens spoke and this whole situation was turning people off. Mr. Verdolino questioned expenditures going over appropriation - what if you can't cover the shortfall with available funds? What is legal and what is not? Different attorneys could give different opinions.

Mr. Dziczek stated that the Board of Selectmen has the authority to move accounts around under their jurisdiction. Tucker Reynolds, who was present, said that it was a moral and ethical situation - three times the town said no - it's an issue of principles. He said everyone tells him how disappointed they are in the Board of Selectmen.

Mr. Johnson suggested the Board move on to appointments. Mr. Reynolds stood up and left the meeting commenting on Mr. Johnson's integrity, but not for the rest of the Board.

10:40

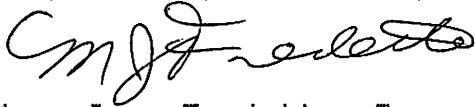
-The Board reviewed the list of appointments. Mr. Brown read each position, and the Selectmen passed on those they had some reservations about. Mr. Brown made a motion to appoint

those individuals the Board did not pass on; Mr. Dziczek seconded; all aye.

Mr. Brown made a motion not to reappoint Mr. Yorkis to the Conservation Commission because he felt that he was abusing that authority; Mr. Johnson seconded.

10:50 -The meeting was adjourned.

Respectfully submitted,

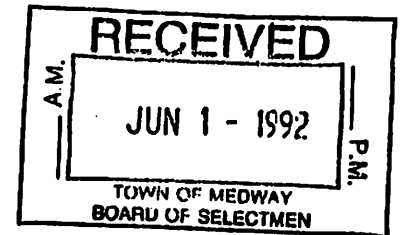


Mary Jean Fredette, Secretary

mj

May 30, 1992

Medway Board of Selectmen
Medway Town Hall
155 Village St.
Medway, MA 02053



Dear Sirs,

Under the provisions of Chapter 54, Section 12 of the Massachusetts General Laws, and at the direction of Mr Mel Buttrum, Chairman of the Medway Republican Town Committee, I submit, for your approval, a list of election workers to serve for a period of one year beginning on September 1, 1992.

The list is as follows:

Warden	Elsie B. Robinson	10 Highland St.
Warden	Joseph Malloy	28 Broad St.
Clerk	Walter Sampson	218 Main St.
Ballot Clerk	Ruth Curtis	31 Highland St.
Ballot Clerk	Ella Ryan	25 Oakview Cir.
Ballot Clerk	Martha Jean Porter	7 Wellington St.
Inspector	Barbara Clark	16 Highland St.
Inspector	Doris Gray	18 Oakview Cir.
Inspector	Catherine Bresnahan	500 Mahan Cir.
Ballot Box	Kenneth Bell	283 Village St.

Alternates for Ballot Clerk, Inspector, and Ballot Box:

Jane Cummings	202 Main St.
Rosemary Bauer	25 High St.
Carolyn Johnson	1 Mann St.
Gretchen White	191 Main St.
Joan Newton	29 Main St.

If you have any questions please call.

Ralph E. Sutherland

Ralph E. Sutherland

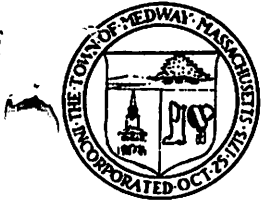
Vice Chairman,
Medway Republican Town Committee

2 Country Ln.
Medway, MA 02053
Tel. 508-533- 6321

CC: Board of Registrars; Medway, MA
Town Clerk; Medway, MA

cc: selectmen
6/1/92

File



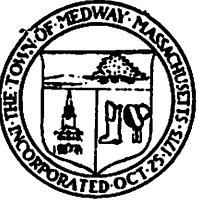
BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

PLEASE PUBLISH

The following appointments were recently made at a Board of Selectmen's meeting:

Brett Allen, Computer Committee; Ruth Allen, Insurance Committee; Sean Anderson, Computer Committee; Dorothy Anthony, Traffic Crossing Guard/Matron; Suzanne Atryzek, Affordable Housing Committee; Peter Bates, Sworn Public Weigher; Robert Belland, Wiring Inspector; Harold Bemis, Council on Aging; Frederick Bodge, Associate Wiring Inspector; Robert Brothers, DOS Systems Manager, Computer Committee, Insurance Committee; Richard Brown, Job Classification Review Board; James Cassidy, Animal Control Officer; Nicholas Cipoletta, Special Traffic Crossing Guard; John Clark, Special Police Officer; Veronica Clark, Street Naming Committee, Traffic Crossing Guard; Robert Coakley, Gas Inspector; David Consigli, Sworn Public Weigher; Gerard Copeland, Special Police Officer, Dispatcher Police/Fire Communications; Bernard Cornelia, Capital-Improvement Program Committee; Gordon Crosby, Special Police Officer; William Dickson, Building Code Board of Appeals; Francis Donovan, Memorial Committee; John E. Dronzek, Industrial Development Commission; John K. Dronzek, Special Police Officer, Dispatcher Police/Fire Communications, Permanent Intermittent Patrolman; Robert Dubovsky, Affordable Housing Committee; Edward Duggan, Municipal Building Utilization Committee; David Duncan, Special Police Officer; Mark Flaherty, Computer Committee, Water Supply Protection Committee; Richard Flaherty, Insurance Committee; Father Austin Fleming, Police Chaplain; Francis Gallo, Insurance Committee; Robert Goode, Memorial Committee; Donald Grimes, EMS Coordinator; Scott Guyette, Industrial Development Commission; Dennis Hayes, Finance Committee; Robert Heavey, Associate Gas Inspector; Gwendolyn Hendry, Historical Commission; Diarmuid Higgins, Municipal Building Utilization Committee; Virginia Hochella, Historical Commission; Anne Johnson, Affordable Housing Committee; Walter Johnson, Municipal Building Utilization Committee, Norfolk County Advisory Commission; David Lambirth, Fence Viewer; Frederick Lee, Industrial Development Finance Authority, Computer Committee, Insurance Committee; Helen Luccio, Affordable Housing Committee; Harold Lynch, Insurance Committee; Harold Lynch, Insurance Committee; Chad MacInnes, Dispatcher Police/Fire Communication; Richard Maciolek, Town Counsel; Father William MacKenzie, Police Chaplain; Walter Mahoney, Town Hall/Library Custodian; Richard Malo, Street Naming Committee; Col. Michael Matondi, Memorial Committee; Hugh McLaughlin, Computer Committee; James Mill, Permanent Intermittent Patrolman; John Misiuk, Assistant EMS Coordinator; Patricia Misiuk, Memorial Committee; Jeffrey Mushnick, Sworn Public Weigher; Michael Mushnick, Sworn Public Weigher; Samuel Mushnick, Job Classification Review Board, Sworn Public Weigher; Linda Myers, Dispatcher Police/Fire Communications; Sally Nolan, Arts Lottery Council; Mary June Nylander, Board of Registrars; Allan Osborne, Council on Aging, Memorial Committee, Veterans Grave Officer; Philip Parchesky, Local Building Inspector; Yogen Pathak, Computer Committee; Carl Perusich, Hazardous Waste Coordinator; Diane Piacentini, Traffic Crossing Guard; Edward Reardon, Historical Commission; John Reardon, Dispatcher Police/Fire Communications; Cynthia Reding, Special Traffic Crossing Guard; Kathy Rehl, Millis Consortium Rep.; Linda Reynolds, Arts Lottery Council, Finance Committee; Tucker Reynolds, Finance Committee; Gardner Rice, Local Water Resource Management Official; John Rojee, Permanent Intermittent Patrolman, Special Police Officer, Dispatcher Police/Fire



BOARD OF SELECTMEN

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page two...

Communications; Joseph Roy, Memorial Committee; Raphaela Rozanski, Water Supply Protection Committee; Charlene Saunders, Street Naming Committee; Mitchell Schwartz, Millis Consortium Alt.; Constance Sheehy, Street Naming Committee; Richard Simard, Dispatcher Police/Fire Communications, Special Police Officer; Allen Smith, Cemetery Commissioner; Brian Smith, Dispatcher Police/Fire Communications; Donald Smith, Memorial Committee; Frederick Souza, Memorial Committee; Peggy Tighe, Computer Committee, Insurance Committee, Parking Clerk, UNIX Systems Manager; Charlene Tingley, Special Traffic Crossing Guard; Mark Tingley, Permanent Intermittent Patrolman; Gerald Tracy, Insurance Committee; David Verdolino, Finance Committee, Municipal Building Utilization Committee; Wayne Vinton, Director of Civil Defense; Jeffrey Watson, Permanent Intermittent Patrolman, Dispatcher Police/Fire Communications, Special Police Officer; Robert Watson, Memorial Committee; Maryjane White, Street Naming Committee; Helen Wickstrom, Memorial Committee.

Board of Selectmen

A special Meeting of the Board of Selectmen was called to order on Monday, June 8, 1992 at 7:00 in the Selectmen's meeting room, second floor of Town Hall. Present were Walter Johnson, Joseph Dziczek and Richard Brown.

Mr. Johnson lead a discussion concerning the Selectmen's Office hours of operation.

It was determined that as a general rule the office should be open from 8:00 to 4:30 Monday through Friday. Summer hours would be 8:00 to 4:30 Monday through Thursday and 8:00 to 1:00 on Friday.

Every effort should be made to have either the Administrative Assistant or Secretary available to the public during hours of operation. (Lunch and breaks should be taken a different times; if it is necessary that Ruth and MJ both be out of the office at the same time, personnel from another Town Hall department should be asked to cover).

During the week of June 8, 1992, MJ will be asked to work 8-4:30 on Tuesday, 9-4:30 on Wednesday and Thursday and 8-1:00 on Friday.

It was stated that Ruth is a "Weekly" or Salaried employee and as such should work a full 40 hour week and be paid for a complete week.

Mr. Dziczek suggested that we set a time to meet with Ruth Allen to discuss the duties of the Administrative Assistant and an employment contract.

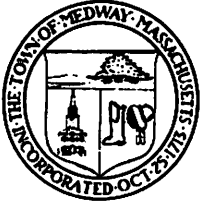
Mr. Johnson requested that we set up a meeting between the Park Commissioners and the Board of Selectmen to discuss the feasibility of combining the highway department and the park department.

Mr. Johnson requested a meeting be set up with the building inspector to discuss concerns he has with the operations of that office.

Mr. Johnson requested a meeting be set up with the highway superintendent and assistant superintendent to discuss the operations of the highway department, work schedules and highway projects.

The meeting was concluded at 8:40 pm

Richard A. Brown, Clerk



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MAY ¹⁸~~14~~, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 5/4/92 + 5/11/92 meetings
- 7:05 - Debra Kane
re: Dog complaint
- 7:15 - Kathy Rehl
re: Millis Consortium
- 7:30 - Robert Ciavarra
re: Finance Committee appointment
- 7:45 - Peggy Tighe
re: Deferred comp plan
Computer Personnel package
- - old business
- - new business

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to accept the minutes of May 4th and May 11th; Mr. Johnson wanted clarification of the May 4th meeting where the subject of Mrs. Tighe as Unix Systems Manager was discussed and agreed upon, and Mr. Brothers as DOS Systems Manager was discussed and agreed upon - clarification was so noted; Mr. Johnson seconded; all aye.

-Mr. Johnson nominated Mr. Brown as Clerk of the Board; Mr. Brown seconded; all aye.

7:05 -Debra Kane of 5 School Street came before the Board with a dog complaint. Jim Cassidy, Animal Control Officer, was also present. Ms. Kane said her purpose in coming before the Board was two-fold: she felt the dog at 118 Village Street, owner being Dodi Anne Lariviere, was being mistreated in that it had no shelter from the weather; and that it was barking during the night. Ms. Kane stated that until recently, when a neighbor donated an A-frame for the dog to use, it had been exposed to the rain and sun, and it was the dog who made a hole in the fence to get out of the sun's rays. She said her experience as a veterinarian nurse indicates to her that the dog is not healthy.

Mr. Cassidy stated he had taken a look at the dog and it appeared healthy to him, as well as to a representative of the MSPCA.

Mr. Dziczek questioned if Ms. Kane had called the police; she stated she had, and Mr. Cassidy was able to speak to the owner the next day. He also mentioned how the owner had said she was going to the District Court to get Ms. Kane to leave the dog alone. Ms. Kane said the General Laws of the State say adequate shelter has to be provided, and she felt this was not being done. Mr. Cassidy said he could try and get a written report from the MSPCA if needed.

Mr. Dziczek felt if the dog was a nuisance, the owner should be so informed, and the police notified when the barking is occurring so a log can be maintained of all complaints. He also said if any other neighbors have similar complaints, they should also contact the Police and log in with them. There are also fines that could be imposed.

Mr. Johnson asked Mrs. Allen to send a letter to the owner of the dog notifying her of the complaint the Board had received about the barking. If Ms. Kane does not receive satisfaction from the Board's letter, then the Board should request the owner of the dog to come to see the Selectmen.

7:30 -Kathy Rehl came before the Board to discuss CRINC's exploring of other areas for a site. She wanted to ask the Board's feelings of CRINC coming to town to look for a site. They would want a building, or land is an option, of 25,000 to

40,000 sq. ft., or a building area of 200 x 200. They also require a dock door 20 ft. in height. Mrs. Rehl said this was not a commitment by the Board, just a sense of direction.

Mr. Dziczek was curious to know why Holliston did not want CRINC? Mrs. Rehl felt many false statements had been made, and that Holliston just did not want the facility period.

Mrs. Rehl said a location near 495 would be ideal, and that a ready-made building would make the project go faster than just getting the land. Suggestions were made of behind the old Gamewell building; the Industrial Park.

Mr. Brown asked if CRINC would make any concessions to the Town if a site was chosen? Mrs. Rehl said Holliston would have had no tipping fee, and they would maintain the roads going to the site. The tipping fee would be maybe around \$27,000 (approx. \$30/ton x 900 tons).

Mr. Dziczek asked about any grants? Mrs. Rehl said the State would have paid Holliston for their Town Administrator for 20 years.

Mr. Johnson concluded that the Board did not seem to have any objection to Mrs. Rehl letting CRINC know they could continue looking at Medway. Mr. Brown commented that CRINC seemed to run a clean operation, and their trucks were lightweight.

7:40

-Robert Ciavarra came before the Board to seek an appointment on the Finance Committee for one of two vacancies that exist. Mr. Brown asked Mr. Ciavarra what he felt were the FinCom's responsibilities? Mr. Ciavarra felt it was their responsibility to evaluate the budgets and make recommendations; that it was an important job for them to see what the Town can afford and to prioritize. Mr. Brown asked him what his feelings were about things that were outside financial bounds? Mr. Ciavarra felt that the FinCom had to make a recommendation, whether it was monetary or not.

Mr. Dziczek asked him why he was applying for the position? Mr. Ciavarra said he was involved in the other towns that he lived in, and after being in Medway for almost a year, felt he wanted to be involved here.

Mr. Brown made a motion to appoint Robert Ciavarra to the Finance Committee, to fill the vacancy of Jay Newton through June 30, 1993; Mr. Dziczek seconded; all aye.

7:50

-Peggy Tighe, Assistant Treasurer/Collector and Fred Lee, Treasurer/Collector came before the Board with several matters for discussion. Mrs. Tighe brought up the contract with PEBSCO in regard to Ch. 494 of the Acts of 1991. She stated that before 1986, no one paid FICA tax; that was changed in July of 1991 when the new law went into effect and everyone pays. By the end of FY'92, the Town will have paid \$35,000 in matching funds. She stated that a majority of the Board would have to vote for this. Mr. Lee mentioned that at one time, there was a question to the legality of

doing this, but it has since been changed. Mrs. Tighe said that it is now law, and most area towns are participating. When the part-time employee leaves town employment, he will receive his money back from PEBSCO.

Mr. Brown made a motion to accept the change as so stipulated in Ch. 494 of the Acts of 1991; Mr. Dziczek seconded; all aye. This, hopefully, will be finalized for part-time summer employees. Mrs. Allen clarified that part-time employees would be on PEBSCO; and full-time on Norfolk County Retirement plans.

-Mrs. Tighe said that back in January, she and Mr. Lee came before the Board to discuss health insurance and retirement. Mr. Brown indicated that that will probably be incorporated in the personnel policy package, and in place within the next 120 days. Mr. Lee said that Mrs. Allen could call area towns and find out what their policy is.

Mr. Brown indicated that the Board has 120 days to put the policy together, and it should be reviewed and discussed soon in detail through department heads and posted on bulletin boards, and people notified of public hearings. Once the policy is in effect, then they can always be amended.

Mrs. Tighe mentioned that there is a personnel package in the computer system which has not been utilized. Mrs. Allen did not think the system would be accessible to anyone else, however. Mr. Lee said no, Mrs. Allen could be given a terminal. Mrs. Tighe said it is a new system, and there is a lot of space on it for medical info, etc.

8:10

-Mrs. Allen asked the Board to sign the ICC contract for self-funding which had previously been approved. Mrs. Allen mentioned that Blue Cross/Blue Shield had gone up 53.3%, and that 5 people added up to 50% of the claims. Pilgrim had gone up 12%.

-Mrs. Allen gave the Board Change Order #3 for the lift for the Highway Garage which came to an additional \$1,725 since they were getting "the equal". This was because there were two posts on the original model, the original model is no longer available, and the one they wanted has four posts for extra support, as well as being hydraulic.

Mr. Brown made a motion to accept Change Order #3 for the lift for the Highway Garage for \$1,725; Mr. Dziczek seconded; all aye.

8:20

-Gardner Rice stopped in. He wanted to make sure with Mrs. Allen that Franchi had posted a bond for the street opening permit at Claybrook. He felt that the pipe there was now under the jurisdiction of the Water/Sewer Dept. Mrs. Allen said there was a \$60,000 bond posted in the Treasurer/Collector's office.

-Mrs. Allen asked about a date for the Special Town Meeting in June. The Board suggested June 29th, with the warrant being

posted by June 12th. They voted to open the warrant this evening and close it on June 1st.

- Mrs. Allen asked the Board to sign the common victualler's license for Scott's Restaurant of 154 Village Street. She said the owner would like to open the restaurant this week, after the Board of Health has given them their license.

Mr. Brown made a motion to grant the common victualler's license to David Scott of Scott's Restaurant of 154 Village Street, subject to Board of Health approval; Mr. Dziczek seconded; all aye.

- Mrs. Allen gave the Board a Boston Edison petition for the maintaining of existing underground facilities on Autumn Road, that used to be a private way, and is now a public way.

Mr. Brown made a motion to grant Boston Edison's petition for maintaining Autumn Road; Mr. Dziczek seconded; all aye.

- Mrs. Allen brought up the request of the Historical Commission to appoint Kathleen Hickey to fill the vacancy of Nancy Skeens.

Mr. Brown made a motion to appoint Kathleen Hickey to the Historical Commission through June 30, 1993; Mr. Dziczek seconded; all aye.

- Mrs. Allen brought up a letter received from Commonwealth Engineers in regard to Cottage Street. It was suggested that the Town replace what's been washed out. There is no cost to Commonwealth yet, but if they had to go to the Conservation Commission, it would cost around \$450. Mr. Johnson suggested Mr. Higgins start working on this with the ConCom.

Jim Gallagher, who was present, asked why he was not notified with a copy of the letter in question? Mrs. Allen stated that the letter just came in on Thursday, and the Selectmen get copies of letters first - then if they wish, they could direct Mrs. Allen to make further copies of correspondence.

- Mrs. Allen presented a draft notice to the Board of the Sergeant's exam to be held, which needed to be approved and signed. She explained this just allowed the individuals to take the exam.

Mr. Dziczek questioned if the temporary sergeants are qualified to be sergeants if they take the exam? Mrs. Allen said there are stipulations in the police contract for temporary appointments, and believed it was addressed there.

- Jim Gallagher interjected with the question of, what berm had been placed on Cottage Street as referred to in the letter from Commonwealth Engineers? Mrs. Allen said she did not write the letter. Mr. Johnson thought possibly a drawing indicated a berm. Mr. Dziczek asked Mrs. Allen to tell Mr. Higgins that the berm there is not doing the job.

-Mrs. Allen gave the Board an emergency transfer for Special Counsel in the amount of \$150 to sign.

Mr. Brown made a motion to approve the emergency transfer request to go to the Finance Committee for Special Counsel in the amount of \$150; Mr. Dziczek seconded; all aye.

-Mrs. Allen told the Board that Kelly Adler, the Board's latest appointment to the CIPC, was setting up a meeting with the rest of the members on Tuesday, May 19th. Mrs. Allen mentioned that she was still unaware of who the Planning Board might send to the meeting. Mr. Johnson said he had heard George Lee would be representing the Planning Board. Mrs. Allen also mentioned that the Board had not been notified of the FinCom's representative, but that she had understood that Richard Kahn was that representative. She was unaware if either had been sworn in. Mrs. Allen told the Board that the Town Accountant was an ex-officio member as secretary.

-The Board acknowledged the resignation of John Slatkavitz as Tree Warden and Moth Agent as of June 30th.

-The Board acknowledged receipt of a letter from Robert Dubovsky of 220 Village Street concerning a parking ticket he received. He felt he was being picked on because he had received two parking tickets in two weeks after living in Medway for 12 years.

Mr. Brown felt he should not be parking on the sidewalk in the first place. Mr. Dziczek questioned if the parking rules are being enforced all over town, or just in Mr. Dubovsky's neighborhood? The Board felt Mr. Dubovsky should just meet with the Police Chief himself, and if not satisfied, then he could come to the Board. Mr. Johnson commented that the Board cannot start adjusting tickets that have been issued by the Police Dept.

Mr. Brown commented it would have been good if the Officer had first told the homeowner that he would be ticketed if the car was not moved, but the Board does not know if that wasn't done. Mr. Johnson asked Mrs. Allen to send Mr. Dubovsky a letter, with a copy to the Police Chief, asking him to talk to the Chief on this matter.

-The Board acknowledged receipt of a letter from MIIA stating that the Town had received a dividend of \$2,473 on property and casualty for FY'90; and \$3,083 on workers' comp for FY'88. Mrs. Allen stated those dividends would go toward our next premium.

-The Board discussed the proposals for insurance that had been received from MIIA and Berry Insurance - Aberdeen was disqualified because they did not quote on all the policies. Mr. Brown said from the proposals received, Berry Insurance did not have any discounts or credits shown, as MIIA did. Mrs. Allen also mentioned that Berry had a \$10,000 deductible, where we had asked for \$5,000. She said on next

year's proposal, we could stipulate that the Town would take the lowest premium; however, this year our proposal stated we would take the lowest aggregate premium.

Mr. Brown made a motion to accept the proposal of insurance as submitted by MIIA for police accident, public officials, law enforcement, school board, workers' comp, property, liability, boiler, auto, and umbrella; Mr. Dziczek seconded; all aye.

-Mrs. Allen brought up reappointments, and Mr. Brown suggested devoting some time at an upcoming meeting to go over the list. June 1st was set up, and at the same time, it was decided to go over the personnel policy at that meeting also. Highway material bids and fuel bids will also be opened that evening.

-Mr. Johnson mentioned the plan that needs to be ready by July 1st for any elevator that would be installed in town hall. Mrs. Allen mentioned she was going to a seminar on May 28th to discuss the handicap requirements, and said that it was similar to the previous law 504.

-Mr. Brown said, on an afterthought, that it would be appropriate to have a "media blitz" on appointments, and asked that it be stated in the newspapers anyone who wants to be appointed to any board, committee or commission to submit a resume or indication of interest on being appointed.

-The Board acknowledged receipt of a letter from the Dept. of Revenue on school choice which referred to receipts and assessments being made through FY'92 local aid distribution, and how Chapter 493 of the Acts of 1991 will be implemented.

-The Board acknowledged receipt of a letter from Allan Osborne wishing to be appointed to the Zoning Board of Appeals.

-Gardner Rice stopped in again asking about the resurfacing of Milford Street. He stated the department had \$4,000-\$5,000 to do the job; and that Mr. Higgins had indicated that his department would be resurfacing Winthrop Street, but Mr. Rice had asked him to wait. Mr. Rice's contractor is willing to come in and do one-half the overlay on Winthrop Street, curb to curb, but then Milford Street could not be done.

Mr. Higgins, who was present, stated that the money has to be determined - Milford Street was to be done first. He said they were going to do from Partridge Street to Diane Drive, then he heard about the water pipe going in, so they were only going to do one side.

Mr. Brown suggested that berm to berm be done on Winthrop Street, and forget about Milford Street; but then do from Lovering Street to Colonial Road. Mr. Rice said they have \$5,000 and would need to add \$4,000 more for a total of \$9,000 to do Winthrop Street; and then Milford Street would be the Town's problem. Mr. Brown asked about white lines? Mr. Rice said that is not the Water Dept.'s.

Mr. Johnson asked about the drain on Milford Street, and Mr. Higgins said it would be done in a couple of weeks.

Mr. Dziczek asked about a priority list for road repair, and Mrs. Allen said she would give him a copy.

Mr. Higgins mentioned having \$80,000 for Milford Street, and that catch basins also have to be raised and adjusted. He said there is also regrinding of the road between Country Lane and Route 126 to be done. Mr. Johnson asked about the heights of the new sidewalk being different; and Mr. Higgins said they would be adjusted, and it shouldn't cost too much.

-Mr. Dziczek had a few questions:

What to do with the copies of correspondence he received in his weekly packets? He was told if the subject had been taken care of, he could dispose of it as the original letter is always on file in the Selectmen's Office.

Could individual Selectmen go out on their own to handle certain situations? Mr. Dziczek mentioned going out to Mobile Excavating about the graffiti on the fence, and they had stated to him they would just swap some of the boards around so it would be unreadable. Mrs. Allen mentioned you have to be careful about going on private property, and that Mobile Excavating had tried to cover up the graffiti in the past. Mr. Dziczek stated that the variance given to them indicated that they had to maintain the premises, and to him, it did not seem it was being done.

He asked about duties in Town Hall, and who was under the Board? Mrs. Allen said the Selectmen's Office and the Town Accountant's Office.

What was being done about applying for any grants? Mrs. Allen said, for instance, there was a land conservation grant, but one of the first criteria is that there is an open space plan, which Medway does not have. Mr. Brown mentioned that general grants do originate from the Selectmen's Office, except for school grants, etc., which they handle themselves; however, the Town has to match funds, and that holds us back.

Mrs. Allen mentioned the small cities grant, but most of the towns have city planners. Mr. Brown mentioned first we have to be able to fund the grant, and then apply for it.

What about the 35 vs. 40 hours for the Selectmen's Office? There is 40 hours for the next fiscal year, but what about this fiscal year - was what was done legal?

Mr. Brown said everything was legal. Town meeting votes the bottom line of the budget - the department has the availability of working with the individual line items in that budget. He said the Board discussed the cutting back to 35 hours for the department, and realized that it would harm the Town more to do so. He talked to the Town Accountant, and discovered other departments have done it in the past as

well. The Board chose to take the funds out of DPS instead of other departments like the Building Inspector's. Mr. Brown also felt it was not proper for the Finance Committee to reduce a salaried individual. Possibly, however, it would be appropriate to be open to the public on Fridays.

Mr. Johnson asked if you could take a percentage out of other departments? Mr. Brown said it was - the Treasurer's Office does it all the time when they are working overtime. Mr. Johnson inquired about Mr. Brown going to the Town Accountant on his own? Mr. Brown explained that the Board had an executive session and agreed on this - maybe Mr. Johnson did not understand? Mr. Johnson did not like the 4 hours on Fridays not being open to the public, and shutting down 1/2 hour for lunch - couldn't the staff just switch around? Mr. Brown felt the time away from the public just gives the staff time to catch up and do work that is constantly interrupted.

Mr. Johnson did not have a problem with the 40 hours, but the figures indicate the hours even if it is not said. Mrs. Allen stated that residents do not understand the 40 plus hours that the staff has worked, such as weekly meetings, for which they are not paid, but noted as compensatory time.

-Mr. Brown mentioned that he was going to the DARE graduation, and asked that Chief Lambirth and Officer Bates be so notified.

-Mrs. Allen brought up the graduation ceremony invitations received from Tri-County, but no one can attend.

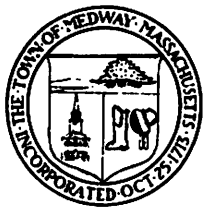
9:50 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MAY 11, 1992

ROOM 111 AT HIGH SCHOOL

6:30 P.M.

- Open meeting
- Re-organize
- Recommendation of Insurance Committee for award of insurance for Fiscal '93

Present: Walter Johnson, Richard Brown, Joseph Dziczek and
Administrative Assistant Ruth Allen.

6:30 p.m.-The meeting was called to order in Room 111 of the High School. The warrants were signed.

-Mr. Brown made a motion to reorganize and nominate Walter Johnson as Chairman of the Board of Selectmen; Mr. Dziczek seconded; all aye.

-Mrs. Allen as Chairman of the Insurance Committee gave a report to the Board of their meeting on Friday, May 8th, and continued meeting on Monday, May 11th. Representatives from MIIA and Berry Insurance were also present.

Mrs. Allen noted that MIIA had voted in new reduced rates which would be \$2,538 less than the firm figure. She said last fiscal year, \$215,000 had been appropriated; this year it looked like the Town would need around \$155,000; and when you include the separate firemen's insurance, that would be \$8,000 more. Mr. Brown said about \$10,000 should be added to the total for a cushion, which would bring the total appropriation to around \$170,000.

Mrs. Allen stated that the Committee had voted recommending going with MIIA, in that the Town's Proposal had indicated that the Town would go with the single proposal offering the aggregate premiums for all insurance that is in the best interest of the Town. Mrs. Allen also said the umbrella was not included in last fiscal year's figures. She said that a certified letter had been received from Berry Insurance today suggesting the Selectmen postpone making a decision, and also suggested the breakdown of all the individual coverages. Mrs. Allen stated, however, that a decision has to be made and voted upon before the July 1st renewal date.

The Board discussed the pros and cons of voting on the issue, and decided to just postpone making a decision that evening. It was also decided that Mr. Brown would let the FinCom know that the range for insurance would be around \$170,000 for FY'93.

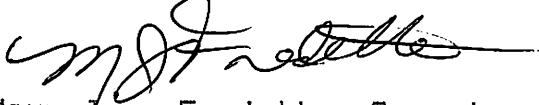
-Mr. Johnson and Mr. Dziczek both made note of the fact that members of the Recycling Committee had called and wished to make a change in the way the breakdown of the recycling appropriations appeared in the FinCom book. Both Mr. Brown and Mrs. Allen stated, however, that the Town votes on the bottom item of expenses, not the breakdown.

-Mrs. Allen told the Board that there was discrepancy in the line 101 of the salaries for DPS full-time highway as it appeared in the FinCom book. She stated that the amount needed for the fiscal year with 2% increase is \$214,971; and it appears the book indicates a total of \$206,623. She said if this was not corrected, the account would be short.

6:55

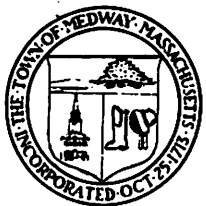
-The meeting was adjourned to the High School Auditorium for the Special and Annual Town Meetings.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mary Jean Fredette", written in dark ink.

Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MAY 4, 1992

- 7:00 p.m. - Open meeting, sign warrants
- 7:05 - Joint meeting: Selectmen, Moderator and Chairman
of the School Committee
re: appointment of Tri-County School Rep.
- 7:15 - Postponed Public Hearing -
New England Telephone Co.-Village & Sanford St.
- 7:30 - Richard Cassidy -
re: sign
- ~~7:45 - Joseph Hoban~~ *cancelled*
- 8:00 - Kathy Rehl
re: Consortium Contract
- - Old Business
- - New Business

Present: John Dronzek, Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to approve the Executive Session minutes of April 29th; Mr. Dronzek seconded; all aye.

-Diarmuid Higgins, who was present, mentioned that he had been approached by Helen Luccio, Director of the Medway Housing Authority concerning having a french drain installed to connect to the town drain at the Village Street location owned by Mr. Rabioli for a future Special Housing. Mr. Higgins said he and Commonwealth Engineers did not have a problem with that, and both lots would be sewered. Mr. Dronzek asked that he get a letter in writing from the property owner giving his permission. Mr. Dronzek felt the Board's decision should be contingent upon receiving the letter, and that the Town does not assume any responsibilities.

Mr. Brown made a motion to allow the Medway Housing Authority permission to install a french drain in the area near 246 Village Street at the site of the future Special Housing, contingent upon receiving a letter in writing from the property owner giving permission for the work to be done; Mr. Johnson seconded; all aye.

7:09 -Richard Maciolek, Moderator; Doug Downing, Chairman of the School Committee; and John Dronzek, Chairman of the Board of Selectmen met to discuss an appointment of a representative to the Tri-County Regional School District. When it was realized that the appointment was only for the expired term through June 30, 1992, it was suggested that the decision be put off until the end of May, beginning of June so that a full three year term could be instituted. It was also felt that the present Chairmen of the Selectmen and the School Committee might reorganize in the interim, and if the Chairmen were to be different individuals with another re-appointment to be done at the end of June, it was suggested to wait. The three agreed no action would be taken at this time. It was also suggested that the three individuals be interviewed prior to making the appointment - and this was seen as a good idea.

7:15 -New England Telephone Company representative Scott MacLeod came before the Board for a public hearing to present a petition for conduit and manholes on Village and Sanford Streets. Mr. Dronzek thought it was too bad this could not have been done when the street was opened up previously two years ago. Mr. MacLeod mentioned that Belloli and Company are the ones doing the work, and Mr. Higgins felt they were pretty reliable. There was no one present in opposition. Mr. Brown made a motion to approve NET's petition; Mr. Johnson seconded; all aye.

-Mr. Higgins mentioned that the hearing with the Conservation Commission on Main/Summer/Village Streets would be on May

18th. He said that after that, we could go out to bid in June and hopefully done by September. Mrs. Allen reminded the Board that there is an environmental notification on this project.

-Mr. Dronzek mentioned to Mr. Higgins that there was a sunken catch basin on the west side of High Street just north of Wellington Street, and that it posed a potential hazard.

-Mr. Brown asked about drains under Fisher Street. Mr. Higgins said he had to wait for a full crew to come in, and that he had been having a hard time getting a hold of the hard-top company that is doing the work. Mr. Dronzek asked about compacting, and Mr. Higgins confirmed it would be.

-Mr. Higgins was asked about the lift for the highway garage addition. Mr. Higgins figured it would take a couple of weeks to get settled as there was a problem in getting a Mohawk lift vs. an equal.

7:30

-Richard Cassidy came before the Board to appeal the Building Inspector's decision to deny him a building permit for a temporary sign at 87 Holliston Street for the future location of a golf course. Mr. Speroni's decision to deny was based on the premise that the ZBA's decision to grant the special permit/variance was being appealed through the courts. Mr. Cassidy stated he just wanted to let others know that he still had intentions of constructing the golf course, and the sign would let them be aware of that and prevent others from doing the same in the vicinity. Mr. Cassidy stated it would be a 3' x 5' sign (15 sq. ft.). Mr. Speroni said he did not want to be caught in the middle of this situation, and suggested Mr. Cassidy take it up with the Board.

Mr. Brown made a motion to approve a temporary 3' x 5' sign indicating that a golf course would be coming soon in the vicinity of 87 Holliston Street; Mr. Johnson seconded; all aye.

7:45

-Joseph Hoban was scheduled at this time, but cancelled his appointment with the Board earlier in the day.

-The Board discussed the self-funding plan for BC/BS health insurance with Mr. Frank Powers of I.C.C. Mr. Dronzek mentioned how a letter had been received from the School Committee endorsing the plan, but that no other comments had been received other than Fred Lee's indication that there might be some negative aspects to the plan. Mr. Powers stated that 90% of those in the Commonwealth have gone the route of self-funding. He was asked if any that went to self-funding have backed out? Mr. Powers said he would check, but did not feel that anyone would start to go backwards once they had started going forward with self-funding.

Mr. Dronzek felt at there might be a cash flow savings in the first two months; Mr. Powers thought in the first year, a conservative guess would be one month. He also stated that

Blue Cross/Blue Shield would need 30 days notice. The Board discussed when the effective date could be, and Mr. Dronzek felt to aim for July 1st with the new fiscal year would be good, and then thought it might as well start with this evening. Mr. Powers said the Town could be billed monthly \$7,500 over 12 months. Mr. Dronzek explained to Mr. Powers that the Town does not have any money at this time to pay I.C.C. for May and June, and that is why he suggested the time period go from July 1 to July 1. Bob Brothers, who was present, suggested taking any fees needed at this time out of leftover insurance monies.

On that basis, Mr. Dronzek suggested the time period go from May 4, 1992 to June 30, 1993. Mr. Power did want to let the Board know that there may be a 5% increase that would be effective next May 4, 1993.

Mr. Brown made a motion to acquire the services of I.C.C. and enter into a contract with them for the purpose of embarking on a self-funding insurance program from May 4, 1992 through June 30, 1993; Mr. Johnson seconded; all aye.

7:58

-Resident Pat Alconada stopped in to ask the Board what were the hiring policies of the Town. She was specifically referring to someone that was recently hired from out-of-town rather than hiring a Medway resident, which she thought should be the logical thing to do. Mr. Dronzek stated that the lack of any specific policies, other than a two-page document, is the reason the Board has placed a Personnel By-Law on the town meeting warrant. In this way, all departments would be following the same policies, rather than individual preferences.

8:05

-Kathy Rehl, the Town's representative to the Millis Consortium, came before the Board to ask for their positive vote on the CRINC contract. She stated she had checked with some members of the Consortium's sub-committee, and said that she needed a vote from the Board of Selectmen to sign the CRINC contract, and then she would come back with the executed contract to be officially signed.

Mr. Dronzek mentioned to Mrs. Rehl that the Board of Health had voted to recommend that the contract be signed, and Mr. Maciolek's only objection was that 20 years was too long. Mr. Brown asked about curbside recycling pickup, and Mrs. Allen said that it would have to be mandated by the Board of Selectmen. Mr. Dronzek asked if preliminary tonnage estimates are based on what is being recycled now? Mrs. Rehl stated that, no, estimates are based on per household tonnage. Mr. Brown asked Mrs. Rehl if the Town was still in line for state grants; she confirmed we were.

Mr. Dronzek stated we have to get a percentage of Consortium member towns to sign the CRINC contract. Mrs. Rehl mentioned that Medfield and Needham are so far against it, but Framingham, Natick, Cambridge and Arlington were for it. She also mentioned how they have gone through many vendors, and need more stability. Mr. Dronzek also expressed concern

for the many volunteers/supervisors the Recycling Committee had, and hoped they could continue with their efforts. Mrs. Rehl mentioned speaking to the newest Board of Health member, and he seemed to be in favor of recycling. Mr. Brown felt that if the State wanted to give the Town a truck and containers, it was a good deal.

Mr. Brown made a motion to approve the signing of the CRINC contract when the Board of Selectmen are presented with the contract for the official signing; Mr. Johnson seconded; all aye.

-Mr. Brown brought up the letter received that day from Fred Lee, Peggy Tighe and Bob Brothers concerning the Computer Systems Manager. Mr. Dronzek said that the letter was confirming that Mr. Brothers would be the Computer Systems Manager and Mrs. Tighe the Assistant Computer Systems Manager for the Unix system. Mr. Brown said he would like from Mr. Brothers and Mrs. Tighe something in writing as to what does managing each system mean, and what plan there would be to accomplish and institute a normal maintenance routine. Also, Mr. Brown said that Mr. Lee felt Mrs. Tighe should be compensated for this. Mr. Dronzek said that you can't do what isn't budgeted, and suggested that it be taken to the JCRB. Mr. Brown said that the Board could recommend this be done. Mr. Johnson felt that Mrs. Tighe had to come in with a job description.

Mr. Johnson made a motion to go along with the letter written by Mr. Lee, Mrs. Tighe and Mr. Brothers and to make Mrs. Tighe the Assistant Computer Systems Manager for the Unix system; Mr. Brown seconded; all aye.

8:30

-Mrs. Allen presented to the Board three petitions from Boston Edison for pole locations and underground services on roads that were once private ways, and have since become public ways, they being Fairway Lane, Stanley Road, and Hillview Terrace. Mr. Brown made a motion that the petitions be granted; Mr. Johnson seconded; all aye. The petitions were signed.

-Mrs. Allen told the Board of a federal mandate that all police, fire and EMS personnel have to have a series of three hepatitis B shots at \$185/person, and that plans have to be in place by July 1992. The cost would be around \$17,000, and it would have to be an article at the Special Town Meeting in June. She wanted the Board to be aware of the situation.

-Mrs. Allen passed on to the Board two invitations for any members who wanted to attend - the installation of the VFW officers and a reception for David Henderson, candidate for State Rep.

-The Board signed the liquor license for Sabina Doyle's as the ABCC just sent in their approved application.

-Mrs. Allen brought up the request of the China Lotus for a live entertainment license for karaoke on Thursdays from 8

p.m. to closing; and a D. J. on Fridays and Saturdays from 10 p.m. to closing. Mr. Dronzek made note that they cannot substitute any other form of entertainment for what is being requested. Mr. Brown made a motion to grant them the live entertainment license; Mr. Johnson seconded; Mr. Dronzek was opposed - motion carried.

-The letter received from Mrs. Lyman was noted, and Mrs. Allen will come up with a proclamation for Tim Lyman as Eagle Scout.

-The Board acknowledged the report from Gregory Carell of his evaluation of the costs involved in renovating the town hall.

Mr. Dronzek noted for the record that if a handicap person ever has to come to a Selectmen's meeting, that the Board make themselves available by adjourning the meeting to Fire Station II to meet with them.

-Mrs. Allen brought up the resume of Robert Ciavarra as an individual interested in being appointed to the Finance Committee, which at present has two vacancies. Mr. Brown suggested that Mr. Ciavarra come before the Board to be interviewed.

-The Board acknowledged the letter of Conservation Co-Chairperson Raphaela Rozanski to a resident who seemed to be in violation.

-Mr. Dronzek felt that the Board should commend the Police Department, and especially Officer Gerald Tracy, for the outstanding work they had recently done in negotiating with an individual who was threatening to commit suicide.

-Mr. Dronzek mentioned that the Board usually marches in the Memorial Day Parade, and that someone, it doesn't have to be the chairman, usually participates in the closing ceremonies by giving a speech.

-Paul DeSimone stopped by to see if Millis and Medway were still sharing the sweeper? Mr. Brown and Mrs. Allen stated that the sweeper had been put on the road weeks ago. Mr. DeSimone complained that no advance warning is given to residents so that they can move cars for a proper sweep of that street.

8:55 -The meeting was adjourned.

Respectfully submitted,



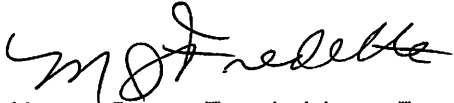
Mary Jean Fredette, Secretary

Correction to the Minutes of the Selectmen's Meeting of May 4, 1992.

page 4.

In the discussion of the Systems Manager, it was clarified that Robert Brothers would be the DOS Systems Manager and Peggy Tighe would be the Unix Systems Manager.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mary Jean Fredette".

Mary Jean Fredette, Secretary

mj

April 29, 1992

A special meeting was called to order at 7 p.m. in the Selectmen's Office. Those present were John Dronzek, Walter Johnson, Richard Brown, Fred Lee, Margaret Tighe and Robert Brothers.

Richard Brown made a motion to go into Executive Session for personnel reasons; Walter Johnson seconded; and all voted in favor.

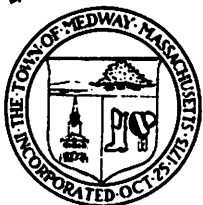
The responsibilities of the Town Computer Systems Manager were discussed. No definite decisions were made. It was decided that the Treasurer's Office and the Town Accountant's Office get together and come up with some suggestions.

Meeting adjourned at 7:40 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "W. Johnson" followed by a flourish.

Walter Johnson, Clerk
Board of Selectmen



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

APRIL 27, 1992

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 - Open Insurance Bids.
- 7:30 - Public Hearing - New England Telephone
conduit - Village and Sanford Streets.
- 7:45 - Kathy Rehl
re: Millis Consortium Contract
- 8:00 - Richard Cassidy
re: sign
- 8:15 - Joseph Hoban
- - Old Business
- - New Business

*no quorum
present
only opened
insurance
proposals
read.*

April 27, 1992

7:00 p.m.--The Selectmen's Meeting scheduled for this date was not held due to a lack of quorum. John Dronzek was present, but Walter Johnson and Richard Brown were absent. When it was realized there would not be a quorum, Mrs. Allen notified those attending the meeting of the situation, and they were postponed to the following Monday.

-Mr. Dronzek signed the warrants.

7:05 -As Insurance Proposals were to be opened and read this evening at this time, Mr. Dronzek told those present that there was no quorum, but he would at least open the proposals and read the amounts being quoted. He stated that the Board would not be able to take any action, or take a vote, or make any motion at this time.

- Woodmansee of Wyoming, RI
accident and sickness coverage for the Police
Department.....\$8,184

- Berry Insurance of Franklin, MA
property & casualty, liability, public
officials, etc.....\$169,642

- M.I.I.A. of Boston, MA
worker's comp., property & casualty, etc.
worker's comp - quote A.....\$55,105 or
worker's comp - quote B.....\$56,795

group pool, umbrella, etc.....\$100,178

- Aberdeen Insurance of Waltham, MA
property & casualty (no worker's comp, public
officials liability or police accident).....
.....\$120,186

- Reardon Insurance of Medway, MA
submitted a letter to the Board stating that
he did not have enough time to submit a
proposal.

Mr. Dronzek said the proposals would be referred to the Insurance Committee.

7:30 -Pat Lovett of New England Telephone showed up for the public hearing. Mrs. Allen told him she could not reach him to tell him of the lack of quorum, and asked to reschedule to the following Monday - he was agreeable to this.

-Bob Berry of Berry Insurance commented to Mr. Dronzek and Mrs. Allen that while reviewing M.I.I.A.'s quote, it looked like they had gone down about \$30,000 from last year; Mr. Reardon agreed with this. Mr. Dronzek explained to Mr. Berry how

the bidding process had come about. Mr. Berry mentioned that M.I.I.A. had dropped their quotes twice before in two years when they had to go out to bid for insurance for another town.

Mr. Berry suggested to Mr. Dronzek that the town make the specs severable, or at least put the option in for severability. Mr. Berry asked when the Insurance Committee met, if it was possible for him to attend? Mrs. Allen said she would notify him.

--Mr. Reardon questioned Mr. Dronzek if there was a "bridge inspection group"? Mrs. Allen commented that the State comes in fairly often to check the bridges.

In discussing the bridges, Mr. Higgins and Mrs. Allen came up with the Walker Street Bridge, Franklin Street, Sanford Street, Shaw Street, Winthrop Street, Mechanic Street, Lovering Street, and near the shoe machinery shop. Mr. Reardon asked Mr. Higgins to look under the Sanford Street Bridge - he didn't like the way the arch looked.

--Mr. Dronzek asked Fred Lee, who was present, what his feelings were about I.C.C. after the presentation they had made the previous week? Mr. Lee mentioned that Mrs. Tighe had talked to other towns and the auditors about them, and there were some pros and cons about the issue. Mr. Lee said that one of the auditors from Michael Ciccoria's office had commented that some of the towns involved with I.C.C. want to get out, and suggested this be looked over some more.

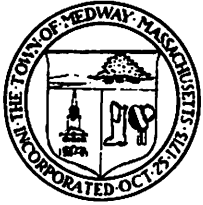
8:00 --Mrs. Allen and Mrs. Fredette presented Mr. Dronzek with a cake for his second-to-last meeting as Chairman of the Board. Mr. Brown, although not present, did have a collage of pictures framed that he took for Mr. Dronzek. They represented buildings built in Medway during his term, as well as areas in town that had raised the town's concern and interest. Mr. Brown also sent along with the collage, an enormous chocolate chip cookie.

BEST OF LUCK, JACK!!!!!!!!!!

Respectfully submitted,



Mary Jean Fredette, Secretary
mj



BOARD OF SELECTMEN

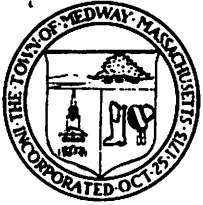
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

APRIL 13, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 4-6-92 meeting.
- 7:05 - Michael McGrath, Insurance Cost Control Inc.
- 8:05 - School Superintendent Arthur Bettencourt
School Committee Chairman Doug Downing
- - old business
- - new business

Note:
Secretary to Board
of Selectmen on
vacation



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

APRIL 6, 1992

7:00 p.m. - Open meeting, sign warrants, approve minutes of
March 30, 1992, and executive session minutes of
March 30, 1992.

----- - old business

----- - new business

Present: John Dronzek, Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to accept the minutes of March 30th; Mr. Johnson seconded; all aye. Mr. Johnson made a motion to accept the executive session minutes of March 30th; Mr. Brown seconded; all aye. Mr. Brown made a motion to accept the executive session minutes of March 23rd; Mr. Dronzek seconded; all aye.

7:05 -Diarmuid Higgins, Highway Superintendent, updated the Board on his department's work. Spring cleaning had begun this week. Street-sweeping is also being done early in the morning so as not to inconvenience residents. CRPCD had requested the use of the Town's backhoe; this was OK with Mr. Higgins, and they would call him long before it was needed. This was acceptable to the Board. Mr. Dronzek asked if Mr. Higgins had heard from Mr. Delaney? Mr. Higgins said he would be speaking with Mike Perrault the next day; there were still a few problems that needed to be ironed out in regard to Main/Summer/Village. Mr. Higgins said that the concrete floor of the new garage addition was still curing. Mr. Higgins mentioned that he would be sending letters to all abutters letting them know when sidewalk work would commence in their area. Mr. Dronzek asked about the construction meeting he had suggested be set up. Mr. Higgins stated it had already been held. Mr. Higgins also said that the lift situation would be straightened out soon.

7:12 -Ed Reardon stopped in and gave a letter to the Board. He was concerned about the 14% interest rate residents had to pay for overdue taxes. He felt that, with today's economy, this was too hard on people. Mr. Reardon was suggesting selling some town-owned land.

Mr. Reardon also commented on the insurance proposal that was sent out, stating that the April 27th deadline was too soon, and his underwriters needed more time; how about mid-May? Mr. Dronzek said decisions had to be made prior to town meeting on May 11th, after consideration and discussion of all proposals received. Monies have to be voted upon the night of May 11th, and adequate interpretation of the proposals have to be made.

Mr. Johnson, however, did make a motion to ask the Treasurer to suggest a moderation on the 14% interest rate on taxes; Mr. Dronzek seconded; Mr. Brown opposed; motion passed.

-Mrs. Allen brought up the CRINC contract submitted for the Board's review; should Town Counsel review it? Mr. Dronzek felt Town Counsel had to review every contract. Mrs. Allen said that some towns have already signed the agreement. She also said that the Holliston Board of Health will be having another public hearing on the subject. Mr. Brown reiterated that 90% of the towns involved in the Consortium have to sign the agreement for it to pass. Mr. Dronzek said there was no

actual agreement to sign, except that which was in the contract book, otherwise the Board would have signed one. Mrs. Allen indicated that Kathy Rehl would like to be present when the contract is signed. The Board asked Mrs. Allen to have Town Counsel review the contract.

-Mrs. Allen went over the "Celebrate Discovery" information received. Mr. Brown said he had submitted some of the same literature to the High School Principal to pass on to Student Council if they were interested.

-Mrs. Allen brought up the Building Inspector's monthly report noting that 9 new house permits had been issued.

-Mrs. Allen went over a letter received from Dugan & Knight, attorneys for Philip Harcovitz in regard to 126 Winthrop Street. The letter concerned a construction easement that existed, but the house was originally constructed on a portion of that easement. In lieu of that easement, Mr. Dugan was requesting another easement to be granted elsewhere on the property for a possible future road. Mrs. Allen was not sure the Board had the authority to remove the easement. She felt that some past correspondence should be in the Building Inspector's office in this regard. Mr. Dronzek felt that more information was needed, and to get a legal recommendation. Mrs. Allen commented that the house was an illegal two-family, but she would check further on the easement.

-The Board acknowledged receipt of:

A letter from Cablevision on a new cost feature involving the Disney channel, sports channel, and court TV.

A letter from Town Counsel concerning ZBA appeal vs. Morris Weiner that had been dismissed.

A letter from Town Counsel to auditors, Michael Ciccioria, commenting on cases during FY'91.

A letter from Town Counsel on retroactive water charges on unbilled water fees.

-Mrs. Allen commented on combined health benefits for HMO and Blue Cross/Blue Shield, and that at least 100 people would have to be insured. She mentioned that MIIA would be instituting the group. Mr. Dronzek suggested holding off on any further discussion of this until after the meeting with ICC next week. Mr. Brown commented that if this changeover was done, it would take 1-2 years to do. A reminder to the Board that ICC was coming in on Monday, the 13th. Mr. Dronzek asked that Mrs. Allen remind the Treasurer/Collector's office that ICC was coming the 13th, and to ask that at least the Treasurer or the Assistant Treasurer attend; they need to be able to answer any questions posed to them.

-The Board acknowledged a letter received from the Sheriff's

Office concerning a grant given to the Medway Police Department for \$3,000 and a DARE grant for \$1,000.

- Mrs. Allen went over a letter received from the Massachusetts Selectmen's Association asking that the Town place an article on the town meeting warrant asking the Legislature to appropriate 15% of the gas tax to cities and towns for local roads. Mrs. Allen reminded the Board that, even if the warrant was closed, the Selectmen could add an article. Mr. Brown made the motion that the resolution be placed on the Special Town Meeting warrant as article 4; Mr. Johnson seconded; all aye.
- Mr. Dronzek asked that Mrs. Allen ask the Finance Committee for backup to their article 3 for the reserve fund on the Special Town Meeting warrant.
- Paul Yorkis stopped in to give the Board a decision/letter that the Conservation Commission had voted on that evening concerning the Millis tie-in for sewer. The Board requested that copies of the letter be put in their weekend packet for further review before any action was taken.
- The Board signed the appointment slip for William Carroll as Special Counsel for the MPF case.
- Mr. Brown made a motion that an emergency transfer for Special Counsel, Greg Barnes be forwarded to the Finance Committee for \$1,175 as the final bill; Mr. Johnson seconded; all aye.
- Mrs. Allen brought up the request by the Milford Rotary for a sign in front of Speroni's. She stated that they would like the sign placed there because they meet at Speroni's, and also would indicate to visiting Rotarians from other towns and states where they meet. Mr. Johnson felt the zoning by-laws should be checked as to height requirements. Mr. Dronzek also felt the size of the sign (32" x 40") was bigger than most other signs that are allowed. Mr. Dronzek requested that the Safety Officer be asked to look at that corner for blockage of view, and then discuss further after that.
- The typed draft of the Special and Annual Town Meeting warrants were looked at.
- Mr. Brown said that at the last meeting of the Job Classification Review Board, seven people came for a change in step and/or grade, effective July 1, 1992. They had felt the change was based on merit, or job description change, and then it was up to the departments to ask the Finance Committee to recommend the change in the budget.
- The Board discussed the Town Accountant also going before the JCRB, and how letters of commendation had been received for that department. Mr. Dronzek did say that Mr. Brothers was bringing 15 years experience to the job. Mr. Brown mentioned that he was to eventually take over as Computer Systems

Manager. Mrs. Allen indicated the Interim Systems Manager hasn't released the job yet; and Mr. Dronzek noted Mrs. Tighe was only appointed Interim Systems Manager. Mrs. Allen agreed it was temporary until someone was hired permanently as both Town Accountant/Systems Manager. She suggested that they have a meeting so everything could be turned over to him. Mr. Dronzek agreed and asked Mrs. Allen to so inform him, agreeing it would have been difficult back in September when he came on board, but adequate time has gone by now.

Mr. Brown asked the Board to consider the increases for both Mr. Brothers and his assistant. Mr. Brothers' increase would be effective July 1st; his assistant in November. Mr. Brown made a motion for Mr. Brothers to go from a grade 12, step 3 to a grade 12, step 5 effective July 1, 1992; and Mrs. Heaton to go from a grade 5, step 1 to a grade 5, step 2 effective November 1992 subject to appropriations; Mr. Johnson could not second that motion until Mr. Brothers formally took over as Computer Systems Manager, then he would reconsider the increase; Mr. Dronzek seconded the motion; motion carried on a 2-1 vote.

Mr. Brown said that any changes should be recommended prior to Special Town Meeting, not after Town Meeting as has been done in the past. Mr. Brown also stated that everyone has gone to the JCRB that are around grade 5 for the Assessors' secretary, assistant Town Clerk, Police Chief's secretary, Town Accountant's assistant. One other secretary has not been included yet, and that is the Selectmen's secretary. He asked the Board's permission to bring the secretary to the same level as the others mentioned. He indicated that in all likelihood they would all go up, or all stay at the same level.

Mr. Johnson made a motion to bring the Board of Selectmen's secretary to the JCRB for a step change; Mr. Brown seconded; all aye.

-Ed Reardon mentioned to the Board that 330 revolutionary soldiers out of 800 came from this area, and only 32 names appear on the monument. Mr. Dronzek suggested Mr. Reardon bring this to the attention of the Memorial Committee.

-Mr. Brown mentioned that the police dispatchers are not under contract and the JCRB forgot to put them under the grade/step system. They recently came before the JCRB with a written job description of four levels, which the Board went over.

Mr. Johnson made a motion that the JCRB set up a police dispatcher grade and step system as recommended which is:

Entry level position - grade 6, step 1
Basic communication dispatcher - grade 6, step 2
Communications dispatcher/reserve officer - grade 7,
step 1
Communications dispatcher supervisor - grade 7, step 2

Mr. Brown seconded; all aye.

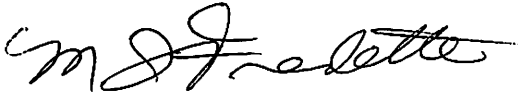
-Mrs. Allen mentioned a recent incident where it appears that someone had access to the Selectmen's Office after it had been locked. The Board asked Mrs. Allen to have the custodian change the locks on all three doors.

-Mrs. Allen mentioned a problem with one of the highway employees, who apparently was out sick, and yet responded to a fire call that same day. Mr. Dronzek asked Mrs. Allen to get further information from Mr. Higgins on his being out sick, and to check with the Fire Chief to see if he did respond to the fire call.

-Mr. Johnson said he had problems with Mr. Higgins being paid part of his salary out of the payroll for snow removal, and the Selectmen's office as well. Mrs. Allen said the payroll warrant was not printed yet; however, taking Mr. Higgins' salary out of snow removal was the same as the Assistant Treasurer coming in on Saturday to print trash bills and charging her time to the Board of Health's trash account. Mrs. Allen said she had dates for Mr. Johnson to look over to show he was on duty on those snow days. Mr. Johnson said the Finance Committee and the Board of Selectmen should agree with the department getting monies out of those salary accounts.

8:45 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj

Addendum to the Minutes of the Selectmen's Meeting of 4/6/92.

page 4.

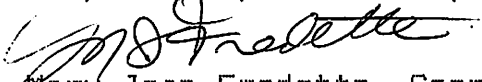
Prior to the subject of the police dispatchers going under a grade/step system being discussed, the following should be inserted:

"Mr. Dronzek left the Meeting Room due to a conflict."

After the subject was discussed and motions made, the following should be inserted:

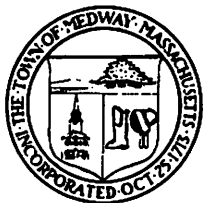
"Mr. Dronzek returned to the Meeting Room at this time."

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MARCH 30, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 3-16-92 and 3-23-92.
- 7:05 - Lou Galante - Galante's Restaurant
re: parking
- 7:30 - Hazel Hopkins
re: sign for Drybridge Crossing
- - old business
- - new business

Present: John Dronzek, Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen.

7:00 p.m.--Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Johnson made a motion to accept the minutes of March 16th; Mr. Brown seconded; all aye. Mr. Brown made a motion to accept the minutes of March 23rd; Mr. Johnson seconded; all aye.

7:01 -Lou Galante of Galante's Restaurant of Village Street came before the Board to discuss the parking in front of his restaurant. He was asking that the 10-minute parking restriction be lifted so that parking time could be increased, as many people are not abiding by the sign, and it is not being enforced.

Mr. Dronzek and Mr. Brown thought if the 10-minute restriction was lifted, it would be a detriment to others who just want to run in for a cup of coffee or a newspaper. Chief Lambirth, who was present, said he had no objection to the time limit being lifted or changed. Mr. Dronzek reminded Mr. Galante that the parking restrictions on High and Lincoln Streets were recently lifted as well. Mr. Galante said he would just like the 3 spaces in front to have additional time for those that want to stay longer for breakfast. Mr. Dronzek told Mr. Galante that the Board would take his request under consideration. Chief Lambirth also mentioned that he had no objection to two additional spaces across the street from the Police Station on Village Street.

Mr. Brown made a motion for two additional parking spaces on Village Street across from the Police Station, and to change the three 10-minute parking spaces to 30-minute parking; Mr. Johnson seconded; all aye. Chief Lambirth recommended that Mr. Galante post signs within his building notifying patrons that there was additional parking on High and Lincoln Streets, and to possibly ask the regulars that they park there, freeing up space near the restaurant for others. Mr. Dronzek asked Mr. Higgins to have the appropriate "no parking" sign changed on Village Street across from the Police Station.

7:18 -Joe Dziczek, who was present, asked why certain rules and regulations were given to Betty Ann Balboni? Can the Board of Selectmen change those rules anytime? Mr. Dronzek said that because the railroad was in that area, certain rules were set up for parking there. Mr. Brown told Mr. Dziczek that the Traffic Rules and Regulations were set up by the Board of Selectmen.

7:20 -Hazel Hopkins, representing CHB Realty, came before the Board to discuss the sign for Drybridge Crossing that had recently received the approval of the Zoning Board of Appeals, pending the Selectmen's approval. They had gone to the ZBA because of the size and height of the sign, which was 8' wide x 15-1/2' high to be located at 116 Main Street. The sign was also being taken off the median strip and moved in 10' closer to

the building.

Mr. Brown made a motion to approve the sign to be installed at 116 Main Street, which had already received the approval of the Zoning Board but needed the approval also of the Selectmen; Mr. Johnson seconded; all aye.

7:25 -Jim Gallagher, who was present, asked if the County Engineers had been contacted for drainage problems at 5 Cottage Street? Mrs. Allen mentioned that Norfolk County had said they cannot take care of that project, but that Commonwealth Engineering would. Mr. Gallagher, however, said that Wayne Simpson had told him that Norfolk County could do it. Mrs. Allen said she would double-check with Mr. Simpson.

7:30 -Chief Lambirth mentioned to the Board that he had been approached by the Field Lighting Committee over the weekend about the idea of selling a block of time to ride in a police cruiser. The Chief was concerned about liability, and felt he was obligated to bring it before the Board. It was the unanimous opinion of the Board that it was a bad idea. Mr. Johnson reminded the Chief that even Park personnel were asked not to have additional people in their vehicles. Again, the Board said they could not support the idea.

7:30 -Diarmuid Higgins, Highway Supt., mentioned that he had asked that the article be placed on the annual town meeting warrant to replace three trucks and a couple of sanders, and the fuel tanks at the garage, which the State could reimburse the town over a 5-10 year period of time, approximately \$80,000 - \$100,000 complete. The system is required. Mr. Higgins said he wanted to replace the '76 GMC, and stated it was getting harder to get replacement parts for vehicles over 10 years old, and as it is, there is a 3-6 week wait on parts. Mrs. Allen noted that the '76 was to be replaced in 1988, and wasn't. Mr. Higgins further mentioned that he has the '76, and two '79's, so the vehicles are getting old, but he would settle for cab and chassis for the '79's and get two sanders instead of the '76 truck. He also mentioned the need for the sidewalk plow.

Mr. Dronzek asked about Summer/Village/Main Street intersection. Mr. Higgins mentioned he would be talking to Mike Perrault of Commonwealth Engineers the next day.

Mr. Brown asked about Milford Street. Mr. Higgins stated that the notices of intent were filed with DEP per the Conservation Commission. The work would be done under the contract under last year's bid, which is good until the end of June.

Mr. Brown asked about Lovering and Winthrop Streets. He was told that was the Water/Sewer Department's. Chief Lambirth thought that possibly the first two weeks in May might be when that would be worked.

At that, Mr. Dronzek suggested a construction meeting be set up with all departments involved, i.e. Highway, Water/Sewer,

Police so that a schedule can be set up and all departments are not stepping on each other's toes.

Mr. Higgins mentioned talking with Mr. Molinari about the sidewalks recently. He also mentioned that the Board had received a letter from Charles Aspinwall concerning joint bids, and that he would be meeting with him the next day to discuss that.

Mr. Dronzek asked about the lift in the garage, and Mr. Higgins said the concrete has not cured yet, so the lift can't go in.

Chief Lambirth asked about turning over one of the police cruisers, and Mr. Dronzek suggested asking the mechanic, George Cole, which car was in the worse shape to get rid of. The Chief said he would rather trade a vehicle in, and Mr. Dronzek agreed saying he did not want another vehicle for insurance purposes.

-Mr. Brown asked that a statement he was making would be read into the record, copy attached. Mr. Dronzek said he did not disagree with the letter in any way or form.

-Mr. Brown recommended that the Selectmen's Office hours be changed effective this date for Monday through Thursday, 8-4:30, the Monday night meetings for the Administrative Assistant and the Secretary, and closed Fridays all day. He also suggested that a form be placed in the hallway for people to fill out when the office is closed, and to also have those forms available in the Town Clerk's office.

Mrs. Allen mentioned that most inspections are called in during the morning hours, as early as 8 a.m. Mr. Johnson asked about being open a half-day on Friday? Mr. Dronzek said that the Town said they don't need full services. Mr. Johnson said that he did not want to get people antagonistic, and that not everyone was at town meeting. Mr. Dronzek again said that he preferred the type of schedule that Mr. Brown had come up with. Mr. Johnson said he was just thinking of the builders. The Board will think over what was said.

7:55

-The Board discussed the drafted warrant for the special and annual town meetings on May 11th that needed their approval. Basically, articles 1 and 2 were just transfers, and not a problem.

Mr. Brown made a motion that articles 1 and 2 be on the special town meeting warrant; Mr. Johnson seconded; all aye.

Article 2 is the same article that appears every year. Articles 3 through 8 were fine. On Article 9, Mr. Dronzek did not feel he could recommend all the items at one time, and to wait for as long as the town can on them, but did suggest that the FinCom see the trucks in question with the mechanic so that the condition would be evident. Articles 10 and 11 were OK. On Article 12, Mrs. Allen will check the time limit. She thought a fund was being established to

cover maybe 75% coming back on the cherry sheet. Mr. Dronzek suggested pushing grant availability. Mrs. Allen said if the time limit is 1995, there is time. Mr. Dronzek suggested putting in the article, "no later than _____, it has to be done" (the mandated expiration date). Articles 13 and 14 were OK. In Article 15, get rid of the word "keep". On Article 16, Mrs. Allen said a copy of the wording was sent to Mr. Maciolek for his review as it is a whole new penal law. On Articles 16, 17, and 18, the Board wanted to know what the amount would be. Also, for Mrs. Allen to please ask Chief Vinton to seek out used vehicles, not new ones. On the pagers, Mr. Brown asked if the article is to replace all or some? Mrs. Allen indicated they all have pagers now, at which Mr. Dronzek asked Mrs. Allen to find out how many have to be replaced this year, and possibly do it in a scattered manner over the years. On Articles 20 and 21, again what is the amount. Articles 22 and 23 were OK. On Article 24, the question of just replacing the box was discussed, and Mr. Osborne asked about taking off the chassis? Mr. Brown said that private companies do just that. He also said he would not like to see these vehicles being under-utilized at horse shows or at Milford Hospital while EMT's are attending courses. Mrs. Allen asked why does the town have mutual aid if it is not utilized as well? Mr. Dronzek thought possibly using the old existing K-7 as a rescue vehicle. Article 25 is a usual article. On Article 26, Mr. Dronzek said the funds were subject to being recouped on the lien. On Article 27, the Board of Health has to come up with how it is to be done. On Article 28, the members would be increased from 7 to 11. On Article 29, Mr. Dronzek said that whatever streets are on the list, that the Highway Department has to look at them first. Article 30 was OK.

Mr. Brown made a motion to approve articles 1 through 30 subject to further review, (article 1 coming from the Town Clerk); Mr. Johnson seconded; all aye.

9:00

-Secretary M. J. Fredette mentioned to the Board Medway Cable Access' interest in leaving a VDS keyboard at the Town Hall for use by Town departments and boards. She said there are two VDS keyboards available - one has been allocated to the School Department, and the other would be placed at Town Hall. This would give the town immediate access to putting bulletins on Cable Channel 5 (the municipal channel); however, Carl Pride said the users would have to be instructed on how to utilize the VDS. Mr. Dronzek asked that a notice be sent to all departments stating that if the VDS was made available to town departments, would there be any interest and who would be designated from those departments to be trained in the equipment? He thought placing it in Sanford Hall would be the best central location. Mr. Dronzek said he would like some response from those departments, including the police department, as to their interest or lack of interest within two weeks.

-Mrs. Allen mentioned that a Dave LaBlonde of the Rotary Club of Milford had spoken to Mr. Higgins about getting the town's permission to install a 32" x 48" sign on a 9' lolly-column

in front of Speroni's on the town corner property. Mr. Dronzek thought closer to the Milford line would have been more appropriate, but asked for more information before discussing this any further. Mr. Dronzek also asked that we obtain a recommendation from Mr. Higgins and the Police Chief as to safety.

- Mrs. Allen reminded Mr. Johnson about calling Norfolk County Advisory Board in regard to their meeting.
- The Board acknowledged receipt of Jay Newton's resignation from the Finance Committee.
- Mrs. Allen asked if the Board had any interest in going to Washington on May 29th in response to the passage of the Brady Bill; no one can go.
- Mrs. Allen mentioned that the CRPCD assessment for this year was \$167,350; next year it would be \$166,670.
- Mrs. Allen mentioned she had a meeting to attend on April 1st, and the secretary was taking a vacation day, so the office would be closed for a portion of that day.
- Mrs. Allen asked the Board if they had any comments on MMA's policies and committees to let her know so she could respond.
- The Board acknowledged receipt of the letter from Norfolk County Mosquito Control indicating the spraying program was starting on April 1st.
- Mrs. Allen mentioned that George Caram had called her in response to a letter he received from Jonathan Bruce indicating that he has agreed to remove the headwall and pipe placed on his property during Redgate construction. Mr. Caram was looking for a guarantee, and Mrs. Allen suggested at this point for him to consult his attorney.
- The Board acknowledged the Chief's trip to Virginia for Sgt. Saleski's graduation from the FBI program.
- Mrs. Allen asked the Board if the Selectmen's Office was under any obligation to type the Norfolk County Selectmen's minutes for Secretary, Joe Hoban? Mrs. Allen said in the past, Secretary M.J. has tried to help by typing the agenda, and a roster of members as well, but now minutes are being asked to be done. The Board agreed that it was too much, and Mrs. Allen was correct in refusing.
- The Board commented on the letter slipped under all office doors in town hall and all the mailbox slots concerning the Water Department personnel, but since it was an anonymous letter, the Board will take no action. It was noted, however, that the letters had to have been dropped off between 7 and 11 p.m. when the town hall was closed.
- Mr. Brown brought up the Selectmen's Office hours again, and said a decision had to be made. Mr. Brown made the motion

that the hours of the Selectmen's Office be Monday through Thursday 8 a.m. to 4:30 p.m., and Monday night meetings, and closed on Fridays through June 30, 1992; Mr. Johnson could not second that; Mr. Dronzek seconded. Vote: Mr. Brown and Mr. Dronzek - yes; Mr. Johnson - opposed.

9:30 -Mr. Brown made a motion to go into executive session and not to come back to public session for the purpose of discussing the reputation, character, physical condition or mental health - rather than the professional competence - of an individual; Mr. Johnson seconded; all aye. Vote: Mr. Brown - yes; Mr. Johnson - yes; Mr. Dronzek - yes.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj

Attachment

Monday, March 30, 1992

In regards to the votes taken at the Special Town Meeting March 26, I would like to thank all of those that supported the Selectmen's articles and motions.

I was extremely disappointed at the outcome of the vote on article 1 which denied level funding of the Selectmen's salary budget while granting leveling funding and in some cases raises in salaries for each of the other departments involved.

The Selectmen's office was the only department in the entire town which is being asked to reduce hours of operation and its salary budget (for its two employees) by 12 1/2 percent for the rest of this fiscal year.

Instead of doing things, as the Finance Committee describes, in the spirit of compromise they should consider the issues of fairness, equity and what is best for the town.

For information and background it should be noted that one or more employees in all of the following departments were granted salary increases at the same time the Finance Committee was recommending and the Special Town Meeting was voting to deny level funding for the salaries of those working in the Selectmen's office.

Water Department	-	1 person total FY92 cost	\$832.00
Park Department	-	1 person total FY92 cost	\$707.20
Library Personnel	-	8 people total FY92 cost	\$3,270.80
Library Director	-	1 person total FY92 cost	\$1,248.00
Highway Department	-	3 people total FY92 cost	\$3,676.25
Treasurer/Collector	-	3 people total FY92 cost	\$1,219.40
Fire Department	-	1 person total FY92 cost	\$9,000.00

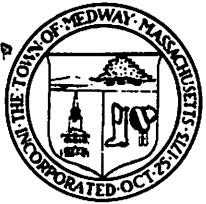
In June of 1991 the Board of Selectmen voted to maintain the operation of the selectmen's office on a full 40 hour per week schedule for two major reasons:

1) After careful review of the consequences of these recommended reductions it was determined that the Office of the Board of Selectmen could not function properly on a reduced schedule. The day to day operation of the Town requires a fully operational and properly functioning Office of the Board of Selectmen.

2) The recommendation to balance the budget by reducing the employee salaries and as a result the essential services of town hall departments was clearly not the only alternative or even the best alternative. In fact this recommendation to reduce salary budgets was not even discussed By the Finance Committee with the departments impacted, to determine the consequences of these actions.

As evidenced by the vote at the Special Town Meeting, people are apparently directed to action more by emotion than by facts. The Selectmen do not intend to try to match critical barbs with outspoken members of the School Committee or Finance Committee, they are far more adept and have much more experience at that sort of thing than we could ever hope to match. But, we do have a bit of advice for both groups; Consider the substance and materiality of an issue and most of all consider the consequences to all parties concerned before engaging in actions that divide the Town, lower morale and hurt innocent people.

Richard A. Brown



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MARCH 23, 1992

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 - Mark Nicholson and Paul Tinsley
Insurance Cost Control
re: Health Insurance
- 7:30 - William Aoude - Aoude Gulf
re: replacement of underground storage tanks
- - old business
- - new business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-The meeting was called to order by Mr. Dronzek in the
Selectmen's Meeting Room 2 of Town Hall. The warrants were
signed.

-Mr. Johnson read the minutes of the Executive Session held
on March 21, 1992, which stated that the 10 officers of the
Fire Department, the Fire Chief, Town Counsel, and the 3
members of the Board of Selectmen were present concerning a
communication received on February 10, 1992. Mr. Brown made
a motion to accept those minutes; Mr. Dronzek seconded; all
aye.

7:02 -Mark Nicholson and Mike Magrath representing Insurance Cost
Control came before the Board to discuss health insurance.
Mr. Nicholson said they were a consulting firm from Worcester
and they had 150 clients and municipalities in Massachusetts.
Mr. Magrath said they were there to discuss a self-funded
arrangement. They can handle from 50 employees to 5,000, and
nearby towns they work with were Bellingham, Franklin,
Westwood, and Millis.

Mr. Magrath explained one type of insurance is the premium
rate insurance, where you pay one lump sum each month all
year for whatever claims are processed. Self-funding is that
you only pay for the claims you utilize. He felt there
should be a 5-7% savings to the town. He cited the example
that if insurance increased 2% with our present carrier, we
could be looking at a \$140,000 increase. He mentioned a
cash-flow advantage only for the first year as billing would
not start until about September if the billing period is from
July 1, 1992. Mr. Magrath mentioned hospital legislation
going into effect in October as well.

Mr. Magrath said basically self-insured just means a
different means of financial arrangement. All employees
would still have the same coverage as they do now, utilize
their same I.D. cards - the only change is in the accounting
procedure. He stated that claims would be paid, with the
balance of monies available going into a trust fund that the
town and personnel have been contributing to gathering
interest. Chapter 32B is the specific law in this matter.

When asked what is done with leftover monies at the end of
the fiscal year if there is a balance, Mr. Magrath said the
money could be used for future rate stabilization or return
the excess portion to the town and the employees. He stated
there were no legal problems with union personnel under
contract, as this did not effect their contributions;
however, during open enrollment, they were all free to
transfer back and forth between Blue Cross/Blue Shield and
Pilgrim if they so desired.

When asked by Richard Coakley, who was present, what was
their function in this type of arrangement, Mr. Magrath
stated basically his company managed the program for the

town. With approximately 280 people involved, their annual fee would be \$12,000 - \$15,000. He stated their fee was guaranteed - if the town did not save at least their annual fee, then the fee to them did not have to be paid. They also recommended putting the town's money in 30-day notes to get interest while waiting for the claims to be processed.

Mr. Magrath also suggested asking the Town of Medway to submit a sample of last year's expenses and claims to calculate what ICC could have saved the town last year if we had signed on with them. Mr. Brown suggested talking to the Town Accountant as well as the Insurance Committee for their input. Mr. Magrath proposed asking our present carriers for a self-funded proposal to see what they could come up with. The Board was informed that Blue Cross/Blue Shield and Pilgrim require a 30-day notice for the shift in management.

Mr. Magrath explained a cap could be placed as the most in claims that would be paid by the town. There is specific insurance and aggregate insurance. With aggregate, a cap is placed on the whole group; with specific, a cap is placed on each individual employee. Monthly reports would be sent to the town on the claims and the risks involved.

Mr. Brown asked what if an employee leaves the town's employ - how is any premium reimbursement handled for that individual? Mr. Magrath said there is no answer to that as yet. In all the years they had been involved with the program, no legal counsel has wanted to make that decision.

Mr. Magrath and Mr. Nicholson suggested coming back to see the Board in a couple of weeks once data could be collected by the Town so some figures were available for them to review. A good portion of one specific meeting could be dedicated to this issue, and all interested parties would be welcome to attend. The Board placed ICC on the agenda for April 13th from 7-8:00 p.m.

7:45

-William Aoude came before the Board in reference to the Gulf Station on Main Street because the Fire Chief had said the replacement of storage tanks should be approved by the Board of Selectmen. In looking over Section 14.8 "new or replacement tank selection and installation" of the town by-laws, Mr. Dronzek informed Mr. Aoude that he had to receive the approval of the Board of Health in many areas, as well as complying with regulations imposed by the Fire Department. He explained everything had to be done by April 1st. Mr. Dronzek again stressed that he contact the Board of Health as soon as possible so that they could take the appropriate action - there was no action to be taken on the part of the Board of Selectmen.

The Zoning Board's decision on the public hearing of Mr. Aoude was handed to the Board, and it was noted that site plan approval was required by the Board as one stipulation handed down in the decision. Mr. Brown made a motion that the site plan as submitted for the Gulf Station on Route 109, copy attached, be approved; Mr. Johnson seconded; all aye.

The Board signed the site plan.

-Mr. Dronzek brought up the letter received from Attorney Maciolek in response to the Board's query concerning a building permit issued to Don Pilkington at 27 Broad Street. He said he did not feel any further action was required by the Board and read a paragraph that was contained in Mr. Maciolek's letter,

"Finally, I have reviewed the plot plan provided with your letter, the language contained in the zoning by-law, taken a view of the premises and spoken both the Building Inspector and a member of the Board of Selectmen. Although I personally may not agree with the interpretation made by the Building Inspector in this particular instance, I cannot say that 'as a matter of law' his interpretation is wrong or improper in any way. It appears that there is both a factual and logical basis for the Building Inspector's interpretation and decision in this instance. Accordingly, it is my opinion that the building permit issued by the Building Inspector was and is valid and that the only Board with authority to overrule that decision is the Zoning Board of Appeals."

Mr. Johnson made a motion that the Board take no further action with regard to the validity of the building permit issued to Don Pilkington at 27 Broad Street; Mr. Brown seconded; all aye. Mrs. Allen was asked to inform the Building Inspector of this decision. Bob Larrabee, who was present, said he believed inspections had been halted. He was informed that there had been no cease and desist put on the project, therefore, no inspections had been halted.

-Mrs. Allen submitted the name of Randall Whiting as the Arts Lottery Council's recommendation as the new member to replace Randy Marcus. Motion was made and approved.

-Mrs. Allen brought up the letter received from Millis Town Administrator Charles Aspinwall asking area towns if they would be interested in joint bidding on several projects. The Board thought this might be a possible idea and asked Mrs. Allen to pursue it further with the Highway Supt.

-The Board acknowledged receipt of a letter from the Executive Office of Environmental Affairs concerning grants for federal land and water conservation fund. Planning Board, Conservation Commission and the Park Department received copies of the letter.

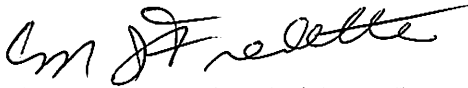
-The Board received the application for a solicitor's permit from Abe Fraden for the selling of sewing machines at the VFW on June 29th. Mr. Brown made a motion that this permit be approved; Mr. Johnson seconded; all aye.

-Mr. Johnson commented that the Municipal Building Utilization Committee had met with Mr. Carell, the architect for the new fire station, who was given a tour of the first floor of town hall for renovation ideas. He felt he could come up with preliminary ideas for about \$2,000-\$3,000.

-Mr. Dronzek voiced approval of a letter received from the Rural Housing Improvement, Inc. asking for the Board's support in providing low interest loans to qualified residents for the removal of lead paint. Mr. Brown made a motion that a letter be written appointing RHI as our agency in this matter, and giving them our support; Mr. Johnson seconded; all aye. Mr. Coakley did not like the idea of endorsing this agency until he learned that it was supported by the State.

8:20 -Mr. Brown made a motion to adjourn to executive session, not to return to public session, for the purpose of discussing strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigation position; also, an executive session now may be convened to conduct strategy sessions in preparation for negotiations with non-union personnel; Mr. Johnson seconded; all aye. Vote: Mr. Brown, yes; Mr. Johnson, yes; Mr. Dronzek, yes.

Respectfully submitted,

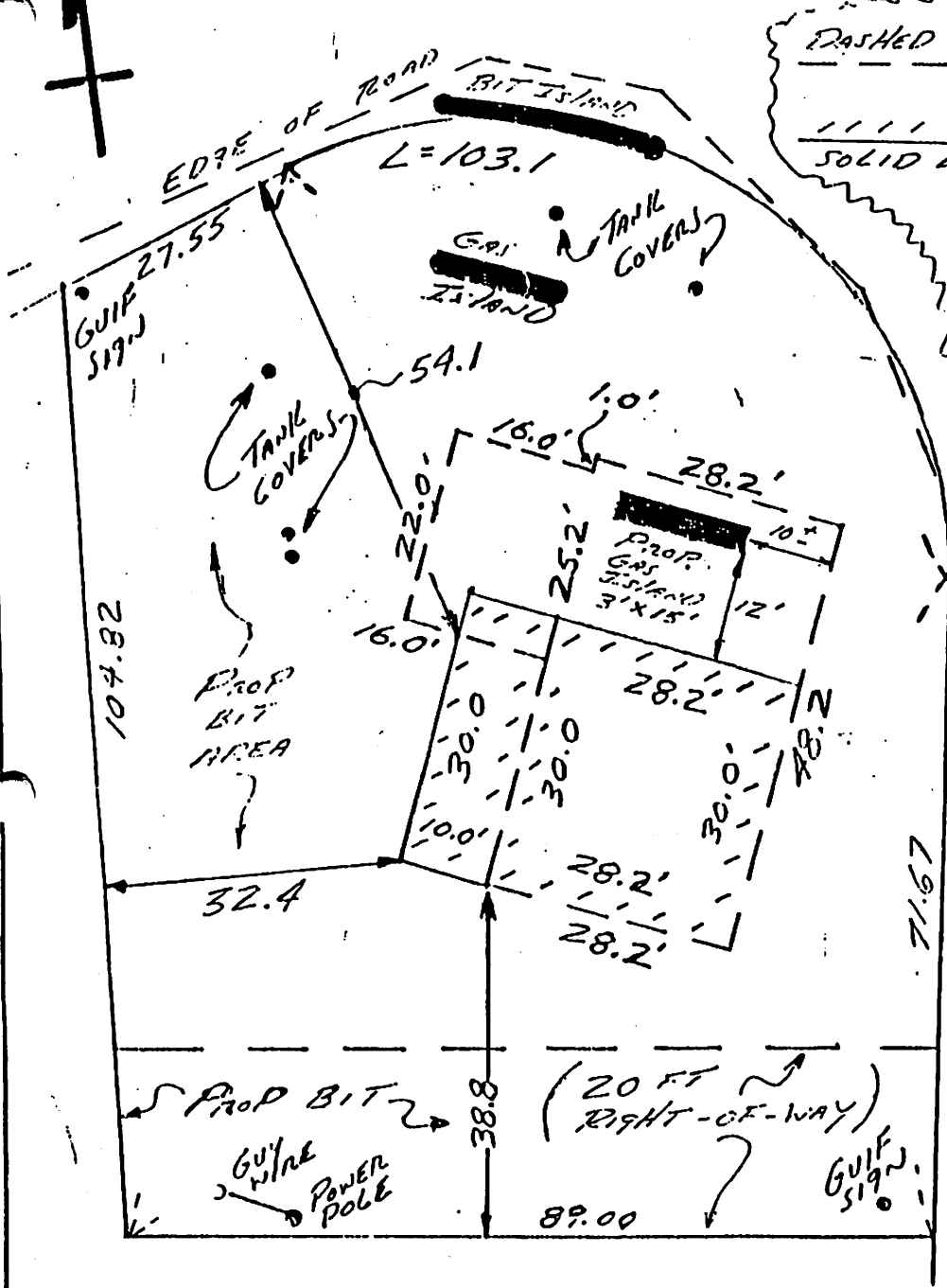


Mary Jean Fredette, Secretary

mj

Attachment

MAIN ST (RT-109)



BUILDING PERMIT PLAN

Scale:

1" = 20'

Date:

10/23/91

LOCATION: GULF STATION - INT. MAIN ST & HOLLISTON ST., MEDWAY

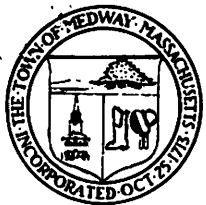
APPLICANT: MR. WILLIAM AOUDE

OWNER: AOUDE GAS AND REPAIRS SERVICE, INC

DESIMONE SURVEYING SERVICES, INC.

89 Main Street
Medway, Ma 02053

PRELIMINARY



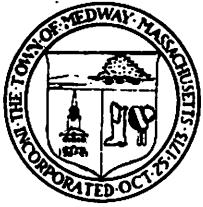
BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

March 16, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 3-9-92.
- 7:05 - George Karam -
re: Redgate drainage
- 7:30 - Building Inspector Robert Speroni
- 7:45 - Paul Yorkis -
re: Algonquin Gas
- - old business
- - new business



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MARCH 9, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 2-24-92 and 3-2-92 meetings.
- 7:05 - Tom Roche
re: railroad bed off of Village Street.
- 7:30 - Ben Whitaker - Algonquin Gas
re: easement on Town-owned land.
- - old business
- - new business

Present: John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen. Richard Brown was absent.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Johnson made a motion to accept the minutes of March 9th; Mr. Dronzek seconded; all aye.

7:02 -Mr. and Mrs. George Caram of 126 Holliston Street came before the Board to state the concerns they had about the drainage problem on their property. They stated they had received no satisfactory results in all the years this issue had been on-going. Mr. Caram said they went before the Planning Board in 1988 concerning the 18" pipe and headwall that were placed on their property, without any easement being granted by the Carams. Mr. Caram stated that the Selectmen had stated back in 1990 at one of their meetings that if the pipe was on their property without their permission, it should be removed. In 1992 the Planning Board told the Carams it was a civil matter between them and the Engineer. A deadline of March 11, 1992 was given to the Planning Board or they would take the matter to their attorney. The Planning Board said there was nothing they could do. At this time, the Carams asked the Board of Selectmen, as a last resort, to get involved in this drainage issue by requesting the removal of the pipe and putting the land back the way it was by April 11th.

In speaking with Highway Supt. Diarmuid Higgins, who was present, it was learned there was a street opening permit at the time the work was done, and the Carams were told they would not receive any more water than they originally had. The Carams insist this was not the case and the amount of water has increased substantially. Mr. Caram presented a letter and plan of pipes done by a surveyor he had gone to, Clayton Ryan, which showed that the pipe and headwall extended 16' onto his property. The Carams stated that, at this point, the only recourse left was to seek legal advice. Mr. Dronzek felt it was the developer's problem to go after the engineer. The contractor should have looked at the easements.

Mr. Dronzek said that the Board can send a letter to Jonathan Bruce stating what Mr. Caram had said this evening, enclosing a copy of the plan and Mr. Ryan's letter, and giving Mr. Bruce a deadline of March 27th. Mr. Dronzek said that since he was responsible for the placing of the pipe on the property, he was responsible for its removal. He also asked that copies of the letter be sent to the Carams, the Planning Board and Commonwealth Engineers. Mr. Dronzek also said that Mr. Bruce cannot go on the Carams' property without their permission.

7:20 -Joe Griffith of Sabina Doyle's asked to speak to the Board, since there were a few minutes remaining before the next scheduled appointment. Mr. Griffith said he had just learned the day before from Mrs. Allen that he would not be able to serve alcohol in the new function room since the ABCC had not

approved his liquor license with this increased space. Mrs. Allen explained how the ABCC wanted proof that abutters had been notified, and therefore, had not approved the license yet.

Mr. Griffith asked the Board if they would grant him a one-day license since he already had 75 reservations for the next evening, St. Patrick's Day. Mr. Johnson made a motion to grant Sabina Doyle's a one-day license to serve alcohol in the new function room from 6:00 p.m. to 12:30 p.m. for March 17th only; Mr. Dronzek seconded; all aye.

7:25

-Mrs. Allen mentioned that an application had been received from Mr. Cortelli of Dave's Taxi of Millis looking for the Board to grant him another taxi license for a third vehicle. Mr. Johnson made a motion that another taxi license be granted to Dave's Taxi; Mr. Dronzek seconded; all aye.

-The Board signed the liquor license for Papa Gino's Acquisition Corporation.

-Mrs. Allen gave the board 3 Boston Edison petitions that did not require a public hearing. The petitions were for maintaining of conduit on Alexandria Drive, Flintlocke Lane, and Mallard Drive. Mr. Johnson made a motion to grant the 3 petitions; Mr. Dronzek seconded; all aye. The petitions were signed.

7:30

-Bob Speroni, Building Inspector, came before the Board to discuss a building permit he issued for 27 Broad Street. Mr. Dronzek stated that this building permit was for work to be done that was similar to construction that was done at 25 Broad Street that is in litigation right now. Doug Downing, who was present, asked the Board what started this review of the permit. Mr. Johnson said he was asked to take a look at the property. Mr. Speroni said he did not know anything about 25 Broad Street because that issue was dealt with prior to his becoming Building Inspector. He did know that it was originally a cobbler shop and mixed usage of the property from commercial to residential.

Mr. Dronzek asked if the construction plan at 27 Broad Street required a site plan? Mr. Johnson said he had since spoken to Mr. Speroni and no site plan approval was needed. Mr. Speroni said site plan approvals are only needed for commercial buildings.

Mr. Speroni was asked why he issued the building permit? Mr. Speroni quoted from the Zoning By-laws and the State of Mass. By-laws, Zoning Act, a copy of which he gave the Board. It stated that with the given situation of alterations, it was acceptable to issue a building permit for non-conforming uses. A Special Permit by the Zoning Board would have been necessary except that this addition does not increase the non-conforming use of the building. Mr. Speroni said he looked at carefully at this application as he does others; looked at the plans; that it had sideline requirements of 15' off North Street; that it was a single family dwelling in

commercial III; that it did not exceed 40% of the existing structure; the front set-back was non-conforming at 18.5 ft. Mr. Speroni said he had spoken with Town Counsel, and Mr. Maciolek had stated that while he understood Mr. Speroni's reasoning, he did not necessarily agree with him. Mr. Maciolek felt that adding the second floor did increase the non-conformity nature of the building.

Mr. Johnson mentioned the imaginary line extending from the first floor which meant that the front set-back had to be 35 ft. Mr. Speroni said the exception was a single and two family house in a commercial district. Mr. Johnson asked about non-conformity? Mr. Speroni said that it did not exceed the maximum allowable. Mr. Johnson felt the front set-back is non-conformity. Mr. Speroni said that Mr. Maciolek felt the second floor increased the non-conformity; not the addition, and he did not give Mr. Speroni an official decision on the matter. Mr. Johnson felt that if a permit is allowed to go through that is not legal, then it could be the start of something. If it is done according to the law, then there was nothing wrong with it. Again, Mr. Speroni said that Mr. Maciolek did not totally agree or disagree, but the matter was discussed, and he was giving his interpretation.

Mr. Dronzek mentioned that one of the items the Board wanted to discuss was the site plan, and that had been addressed. Mr. Johnson said that the building permit doesn't say second floor; Mr. Speroni differed saying where it said "number of stories" - it said 2. Mr. Dronzek asked Mr. Johnson if he saw any more problems with the permit? Mr. Johnson said that since Town Counsel seems to think that non-conformity was being increased, then the Board should get his opinion in writing.

Mr. Speroni said that an insulation inspection was asked for, could it be done? Mr. Dronzek mentioned how he had wished Mr. Pilkington had been more cautious in light of the recent litigation next door. Many residents and friends of the Pilkingtons were present, voicing their objections to the way the situation was being handled. One resident asked about the validity of a building permit having already been issued. Mr. Dronzek said this situation was identical to the one next door except it was a commercial building, and this was a residential building. Mr. Johnson said that Special Counsel, Attorney Barnes, had stated that it didn't matter if a permit was issued - the law can't be violated.

Mr. Downing stated that the whole situation with the Pilkingtons started 2-1/2 years ago with 25 Broad Street, and what have the Board of Selectmen done about fixing or changing the by-laws so that it would not have happened again? The situation has not been corrected because here it was happening again. Mr. Dronzek felt that the first time you get burnt, you don't let it happen a second time. He only heard about the situation for the first time last week when someone mentioned it to Mr. Johnson. Mr. Giles asked about the Building Inspector - wasn't he acting as the Town's agent? Didn't he have the authority to issue a building

permit?

Mr. Dronzek said that the former Building Inspector issued the building permit for 25 Broad Street, and then it was turned over to the Zoning Board. There have been legal proceedings. Even if a permit is issued, and it is challenged, it rests with the petitioner to substantiate its legality. If any board issues any permit that's illegal - it's illegal.

Col. Matondi, who was present, asked if the authority is with the Building Inspector, why does the recipient of the permit have to explain the validity of the permit? Mr. Dronzek stated that the Building Inspector has expertise, but not that of a lawyer. There are gray areas everywhere. In the three years he had been on the Board, only two permits had been challenged. Col. Matondi continued that if the Building Inspector is appointed, shouldn't he have the right to issue a permit? Mr. Dronzek said that maybe the permit was not issued legally. Mr. Pilkington said he talked to two lawyers. Mr. Dronzek said that the Board would ask for a specific opinion from Town Counsel. There doesn't seem to be a problem with increasing the non-conformity of a property, but because of the second floor, it may be increasing the non-conformity.

Richard Coakley, who was present, said that Mr. Maciolek's opinion is not binding. He is saying that the Building Inspector's judgment is not good enough. It is up to interpretation. The Board of Selectmen should make a decision; not Town Counsel. Mr. Speroni said that the front set-back did not increase the structure; he did not make it closer to the street than where it is.

Allan Osborne, who was present, stated for the record he was not the one who brought this matter to Mr. Johnson's attention, and he was disqualified from serving on the other hearing at 25 Broad Street, since it had been implied that he was bias.

Mr. Downing stated that the second story's non-conformity was brought to the Building Inspector's attention; did he still think it was alright? Mr. Speroni said he still felt his interpretation was the right one. He stated he has to first have a reason for issuing a permit; as well as a reason for denying one. He still would issue a permit.

Again, Mr. Dronzek said the Building Inspector has the authority to issue a permit except when challenged, and the last time it was given to the Zoning Board for a ruling. Col. Matondi asked why we have a Building Inspector if we don't give him authority? Mr. Dronzek stated that this Board appoints many boards and commissions, and if one gives a ruling, and it has been challenged, the Board could request a speedy opinion and recommendation from Town Counsel. If decisions are arbitrarily made that sets a precedent, the town can be placed in a dangerous area. Col. Matondi questioned why the by-laws are not changed? Mr. Dronzek said

there is always a grey area, and you can never have laws covering every single situation, but this situation has been appealed to the Board of Selectmen. Mr. Coakley asked, if the Building Inspector is still ruling the same way as originally, why is this matter being brought to the Board? Mr. Dronzek said that a Building Inspector with 20 years experience and Town Counsel question this, and they would be fools if they didn't get all the information, which was being received tonight. Mr. Larrabee asked if a complaint had been received in writing - Mr. Dronzek said no, it was brought to Mr. Johnson's attention, and that was why the Building Inspector was asked to come to this meeting. Mr. Larrabee questioned if the Board acted upon anonymous tips or concerns? Mr. Dronzek said Mr. Johnson was questioning this. Mr. Johnson said this situation would affect future rulings, and he did not know this was a violation until he saw the plot plan. Mr. Dronzek said no cease and desist orders were issued by the Board.

Mr. Dronzek made a motion to request a speedy opinion and recommendation by Town Counsel within 24-48 hours. Again, Col. Matondi said the system should be changed if it is wrong and a mistake is made. Mr. Dronzek said the Board did not know if a mistake was made or not; however, it would have been prudent if Mr. Pilkington had come and talked to the Board prior to starting construction. Mr. Pilkington said he talked to attorneys and an engineer to get opinions. Mr. Dronzek stated the Board was in charge of any irregularities and violations brought to their attention. Again, Mr. Pilkington said he spoke to Neil Roche and Paul Murphy, who are real estate lawyers in Franklin, and ESP Associates did the plot plan, and went over the by-laws. He felt insulted that was not sufficient. Mr. Dronzek said the Board will act promptly, but they have to do their job.

Mr. Downing said that Mr. Johnson had already stated Mr. Maciolek would rule against Mr. Pilkington; why bother asking for a written decision if there is no written complaint? Mr. Dronzek said the Board will get a verbal ruling, then confirm it in writing. There are just strong similarities between the two properties - the Board will act quickly.

Mr. Dronzek said the Board will not issue a cease and desist order. The Board usually allows the Building Inspector to do his job, but there are the occasional building permits that have to be looked at.

Again, Mr. Dronzek put the motion out to ask Town Counsel for his written recommendation to see if a building application of a non-conforming status is being altered substantially, and upon receipt of same, the Board would act accordingly; Mr. Johnson seconded; all aye.

Mr. Downing asked 1) what has the litigation cost; 2) what is the potential liability to the town; 3) insofar as possible future litigations are concerned, shouldn't the Planning Board and the Zoning Board look at the by-laws to tighten them up? Mr. Dronzek did not know the cost or the potential

liability, but his comments were duly noted. Joe Dziczek, who was present, mentioned having David D'Amico as an alternate on the Zoning Board, as well as being a member of the Planning Board which was like a bridge between the two Boards. Mr. Larrabee asked how the by-laws could be put on an agenda for official discussion and action? Mr. Dronzek stated that they are trying to update the town building code, the Planning Board rules and regulations, the Zoning by-laws, and Conservation Commission laws. No laws were foolproof.

8:45 -Paul Yorkis came before the Board at Mr. Johnson's request to talk about the Conservation Commission's order of conditions with Algonquin Gas that were issued last year when they were working on the pipeline. Mr. Yorkis stated that because the ConCom has to protect the endangered species of special concern, it falls under the wetlands protection act. ConCom had evidence that part of the habitat of species of concern would be affected. Algonquin was reluctant to do research on this. Algonquin finally hired a consultant, and did indeed find a specimen. They were then issued an order of conditions to protect the habitat of the spotted turtle.

In this new project of Algonquin's, the ConCom was asked to look at a certain area. This time Algonquin refused to hire a consultant, so the ConCom issued a denial of the order of conditions. Algonquin appealed the order of conditions. They were then given a State waiver. ConCom appealed to the DEP because they wanted a study done to protect the species. Mr. Yorkis said the ConCom was not in opposition to the pipeline, but just not to impact negatively on the species' habitat. The cost to Algonquin would have been around \$3,000.

Mr. Yorkis said that Algonquin had not contacted ConCom about this new project, otherwise they would have told the Selectmen not to grant the temporary easement. He said no funds have been expended by the ConCom for any legal fees or consultant fees. More spotted turtles have been found near the West Street location. Mr. Dronzek confirmed that DEP could rescind or amend or uphold the original denial or reject the appeal? Mr. Yorkis said yes, and it could take up to 1-1/2 years to settle, and he was appointed by the ConCom to be the representative to work with Algonquin.

While Mr. Yorkis was there, it was asked that he bring a copy of a letter received from the Water/Sewer Department back to the ConCom concerning possible water/sewer connection with Millis near the Medway/Millis line near Farm Street.

Mr. Dronzek also mentioned to Mr. Yorkis the problems with the Cottage Street flooding and ConCom's involvement with that. Mr. Yorkis mentioned that the wetlands protection act concerns that area because of the plantlife there, and no work can be done in wetlands without an order of conditions. Mr. Dronzek explained that Commonwealth Engineers was working on that project, and to please offer them any and all assistance to quickly expedite the serious situation that exists there. Mr. Yorkis said that there is limited work

that can be done off of Evergreen and Cottage Streets, but to go ahead with the existing stormdrain; putting the sump there is OK, but going all the way down is a problem. Mr. Johnson said they just want to clean out the two pipes. Mr. Dronzek stated that whatever steps are being taken, he did not want to get rid of one problem and push it further down Cottage Street. Hopefully Commonwealth will be able to make the necessary corrections as requested by the State. Again, Mr. Dronzek said that area can create a bad icing and flooding situation, and to please be aware of it.

9:10 -Mr. Higgins mentioned that the floor was recently poured at the Highway Garage addition.

On the Main/Summer/Village intersection, Mr. Higgins mentioned that the traffic flow path was going to be looked at with Commonwealth Engineers, the Police Chief, the Fire Chief, and the Safety Officer. Hopefully, construction can start in mid-June after school gets out. Mr. Dronzek asked about going out to bid, and Mrs. Allen told him that Commonwealth will take care of everything - prepare specs, send out for bids, etc.

It was mentioned that there did not seem to be any problems on Lee Lane or at 24 Village Street with all the rain that we had.

Mr. Dronzek mentioned going to the quarry to see the granite with Mr. Higgins and Carlo Molinari for the sidewalk. Hopefully, they can start after April 20th.

Mr. Higgins mentioned that tree-trimming was done on Village Street by NET, and sweeping has started.

Mr. Higgins thought they should be in operation at the Highway Garage addition in about 2-3 weeks. They still have to test the lift. He was told to get an itemized list of the extra work that was done (gravel, compaction tests, and the extra items added by DEP) in preparation for answers to questions at the Special Town Meeting on March 26th.

9:20 -Mrs. Allen brought up the letter received from Robert Hall, Norfolk County, dated March 13, 1992 that Mr. Hall asked to be read into the minutes. Mr. Dronzek read the letter, copy attached.

-The Board acknowledged receipt of the resignation of William Ross from the Finance Committee that morning. The vacancy will be advertised.

-Mrs. Allen brought up the request from the School Department looking for help by the Highway and Park Departments in transferring the classroom items between the Burke and North Schools. The Board said it was OK to use the Highway Department, but they could not speak for the Park Department.

-Mrs. Allen brought up the backup finally received for the EMS abatements for calendar years 1988 and 1989 totalling

\$25,840.05. Mr. Johnson made a motion to abate the ambulance billings for \$25,840.05 covering the period from 4/1/88 through 12/29/89; Mr. Dronzek seconded; all aye. The Board signed the document.

-Mrs. Allen mentioned that Sgt. Saleski was graduating from the FBI course he recently attended that following weekend, and Chief Lambirth would be away from the office on Thursday and Friday to attend that graduation.

-Mrs. Allen went over with the Board the recent update from the Board of Health on the Charlie Norman property on Village Street, in that he has until March 19th to make the necessary corrections or the Board of Health will have to take him to court.

Gardner Rice stopped in, and mentioned how valuable the Charlie Norman property would be to the town. He said he had spoken to Mr. Norman himself a while back for conservation purposes, and will probably meet with him again sometime. He just asked that the Board be tactful in the whole situation.

-The Board acknowledged receipt of Chief Lambirth's letter in reference to parking on Cutler Street. It was also asked if Mrs. Balboni was running a business out of the American Legion? It is known that an auction is being conducted on Monday and Wednesday mornings and Friday nights. The Board recommended that a letter be sent to the American Legion stating complaints had been received about the parking situation near the building, and unless the situation is properly resolved, that further action will have to be taken.

-The Board acknowledged receipt of:

-MMA's action update on the FY'93 state budget.

-It was noted that the franchise fee from cable was received in the amount of \$1,265. They have 2,530 subscribers.

-a letter from Jack Ryan mentioned that the Friends of the Elders were going to try and procure a van for elderly use.

-a letter from the School Supt. enclosing a fund-raising policy.

-Mr. Dronzek asked if letters of congratulations could be sent to the boys' and girls' basketball teams for having made it to the playoffs.

9:55 -The meeting was adjourned.

Respectfully submitted,

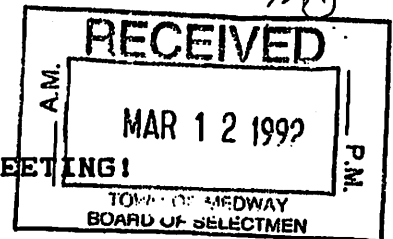


Mary Jean Fredette, Secretary

mj

Attachment

PLEASE READ INTO THE RECORD AT YOUR NEXT MEETING!



DATE: March 13, 1992

TO: Mayor of Quincy, Chairmen of the Franklin Town Council, Chairmen of the Norfolk County Town Boards of Selectmen

FROM: Robert D. Hall, Jr./Norfolk County Treasurer *RDH*

SUBJECT: Treasurer's Suit vs. County Commissioners, et al.

Because your community contributes to the County budget, I wanted to respond to the question as to why the Treasurer is using County funds to bring suit against the Commissioners, et al.

Simply put, I cannot adequately do the job for which I was elected because two of the Commissioners improperly took control of the Treasurer's and Retirement System's DP system and computerized financial records the day I took office. This was done despite the fact that the DP System had been in the Treasurer's control for the previous five years (since it was established). Further, in no other County, do the Commissioners have control over the Treasurer's DP system.

Since taking over my DP System, despite a number of requests from me asking for relief, the two Commissioners have arbitrarily and capriciously refused to provide adequate protection for my records or to give me free access to them. This has happened despite the fact that the data processing system was purchased jointly in 1987 through the County Treasurer's office and the independent Norfolk County Retirement System (of which the Treasurer is the Chairman).

Further, the only software installed and records maintained therein are those of the Treasurer and the Retirement System. Virtually all other County Departments, from the golf course to the jail, have their own stand-alone DP systems and DP personnel. Even the Commissioners have their own independent computers. In other words, the DP System now under control of the Commissioners serves only the Treasurer's office and the independent Retirement System and contains only records that are the creation and responsibility of the Treasurer's office and the Retirement System.

(If their motivation isn't purely political, one wonders why two Commissioners should want to take control of these in the first place and then go to court in an effort to keep control over records that don't even concern them?)

You might wonder why it was necessary to include the Norfolk County Advisory Board in the suit? Unfortunately, through the former Treasurer's artifice, they were involved inadvertently. Therefore, the former Treasurer too is a party in the suit.

Two weeks before leaving office, my predecessor went before the Advisory Board budget committee. He falsely stated that the DP system served the entire county--not the Treasurer's office and Retirement System exclusively.

*cc: Selectmen
3/16/92*

Further, he concealed the fact that the Retirement System is the legal owner of 25% of the System (and was also paying 25% of the DP Manager's salary) so the County had no clear claim to its ownership nor the Commissioners to its control.

Acting in good faith but on deceitful information, the Advisory Board transferred the position of DP Manager from the Treasurer's office to the DP Department which was then placed under the Commissioners.

In so doing, there arises the legal question as to whether or not the Advisory Board exceeded their authority by acting on a personnel matter rather than a financial matter to which they are limited by statute.

Further, since the Chairman of the budget committee and others were not Selectmen at the time, that raises the legal question of their right to serve on the Advisory Board and to vote to move the position of data processing manager from my office.

Despite having all of the above brought to their attention, two of the three Commissioners have continued to rebuff the Treasurer's requests to ameliorate the matter.

The Commissioners were told a number of times that I would have no recourse but to seek relief from the courts if they continued their adamant stance. I am an elected official who has a mandate to preserve and protect the financial records of Norfolk County. This I cannot do unless I have access to the records and control over them. Had the two Commissioners acquiesced, they could have saved the costs of legal action which I finally had to take when they supported the DP manager in his most recent refusal to give me access to certain payroll records.

(For whatever reason which I cannot fathom, there is--on their part--a concerted effort to prevent this Treasurer from reviewing some of the County's past financial data stored in the computer...including [in an effort to shield it?], their willingness to force me to spend county funds to seek relief from the court. I have to ask myself, "What are the two Commissioners trying to hide?")

Because of their obstinacy, the Commissioners have obligated the County to pay unnecessary legal fees by forcing me to bring on this lawsuit. Also, you should know that because of their ignorance of data processing technology, last year the Commissioners approved an expenditure of \$22,000 to provide a needless enhancement to the DP system...a system which is obsolete and now should be replaced. Also, the County is now paying 100% of the \$36,000 full-time salary of the DP manager for what has become a part-time job since the Retirement System now has its own independent computer system and Retirement stopped paying 25% of his salary.

If you have any further questions about this suit and the reasons behind it, do not hesitate to ask me. I have all the supporting evidence in my files and I expect the court to do justice in this matter.

Robert D. Hall Jr.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to accept the minutes of February 24, 1992; the executive session minutes of February 24, 1992; and the minutes of March 2, 1992; Mr. Johnson seconded; all aye.

7:05 -Tom Roche came before the Board to informally discuss some land he owns off of Village Street for two house lots. He was asking if the town had any plans for the railroad bed which was behind the lots? Mr. Dronzek said the town had no plans to develop any property since there is an on-going litigation by abutters about railroad land where the ownership of the property is being challenged. Mr. Roche asked if the town would be interested in selling just the portion that the town owns off of Mayflower Lane between that which is already owned by others? Mr. Dronzek said it would not be prudent of the Board to do anything with that railroad land at this time.

7:15 -Bob Brothers, the Town Accountant, was present to answer any questions the Board might have about the warrant or two letters he had written to the Board. In reference to the warrant, he said he had called all departments to see if they would be short in the salaries account, and their shortfall was noted in the warrant.

Mr. Brothers also mentioned in one of his letters his desire to see the hours of the Town Accountant's office changed to accommodate the public on Monday evenings, but still allowing his assistant to work 35 hours, and he 40 hours. He did not want her to work overtime, but would rather she get compensatory time. Mr. Dronzek said he had not heard any complaints so far. Mr. Brothers stated that payroll seems to be able to be met by Friday mornings, so that it would be unnecessary to remain open during the afternoon. He is willing to review the hours with the Selectmen around June 2. Mr. Brown made a motion to approve the hours of the Town Accountant's office as follows:

Monday through Thursday - 8:00 a.m. - 4:30 p.m.
Monday evenings - 5:00 p.m. - 7:00 p.m.
Fridays - 8:00 a.m. - 12:00 noon.

Mr. Johnson seconded; all aye.

Mr. Brothers referenced his other letter about the elderly bus fund account. He said the account has about \$5,643 and is not gathering any interest, and no more monies can go to the fund. Allan Osborne indicated it was his understanding that the former Town Accountant felt the monies could not be expended by the Council on Aging without the unanimous approval of the Board of Selectmen. Mr. Osborne thought any type of transportation use would be alright, including special trips. Mr. Dronzek suggested the Council on Aging have their treasurer keep a separate account and specify that

monies are coming out of this account. Mr. Brothers said it would be like a regular revolving account. Mr. Brown made a motion to approve the use of these funds for both expenses and salaries requested for transportation needs to be made accessible to the Council on Aging to be approved when necessary by a majority of the Board of Selectmen; Mr. Johnson seconded; all aye.

7:30

-Ben Whitaker and others representing Algonquin Gas Transmission Company came before the Board. They discussed a pipeline put in during the mid-50's in Medway. The pipeline follows along the Boston Edison easement and the New England Telephone power lines. There is an existing 3" line they want to replace with a 10" line. They do already have a 30' right of way and need an additional temporary work space. They are requesting the 25' work space (easement) near two pieces of town-owned land with construction tentatively scheduled in August for a two year period. They were offering the town \$1,500 for this temporary easement.

Mr. Dronzek expressed concern as the construction would be going over Milford Street where the town hopes to repave very shortly in the Spring. Algonquin Gas said it could be set up so the road is done first, however there are certain conditions set up by the Conservation Commission and the spotted turtle season that would make this too costly to do.

Algonquin Gas feels that 2-1/2 - 3 months would be what was required to do the work, but would like the two-year period to allow for any delays or roadblocks. They mentioned they had already had the Conservation Commission hearing, and were denied by the local ConCom; they appealed to the State and the ConCom appealed that order, so Algonquin Gas has appealed to the DEP.

Mr. Higgins suggested proceeding with the paving of Milford Street, but allow that strip that would cross Milford Street to be paved by Algonquin Gas. In that way, everyone could proceed as scheduled, and only one lane of traffic would be closed off at one time so the whole road would not be closed. Mrs. Allen mentioned that a street opening permit will be taken out to ensure that the road is properly done. Mr. Brown made a motion to allow Algonquin Gas a temporary 25' work space (easement) encompassing 3,656 sq. ft. through town property of Tract H-1-7.1 and 5,394 sq. ft. through H-1-7.2; Mr. Johnson seconded; all aye. The \$1,500 will be deposited into general revenue for advance damage release and \$13 for location of easement. The documents were signed, witnessed and notarized by the Town Clerk, Maryjane White.

8:05

-Diarmuid Higgins, Highway Supt., mentioned that he was going to Taunton the next day to talk to Mass DPW concerning the intersection at Main/Summer/Village. Mr. Dronzek expressed his concern that we advertise as soon as possible; hopefully the corrections that Commonwealth Engineers has to do won't take too long. Mrs. Allen said that Commonwealth will also take care of the necessary advertising.

- Mr. Dronzek asked Mr. Higgins about the paving of Milford Street. Mr. Higgins stated that mid-April is the projected date. Mr. Higgins mentioned that drainage areas have to be worked first prior to the paving.
- Mr. Dronzek asked Mr. Higgins for a bid recommendation for the sidewalks. Mr. Higgins said that Carlo Molinari had come in as the low bid at \$93,897.30, and recommended the bid be awarded to him. Mr. Molinari expressed the desire to have Mr. Higgins, another Highway person, and one of the members of the Board of Selectmen to look at the granite quarry. Mr. Higgins said that the Water Department would be taking care of the water valves. Mr. Molinari will also notify Boston Edison, New England Telephone, Cablevision, etc. Mr. Brown made a motion to award the sidewalk bid to Molinari Construction for \$93,897.30; Mr. Johnson seconded; all aye.
- Mr. Higgins mentioned the possible need for replacement of one of the trucks and a spreader, at a cost of about \$78,000. Mr. Dronzek said to submit a written request.
- On the Highway Garage addition, Mr. Higgins said that the floor has not been poured yet, and they are waiting for the tank.
- Mr. Johnson said he had spoken to the Town Hall custodian, Walter Mahoney, and Mr. Mahoney said he would put a temporary patch on the cornice over the front doors to the Town Hall.

Mr. Higgins said that Ed Duggan had arranged for someone from Carell Architects to come to the Town Hall on the 11th, at 8:00 a.m. to give the Town an overview on the reconstruction of the first floor.
- Mr. Johnson brought up the addition being done at 27 Broad Street. He said that a building permit has been issued for the addition and the second floor; that it is in commercial district III; that a 35' set back is required for the second floor even though the first floor is pre-existing, non-conforming, the second floor does not have 35' frontage; that the addition was not on the original footprint; Mr. Johnson felt the owner had to go for a special permit, and told Mr. Farchesky not to do the inspection as requested by the owner. Mr. Dronzek asked Mrs. Allen to ask the Building Department to come to the Selectmen's meeting next week to discuss the property at 27 Broad Street. The Board was concerned as this seemed to follow along in the same pattern as previous problems at 25 Broad Street. Mr. Johnson also felt that a site plan needed to be approved by the Board as it is commercial property. Jim Gallagher, who was present, asked why anyone had not challenged the owner, Donald Pilkington, before this?
- The Board looked over the draft special town meeting warrant for March 26. They eliminated article 2 as they felt it was a duplication of article 1; they eliminated the police and fire articles since they were told all along by the Finance Committee to come to them when their budget was nearly

depleted for emergency transfers; they eliminated the gas inspector's article since additional money for fees usually comes under an emergency transfer. The Board also asked that the individual articles indicate where the monies should be transferred from. Mr. Brown made a motion to post the warrant as amended by the Board; Mr. Johnson seconded; all aye.

-Mr. Brown made a motion that the following go to the Finance Committee for emergency transfers: Police Chief for police expenses for \$15,000; Fire Chief for fire expenses for \$7,412.01; Gas Inspector for fees for \$900; Mr. Johnson seconded; all aye.

-Mr. Brown mentioned that Dave Verdolino called him at home on Saturday asking that the Board of Selectmen have an executive session with him and other members of the Finance Committee to discuss salaries for non-contractual employees for Fiscal Year 1993. The Board agreed to schedule this session for March 23rd at 8:00 p.m.

-The Board was in receipt of a letter from the Library Trustees requesting that the Board direct Town Counsel to try and lift several restrictions from the deed of the old Cole Library. Mr. Dronzek asked that Town Counsel be so requested by the Board in concurrence with the Library Trustees.

-Mrs. Allen asked for clarification of a February 24th meeting when Jim Gallagher was discussing a definitive plan needed by him, and which we hoped the Norfolk County Engineers could provide. Mr. Brown said the plan would define to take care of the washed-out area next to Mr. Gallagher's house at 3 Cottage Street.

-The Board discussed the request of Jonathan Bruce to redirect the area at the intersection of Winthrop and Maple Streets. Mr. Brown made a motion to bring the circle of Maple Street and Winthrop Street to the proposed pavement line as shown on the plan of Nathaniel Cutler Place revised design dated 12-9-91; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up a letter received from Steve Reding on AD&D insurance for the Fire Accident Insurance Policy. Mr. Dronzek asked that Mr. Reding be informed Harold Lynch is the sworn-in representative to the Insurance Committee for the Fire Department. The Board mentioned that the change Mr. Reding requested would not be right if it was agreed to for the call Fire Department, and not the permanent Police Department. Mr. Johnson made a motion that the accidental death and dismemberment be left at the current \$50,000; Mr. Brown seconded; all aye.

-The Board discussed the recent executive session with Chief Vinton. Mr. Dronzek mentioned that the Chief was provided with a list of the objections that was submitted to the Board. An executive session was held and they cannot comment on the session, but the complaints have been responded to in


writing by the Board as was read by the Chief at the Department meeting held on March 3rd. The Board felt that an executive session with the officers, town counsel, the Chief and the Board of Selectmen should be held to put this matter to rest. The Board decided that March 19th, Thursday, at 7:00 p.m. at Fire Station I; or March 21st, Saturday, at 9:00 a.m. at Town Hall would be good.

The Board also responded to a request from Captain Harold Lynch asking for certain Fire Department documentation. The Board stated that most of the information requested could be obtained from previous annual town reports in the Town Clerk's office, and other data can be obtained from the Fire Chief. The Board also requested documentation that authorizes him as representative by a majority of the Fire Department members.

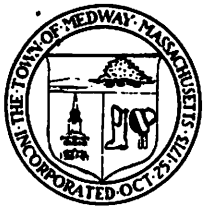
- The Board acknowledged receipt of a letter from Jack Ryan concerning the Friends of the Elders' desire to purchase a handicapped van.
- Mr. Brown made a motion to approve submitting an emergency transfer request to the Finance Committee for \$750 for Special Counsel, Greg Barnes; Mr. Johnson seconded; all aye.
- The Board acknowledged a letter from the MAPC concerning a data collection meeting and requested Mrs. Allen to find out what this information is needed for.
- The Board acknowledged receipt of a letter from the Commonwealth indicating that the Norfolk County Charter Commission will only have 15 members on the advisory committee, and Medway may not have a representative on it.
- The Board acknowledged receipt of a letter from Anne Bailey asking that the Highway Department don't forget to repair the road in front of her house on Milford Street when the weather warms up.
- The Board acknowledged receipt of a letter from the Massachusetts Housing Partnership asking for continued support of the MHP.
- The Board acknowledged receipt of the resignation of Florence Pang from the Library Trustees, and John Hurley as Representative to Tri-County Regional Vocational High School. The Board asked that advertisements for openings in the Town be publicized.

9:55 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette
Secretary



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MARCH 2, 1992

- 7:00 p.m. - Open meeting, sign warrants.
 - 7:05 - Open sidewalk bids.
 - 7:15 - Municipal Building Utilization Committee - update
 - - Old business
 - - New business
- Open warrant for special town meeting.

Present: Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen. John Dronzek was absent representing the Board of Selectmen at the Medway Business Council meeting.

7:00 p.m.-Mr. Johnson called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed.

7:05 -Mr. Johnson read the ad as it appeared in the Milford Daily News for sidewalk bids. The bids were opened and read as follows:

Iannitelli Paving - Bellingham - \$103,613 (and bid deposit)

Norfolk Construction - Sheldonville - \$127,000 (and bid deposit)

Molinari Construction - Medway - \$93,897.30 (and bid deposit)

S. E. Luttazi - Dover - \$143,195 (and bid deposit)

Mr. Brown made a motion to refer the bids to the Highway Superintendent for his recommendation; Mr. Johnson seconded; all aye.

7:10 -The Board acknowledged receipt of a letter from the School Committee indicating that Representatives Gardner and Ranieri and Senator Burke would be having an educational forum on March 19 at 7:30 p.m. in the High School bandroom.

-The Board acknowledged receipt of a letter from Cablevision regarding cable station changes.

-Mr. Brown expressed his concern over the parking that occurs at the corner of Holliston Street near the Little Store. He asked Mr. Higgins to please ensure that yellow lines are repainted near the corner of the intersection with Route 109, as well as near the driveways (more specifically from the garage to the first house), when the spring cleaning projects are done. Mr. Johnson was in agreement on this.

-Mrs. Allen mentioned the MMMA meeting on March 17th in reference to the American Disabilities Act. She also stated that there may have to be an article put on a town meeting warrant in the future concerning state regulations. Mr. Brown said that town boards may have to utilize the school buildings for their meetings if the town hall is not accessible for the handicapped. Mr. Johnson agreed, and also brought up the idea of an elevator where the back stairs to the building are.

-The Board acknowledged receipt of the resignation of Teresa O'Brien from the Affordable Housing Committee.

-The Board acknowledged receipt of a letter from the Division of Local Services concerning a summary of 1991 municipal law changes.

-The Board decided to hold a public hearing on April 14th for

the Medway Special Act and the Personnel By-law.

7:25

-Ed Duggan, David Verdolino, Diarmuid Higgins and Walter Johnson were present to talk about the Municipal Building Utilization Committee. Mr. Duggan said that when work started in the old police station area, the Town Clerk expressed the opinion that she was not happy with what was being done. Mrs. Allen said it was security that Mrs. White was most concerned with, as well as having to utilize artificial light when windows were already present in the area.

Mr. Duggan said it was obvious that the cells had to go, and they did obtain 3-4 bids for their removal. He indicated that there would also have to be plumbers and electricians; more than utilizing the Town Hall custodian alone. He felt there would have to be costs involved, but the building was basically sound. Mr. Duggan suggested getting an architect to come up with some plan as there was no way to avoid the handicap accessible codes. He asked the Board what direction should the Committee go? Should they do one area at a time?

Mr. Brown inquired as to a list and estimates? Mr. Duggan felt they could not provide an estimate until they knew what the Board wanted done. Mr. Brown asked again what did the Committee feel should be done? What have the departments asked for? Where is their list of what needs to be accomplished? Where is a drawing outlining what should be done? Mr. Johnson said maybe he could come up with a drawing of some sort; to hire an architect for the fire barn cost \$50,000. Mr. Duggan commented that the elevator would probably cost \$50,000 as well. Again, Mr. Brown stated the Board needed something written down to look at.

Mrs. Allen mentioned that an evaluation has to be ready for handicap access by the end of July 1992, with a plan and listing of changes ready by January 1995. Mr. Duggan mentioned he had talked to Representative Gardner to see if there were any grants available for the renovation.

Mr. Brown asked again for a list so that bids could be obtained, and estimates arrived at. Mr. Johnson said he would try drawing up a plan. Mr. Duggan expressed some frustration, stating at first they discussed one single door into the town hall, and now other ideas are coming forward. Mr. Brown felt that getting the square footage that each department requires would help in the drawing up of a plan.

Mr. Verdolino commented about the utilization of the old Cole Library. The Board felt the building was not very useful as there was no parking, and access was difficult. Mr. Duggan agreed saying no one has any use for both buildings the way they were except for the parking of vehicles by the Park Department.

Mr. Verdolino mentioned that the school building study committee is dormant, but the point is that eventually a new school will be needed in the future. The town needs to think

of alternatives - what about putting school administration in the Town Hall? There are also thoughts of moving administration and industrial art to some other location. Mr. Johnson said you could also go back to double sessions, and eliminate study halls, and make classes a few minutes shorter.

Mr. Brown suggested adjourning the meeting to the first floor for a hands-on look at the area that needs to be renovated.

-Prior to adjourning, Mrs. Allen mentioned that it was discovered that larger blowers would be needed for the furnace at the new highway garage addition by Smith-Grove Construction. The Board signed the change order. The Board also signed the change order for the gas trap that was agreed to at a previous meeting.

-The Board agreed to have a special town meeting the week of March 23rd.


-Mr. Brown made a motion to open the warrant tonight for the special town meeting to be held the week of March 23rd, to close on March 9th; Mr. Johnson seconded; all aye.

-Mr. Brown made a motion to open the warrant tonight for the special and annual town meeting to be held on May 11th, to close on March 16th; Mr. Johnson seconded; all aye.

-Mr. Johnson mentioned a youngster in the town who was going around collecting money for a shoot-a-thon, after the shoot-a-thon was already over.

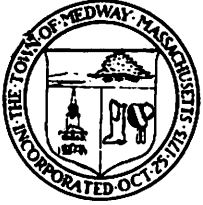
8:00 -The meeting was adjourned to the first floor.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

FEBRUARY 24, 1992

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 2-10-92 meeting.
- 7:05 - Library Trustees - re: Cole Library.
- 7:30 - Public Hearing - Sabina Doyle's Restaurant liquor license.
- 7:45 - Finance Committee.
- 8:00 - Pam Yanco - presentation of a petition.
- 8:15 - Tom Roche - re: railroad bed between Mayflower Lane and Rob Way.
- 8:30 - Jim Gallagher - re: Cottage Street drainage.
- 8:40 - Budgets: Board of Selectmen
Town Hall
Annual Town Report
Other Insurance
- - old business
- - new business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mrs. Allen asked the Board to reconsider the motion made at the previous Selectmen's meeting on February 10th, which was, "that the town where the call is initiated will bill the patient". Mr. Dronzek stated he had reread the statement, and it was correct as written, for example if Franklin comes to Medway, Medway will bill. Mr. Brown made a motion that the minutes be accepted as written; Mr. Johnson seconded; all aye.

7:05 -Judy Lessard, chairman of the Library Trustees and Philip McNulty, Director of the the Library, came before the Board to discuss the Cole Library. Mary Ellen Lavenberg and Gwen Hendrys of the Historical Commission were also present.

Mr. Dronzek explained to Mrs. Lessard how the Board had met with Pastor Wes Chapman and members of the Community Church and the Historical Commission about the old Fire Station I, and conversation also had ended up including the Cole Library. He apologized for not having thought of including the Trustees in the meeting. Mr. Dronzek explained that it was the Board's intention to request Town Counsel to proceed with getting the restrictions on the Cole Library lifted; there is none on the old Fire Station I.

Mr. McNulty reiterated that the restriction on the Cole Library is that the building has to be used for library purposes only, or subject to the Trustees' discretion of using the building for other public uses (Attorney Maciolek had indicated to them that it has to be a town-funded agency).

Mrs. Lessard stated that the Municipal Building Utilization Committee had never filed a report with them on the building and could both buildings be used for town purposes? She said that the Historical Commission did not get the grant they applied for because the buildings were in too good a condition.

Mr. Dronzek again inquired, what if the Board of Selectmen petitioned the land court about the bequest of 74 years ago on the building? It would be stated that the Trustees have vacated the building; there was no planned use; and ask them to lift the restrictions. If the restrictions get lifted, then the use of the building could be studied. Mr. Johnson said the costs of repairing the building should also be examined.

Mr. Dronzek mentioned the pressure the town will be under eventually to fix the town hall because of the recently enacted Disabilities Act.

Mrs. Lessard clarified, that the Town is saying they have no use for the building, correct? Mr. Dronzek concurred, saying

the MBUC even stated that to them. He felt the Thayer family, heirs of the building, would in all probability, not want the building because of the taxes on it. Mr. McNulty asked if a note from the Thayer family saying they have no interest in the property would be good? It was agreed it couldn't hurt.

Mr. Dronzek mentioned that the Historical Commission may want to place some restrictions of their own on the buildings. He said it can be determined later if the buildings should be packaged as one to be sold together, or individually. Mrs. Lessard indicated that the Trustees feel the building is marketable, and if sold, the money could be placed in a library trust plan, possibly back into the library building for interior changes to the existing building. She said she would keep the Board informed of the results of the Trustees' meeting the following week.

7:30

-Mr. Johnson read the notice that appeared in the Milford Daily News of a public hearing for Sabina Doyle's intent for expansion of their present restaurant at 116 Main Street.

Joe Griffiths, owner and manager, was present. He explained that the extra space will accomodate 85 people, and will enable him to also provide a small function room. Mr. Griffiths stated he had already been before the ZBA for an extension of a special permit granted to him in 1989. Seeing no objections from anyone in attendance, Mr. Brown made a motion to grant an alcoholic liquor license to include the added 1,000 sq. ft. to Joseph Griffiths of Sabina Doyle's; Mr. Johnson seconded; all aye.

Mr. Griffiths also asked the Board for special permission to have live entertainment the night of St. Patrick's Day, March 17th. Mr. Brown made a motion to grant a live entertainment license for March 17, 1992 to Sabina Doyle's; Mr. Johnson seconded; all aye.

7:40

-Mr. Dronzek discussed the letter received from a resident of Medway concerning a pothole he hit and damage sustained to his car. He asked Mrs. Allen to send him a letter stating that the Highway Department had responded within the adequate time frame of being notified, and could not absorb any costs.

-The Board acknowledged receipt of the letter from Tri-County Regional Vocational School indicating they were not selected to receive emergency educational assistance funds.

-The Board acknowledged receipt of a letter from Ed Reardon concerning the 1993 budget, and general expenses and assessing of the town for senior citizens. Mrs. Allen will send a copy of his letter to the Board of Assessors. It was noted that there are abatements available for seniors, and Assistant Assessor John Wilson is usually available to answer any questions or concerns. Allan Osborne, who was present, indicated that such concerns are being addressed by State Reps Ranieri and Gardner.

7:45

-Members of the Finance Committee met with the Board. The members included: David Verdolino, Christine Lorenzen, William Ross, Tucker Reynolds, Donna Cullen, Richard Kahn, Louis Caccavaro.

Mr. Verdolino stated that Town Clerk, Maryjane White had given the Finance Committee an emergency transfer at their last meeting to overcome a deficit which she incurred for restoring the Assistant Town Clerk to 40 hours per week. He stated they told Mrs. White the FinCom did not have the power to circumvent town meeting vote. They thought this matter should be brought to the Board of Selectmen's attention and come up with a plan. The FinCom was under the impression that, when it was first made known to them hours were being restored to 40 hours, the Board felt they could find money to fund them, and could put an article on the town meeting warrant. Maybe this should go to a special town meeting.

Mr. Dronzek stated, as one member of the Board, that he felt they should go the special town meeting route. He mentioned the two changes in the Town Accountant's office. When reverting back to the 40 hours, it was felt that there was work that required a 40 hour work week; this was made known early enough on.

Mr. Verdolino clarified that Mr. Dronzek was requesting a special town meeting prior to the annual town meeting in May? Mrs. White stated that she would be running out of money on May 4th, so a special would have to be held before the annual on May 11th.

Jim Gallagher, who was in attendance, asked what if the town voted down the monies? Then, Mr. Dronzek stated, they would not work. There would also be no Assistant Town Clerk from May 4th through June 30th; but the Town Clerk would be there.

Mr. Brown said that town meeting votes dollars - not hours.

Mr. Gallagher asked about what happens when monies run out. Mr. Dronzek stated then an emergency transfer would be in order.

Mr. Verdolino stated that the intent of the vote of the FinCom was hours, not dollars. The vote was made to establish levels of financing. The FinCom agreed on a certain course of action - they would be hard-pressed to support the Selectmen's motion.

Mr. Dronzek stated that there were several increases in salaries made by the JCRB, and he was accused of blackmail in insisting the hours be restored. He said that this decrease in salaries was an eleveth hour thing on town meeting floor, and he did not want to show any disparity to the town between the Board and the FinCom. He had a question about what is technically legal, not morally legal - 5 people were involved here - to penalize them is not right. He believed it was technically legal.

Mrs. Lorenzen said that the FinCom cannot take monies from the reserve fund - the request for an emergency transfer was not unforeseen. Mr. Verdolino said this was not an act of vindictiveness, but with the override not passing and in order to save everybody and cut services, 5 people were cut. The Assessors' and the Treasurer's offices did not suffer cutbacks, but would have if the quarterly tax billing had not passed. He said that the Department of Revenue personnel have stated both of those departments needed more time with the quarterly tax billing.

Mr. Dronzek asked if there would be emergency transfers for the salary increases that were granted? Mr. Verdolino said probably. Mr. Caccavaro agreed saying they had seen none, but that there would probably be requests. Mr. Dronzek stated that except for the town clerk, because of state law, 5 people did not get an increase but a 12-1/2% decrease. Elected officials are saying they need the services as requested in the Selectmen's office and the Town Clerk's office. Mr. Dronzek also stated that every FinCom transfer contradicts town meeting vote.

Mr. Brown stated at town meeting, this expense was not foreseen. Town meeting people thought this was a good recommendation; but it doesn't always work out how they think it will. The Veterans Agent and the Park Department budgets were cut at town meeting, and yet they have been given emergency transfers.

Jeff Nutting, who was present, said the FinCom should not circumvent town meeting, but salaries is different.

Mr. Johnson inquired about the inspectors and asked if they guessed on their fees? Mr. Verdolino said they bring money into the town - the inspectors don't actually see the money.

Mr. Dronzek stated that the Board had already approved the Town Accountant to go to the FinCom for an emergency transfer, and the Board of Selectmen would also be submitting an emergency transfer. He said if it would seem that the Board is not getting a favorable response, it would be a very hostile approach, but the Board would be going to town meeting. The Board requests that action be taken promptly so a town meeting can be held soon. Mr. Dronzek said that you have a duly elected board here and the Town Clerk, and they have deemed it necessary to restore the hours, or the office will be shut down. He stated the Board will be requesting a special town meeting if the FinCom's response is in the negative.

On another matter, Mr. Verdolino brought up the subject of stipends for appointed and elected officials, except for public safety. He said Mr. Brown had said at a recent finance committee meeting that the Board would like the stipends restored. Mr. Verdolino's feelings are that the FinCom would be recommending opposing the stipends at the FY'91 level, but would rather see a group study come together to discuss stipends of appointed and elected officials and

come up with something that seems fairer to all as some boards don't get any stipends at all.

Mr. Dronzek said there was usually no shortage of people to fill boards and committees with. He, personally, did not run for the salary, but he did feel the panel sounded good. Mr. Nutting mentioned the pension system, and how if a stipend is given, that an elected official is entitled to health insurance. Mr. Verdolino felt that stipends should be given to all, or nothing at all - Mr. Dronzek agreed; and the Board will give some thought to the idea of a panel study on stipends; and if stipends are cut, public safety should also be considered.

8:25 -Fam Yanco came before the Board to present them with a petition of 178 signatures of those residents who did not feel we should burn the brush pile at the old landfill. Mr. Dronzek clarified with her that DEP had recommended the burning be done. Mrs. Yanco understood that, but they were under the impression that the brush would be chipped, and they were wondering what the future holds for brush burning and the uncapped landfill, pollution and safety.

Mr. Dronzek said the Highway Department was overwhelmed with brush, and it takes a great deal of time and effort to handle; possibly no one anticipated so much volume being brought in. Mr. Higgins mentioned how there are other items being thrown into the brush, and he does not want to have to replace chipper blades at \$300 each. Mrs. Yanco mentioned again their desire for looking for a long-term solution. Mrs. Allen said that the Selectmen were trying to assist the Board of Health by agreeing to help with the chipping. Mr. Dronzek agreed by saying the petition should really be given to the Board of Health, and accepted it to be forwarded to them. He thanked Mrs. Yanco for bringing the issue up-front.

8:35 -Tom Roche did not show for his appointment to discuss the railroad bed between Mayflower Lane and Rob Way.

8:37 -Jim Gallagher came before the Board to ask for an update on the drainage situation at Cottage Street. He again reiterated the frustration he feels stating this has been on-going ever since Dick O'Leary was on the Board. He mentioned how everything was up for sale, and that his engineer had stated that a definitive plan would be needed by the Conservation Commission which would cost \$600, and he did not want to have to expend anymore of his own money. Mr. Johnson suggested that the Norfolk County Engineers could be asked to do this definitive plan.

Mr. Dronzek told him the Board is working on the matter and read to him Mrs. Allen's update on the area which was that Commonwealth Engineers is working with the County Engineers for more figures, and when received, they will be filing a notice of intent with the ConCom to pipe from the catch basin to the ditch and clean the ditch in front of 7-9 Cottage St. Mr. Gallagher did not feel this would alleviate the pressure off of Cottage and Main Streets. Mr. Dronzek asked Mrs.

Allen, however, to request the County Engineers for their help in this matter. Mr. Gallagher also mentioned the pipes under Evergreen Street being filled with silt from north to south. Mr. Higgins said the pipes were still frozen with ice, and would try next week.

8:45 -Jeff Nutting came before the Board to discuss two matters - one being the drafted personnel by-law. He said the document was ready to go from a legal standpoint; did the Board want the by-law to appear on town meeting warrant? Should the JCRB be eliminated? It's in the Board's hands now. Town meeting voted the JCRB in; should the vote be repealed?

He also asked about the Special Act - he said the Town Administrator would become the Personnel Director for the town. If the Town Administrator position is voted in, the JCRB would be gone.

Mr. Dronzek asked about an appeal board - and Mr. Nutting felt that should be the Selectmen. Mr. Dronzek wondered if someone other than the Board should be that appeal board? Mr. Nutting felt that if the by-law passed, and the elected Board of Selectmen appoints the Town Administrator; then the appeal board falls under the jurisdiction of the Board. Mr. Brown, as a member of the JCRB, stated that the JCRB makes recommendations on classification, not salary. Mr. Nutting noted that, if the Board was the appeal board, then they would hold hearings on the personnel as they would have to oversee all rules and regulations of all non-contractual personnel. Mr. Dronzek thought possibly the JCRB should stay intact, make recommendations, and the Board would review them. Mr. Nutting felt it should be more centralized.

On the Special Act, Mr. Nutting asked when and if there should be a public hearing? Possibly a public hearing on both issues would be good? Mr. Dronzek agreed saying there should be as much information as possible presented to the town before it becomes a ballot item. The Board discussed the dates of April 7th or 8th at 7:30, possibly in the band room with live cable broadcast. Mrs. Allen will check with the availability of the school and cable.

Budget hearings:

-**Annual Town Report.** Mrs. Allen said she was able to reduce the cost in half, based on quotes received.

Mr. Brown made a motion that the following be approved:

Line 4 - expenses - \$1,000

Mr. Johnson seconded; all aye.

-**Street Lighting.** Mrs. Allen recommended leaving the figure at \$80,000 based on a monthly average cost of \$6,583.

Mr. Brown made a motion that the following be approved:

Line 30 - expenses - \$80,000

Mr. Johnson seconded; all aye.

-Insurance. Mrs. Allen said she would be going out for quotes, with anticipated quote review mid-March.

Mr. Brown made the motion that the following be approved subject to quotes being received and reviewed mid-March:

Line 87 - expenses - \$215,000

Mr. Johnson seconded; all aye.

Mr. Brown made the motion that the following be approved:

Line 88 - expenses for municipal property - \$5,000

Mr. Johnson seconded; all aye.

-Town Hall. Mrs. Allen mentioned that salaries would be the same. In expenses, she recommended lowering electricity, water, custodial supplies, groundskeeping; increasing fuel oil (including those from other departments), photocopying (now including the fax), building repair and maintenance, and the inclusion of \$8,000 for telephones in the town hall. Mrs. Allen was to let the FinCom know that all departments agree to having their telephone included as just one town hall bill. Mr. Johnson mentioned that the Municipal Building Utilization Committee should be providing the Board with a cost and list of estimated renovations for an article for the town meeting warrant.

Mr. Brown made a motion that the following be approved:

Line 6 - salaries - \$14,359

Mr. Johnson seconded; all aye.

Line 7 - expenses - \$25,380, with the understanding that all telephone charges are included; Mr. Johnson seconded; all aye. Mrs. Allen will check to see if the Council on Aging's telephone bill is included in the grant.

-Board of Selectmen. Mrs. Allen asked for salaries at the same as at FY'91; lowered expenses on printing, travel and education; with some increases in advertising, office supplies, postage; leveled for repairs and subscriptions; and consultant's fees at the same as FY'92.

Mr. Brown made a motion on the following:

Line 2 - salaries - \$58,285

Line 3 - expenses - \$6,900

Line 5 - consultant's fees - \$1,500

Mr. Johnson seconded; all aye.

-Mrs. Allen updated the Board on the furnace in town hall. She stated that Bay State Gas had come out and determined that the burner that had been put in was not adequate, so they replaced it with a larger one, but giving the town free rental for a year. Because of the larger burner, the rental cost will be \$17.95 per year.

-Mrs. Allen stated that FEMA had sent in the check to the town for \$13,724 - the only amount missing was the administrative fee.

-The Board signed the emergency transfer, previously agreed to, for the \$1,000 inadvertently left off of the salary account for the local Building Inspector's annual salary.

-Mrs. Allen brought up the name of Susan Bouchard as an interested person for the Disability Commission. Mr. Brown made a motion that Mrs. Bouchard be appointed to the Disability Commission through June 30, 1995; Mr. Johnson seconded; all aye. Mr. Dronzek also suggested Mrs. Allen contact Buddy Rabioli as a possible person interested in being on the Commission.

-The Board acknowledged the complimentary letter from Chief Lambirth concerning the cooperation extended by the Town Accountant's Department to his department.

-Mrs. Allen went over two petitions received from Boston Edison and New England Telephone that did not require public hearings. The Board did not see any problems with either petition.

Mr. Brown made a motion that petition no. 91-13 for pole 20/4X removal on Main Street, on the northerly side at the intersection of Summer Street be approved; Mr. Johnson seconded; all aye.

Mr. Brown made a motion that petition no. 91-14 for pole 20/5X removal on Main Street, on the northerly side at the intersection of Summer Street be approved; Mr. Johnson seconded; all aye.

-The Board acknowledged receipt of a letter from the Board of Health concerning CRINC, where their Board recommended the Board of Selectmen go into agreement with them for the disposal of recyclable materials.

-The Board were presented with the annual signing of statistics for civil service.

-The Board acknowledged receipt of letters from:

-Medway Veterans Building Association indicating the emergency personnel to be contacted if needed at the VFW.

-Cablevision Industries asking Cable Access for a recent

financial report.

-A thank you letter from the Housing Authority on the recent handling of the Mahan Circle fire.

-Notice of sergeant's and lieutenant's exams from the Personnel Administration.

-A letter from the Planning Board saying they disagree with the Board's idea of eliminating the cul-de-sac on Field Road. The Board asked Mrs. Allen to send another communication to the Planning Board telling them that the Board of Selectmen still feels they should give consideration to the idea for public safety reasons, and to contact the Safety Officer, Police Chief and Fire Chief for their input.

-Tri-County Regional School on their FY'93 budget.

-Mr. Brown made a motion to approve the emergency transfer for the Selectmen's salaries for \$7,051.60; Mr. Johnson seconded; all aye.

9:50

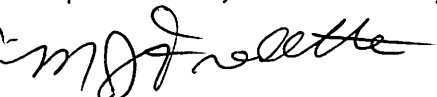
-Diarmuid Higgins, Highway Supt., was still present and mentioned that no progress has been made yet on the Summer/Village/Main Street intersection to go out to bid - Mr. Higgins is still waiting for the State DPW, District 6's approval; when that is done, a notice of intent will be filed with ConCom. Mr. Dronzek asked that Mr. Higgins please pursue this. Mr. Higgins also mentioned spring cleanup has started.

-Mr. Johnson mentioned a discussion with All Washed Up on Main Street who are concerned with someone hand-washing cars next door to them. Mrs. Allen mentioned if they are washing cars, there is no advertising being done. Mr. Johnson did not think this was a fair situation if All Washed Up went through all the procedures and regulations to abide by conditions the town set down, and someone else could get away without having any regulations imposed. He was disappointed in zoning regulations not being enforced by the Building Inspector. Mrs. Allen suggested to Mr. Johnson that All Washed Up check with the ConCom.

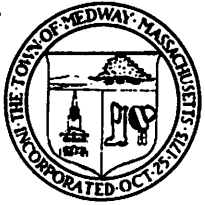
10:00

-Mr. Brown made a motion to adjourn to executive session for the purpose of hearing complaints brought against an employee, not to return to public session; Mr. Johnson seconded; all aye. The vote: Mr. Brown: yes; Mr. Johnson: yes; Mr. Dronzek: yes.

Respectfully submitted,



Mary Jean Fredette
Secretary



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

FEBRUARY 10, 1992

7:00 p.m. - Open meeting, sign warrants, approve minutes of 2/3/92 meeting.

Budgets:

- 7:05 - Town Accountant
- 7:15 - Computer Committee
- 7:25 - Animal Control Officer
- 7:35 - Board of Registrars
- 7:45 - Historical Commission
- 7:55 - Tree Warden/Moth Agent
- 8:05 - Job Classification Review Board
- 8:10 - Meeting with Chief Lambirth; EMS Coordinator Grimes; Bellingham and Franklin Fire Chiefs - re: E.M.S. Mutual Aid.
- E.M.S. Budget
- 8:30 - Pam Yanco - present Board with petition - re: brush pile.
- - Misc. budgets under Selectmen
- - old business
- - new business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Dronzek took this opportunity to announce he would not be running for re-election to the Board of Selectmen when his term expires in May due to the amount of work he has in his full-time job. Mr. Dronzek asked Mrs. Allen to pass this information on to the Milford Daily News to entice other local people to pull nomination papers for that position.

Mr. Brown made a motion to accept the minutes of the February 3rd meeting; Mr. Johnson seconded; all aye.

Budget Hearings:

7:05 -Town Accountant, Robert Brothers, was present to go over his budget. He first asked for the Board's approval to go to the Finance Committee for an emergency transfer of \$1200 for expenses. Mr. Brown made a motion that this request be granted; Mr. Johnson seconded; all aye.

Mr. Brothers also indicated he was short some \$600 in the salary account. Mr. Dronzek said if there is a need for a special town meeting for salary changes, it will be done.

Mr. Brothers clarified that all step and grade changes have to go to the Job Classification Review Board. This was confirmed. He informed the Board he would be doing that for himself, as well as his assistant, when he was told fiscal 1993 salaries should not show any increases. Mr. Brown told the Board that the Finance Committee is considering adjusting the financial scale or moving everyone up one step (each step being 4%). Mr. Brothers said he believed the 35-hour work week for his assistant was sufficient for his department. Mr. Johnson made a motion that Mr. Brothers be allowed to go to the JCRB; Mr. Brown seconded; all aye.

He asked for an increase in expenses to reflect the copier machine contract and copier supplies which were never provided for. He had no problem if it was eventually decided to include those costs in the town hall budget.

Mr. Brown made a motion that the following be approved for the Town Accountant's budget:

line 16 - salaries - \$53,134

line 17 - expenses - \$3,285

Mr. Johnson seconded; all aye.

Mr. Brown asked about quarterly status reports of receipts? Mr. Brothers said it should take about 1-2 months to prepare, but would aim for one month.

7:35 -Peggy Tighe and Bob Brothers representing the Computer

Committee came before the Board. Mr. Brothers mentioned a new type of program containing 8 columns that he was trying to put together on a monthly basis which would include expenditures and revenues. Also included in his figures was a flat 2% increase for repair/maintenance and professional/technical to cover increases from Arlington Data for the municipal lien package and quarterly tax billing.

Mrs. Tighe mentioned some confusion on the part of residents on the multiple bills sent, and said the bills might have to be sent individually (4 times a year).

Mr. Brown made a motion that the following be approved for the **Computer** budget:

line 18 - expenses - \$31,240

Mr. Johnson seconded; all aye.

8:05

-Jim Cassidy, Animal Control Officer, came before the Board. Mr. Cassidy mentioned keeping the salary at the same amount, but decreasing his expenses.

Mr. Brown made a motion that the following be approved for the **Animal Control Officer's** budget:

line 68 - salaries - \$7,900

line 69 - expenses - \$5,092

Mr. Johnson seconded; all aye.

8:10

-Maryjane White, Town Clerk, came before the Board to discuss the Board of Registrars' budget. Mrs. White mentioned that she and Mrs. Walter were inputting the census themselves since there was no money in the budget. Mr. Brown suggested letting the community help out.

Mr. Brown made a motion that the following be approved for the **Board of Registrars** budget:

line 12 - salaries - \$600 (this was amended from \$300 to \$600 to include \$300 stipend for the three registrars and \$300 salary for the clerk.)

line 13 - expenses - \$3,460

Mr. Johnson seconded; all aye.

The Board discussed with Mrs. White the balance of funds needed to cover the Assistant Town Clerk's salary for the rest of the fiscal year. Mr. Brown suggested Mrs. Allen gather up the amount of monies needed from the Town Clerk, Town Accountant and the Board of Selectmen to cover salaries for the rest of the fiscal year. Mr. Dronzek then said that the total of all three departments could be submitted to the Finance Committee as an emergency transfer.

8:25

-Mary Ellen Lavenberg representing the Historical Commission came before the Board. She told them about the Commission's goals of identifying and cataloguing the buildings near the Canal and Factory Village areas. Mrs. Lavenberg mentioned that, in cooperation with the Building Inspector, a 30-day delay in demolition has been worked into the system to make sure historical sites have had pictures taken of them. She mentioned that they are looking into getting map and parcel of properties for pinpointing locations. They are also documenting Evergreen Cemetery, and mentioned needing to develop liaisons with the Planning Board, ZBA and ConCom. Mr. Johnson said he would check with Norfolk County with regard to technical consultation for the Cole and Torrent buildings.

Mr. Brown suggested the \$3,000 for technical consulting, if Norfolk County can't help out, be a special article on the town meeting warrant. He also suggested the commission look to other sources for the printing of the Rabbit Hill brochure and new brochure for the total of \$300.

Mr. Brown made a motion that the following be approved for the **Historical Commission**:

line 34 - expenses - \$930

Mr. Johnson seconded; all aye.

8:38

-John Slatkavitz, Tree Warden/Moth Agent came before the Board to discuss his budgets. The Board had no problem with his requests.

Mr. Brown made a motion that the following be approved for the **Tree Warden**:

line 76 - expenses - \$4,686

Mr. Johnson seconded; all aye.

Mr. Brown made a motion that the following be approved for the **Moth Agent**:

line 75 - expenses - \$4,225

Mr. Johnson seconded; all aye.

8:42

-John Williams, representing the Job Classification Review Board, came before the Board to discuss the budget. He asked for an increase in the salary account to \$328, which was for the Board secretary for 33 hours (11 meetings) at \$9.93 per hour. This is an increase in hours, not hourly rate.

Mr. Brown made a motion that the following be approved for the **Job Classification Review Board**:

line 26 - salaries - \$328

Mr. Johnson seconded; all aye.

8:45

-Chief Lambirth and Officer Grimes came before the Board to speak about ambulance billing with Chief Malloy and Chief Ranieri of Franklin and Bellingham respectively. Mr. Dronzek said that there were no problems with mutual aid, just with the ambulance billing that is done. He stated that the Town of Medway does not have a signed agreement with anyone, so there is nothing in writing.

Chief Lambirth said the main objective is true spirit of mutual aid. They did not want to put a price tag on this, and suggested letting the two Chiefs speak.

Chief Ranieri stated that Franklin, Wrentham and Blackstone have an agreement going back to the 70's. He said whoever goes, bills. Officer Grimes said they have not done any billing - it's a free ride for them. Mr. Dronzek stated that service is being provided out of town.

Chief Malloy said that Franklin took care of Medway when there was no ambulance back in the 50's. They have a written agreement with other towns, and to deviate from this would cause havoc, and they should only be called for emergencies. He stated that Franklin only comes to Medway about twice a year, and Medway goes to Franklin more like five times a year. Chief Malloy said this has been his understanding of the situation since 1976 - when they go over the town line, they don't bill. Nobody billed when Franklin came to Medway.

Mr. Dronzek asked about using the existing procedure? He said patients were billed, but not being collected. He recommended that they follow the system that Franklin and Bellingham have in place. This was also Chief Lambirth's recommendation. Officer Grimes will bill now.

Mr. Dronzek said that Bellingham and Franklin ambulances are about 6 miles from the Medway town line, and it is the right thing for Medway to respond to those towns when needed. Chief Malloy said he would not hold back services; that they are volunteer EMT's, and they have to cover one another. He felt Medway was lucky to have Comstar do the billing for them; they have to do the billing themselves.

Chief Lambirth reminded the Board that when someone from North Bellingham or North Franklin on a 533 exchange calls 911, the call comes to Medway. Chief Lambirth said he would have copies of contracts for the Board to see.

Mr. Brown made a motion that the town where the call is initiated will bill the patient; Mr. Johnson seconded; all aye.

-The Board presented to Officer Grimes, on behalf of all EMS personnel, a certificate in appreciation for their response to the Mahan Circle fire.

-The Board also presented to Chief Lambirth certificates of appreciation to Officers Boultenhouse, McSweeney, and Dronzek for their assistance in the Mahan Circle fire; as well as a

certificate to the Police Department also in appreciation.

Budget Hearings continued:

- 9:12 -EMS Coordinator Officer Grimes, Assistant John Misiuk and EMS Technician Alan Coroni came before the Board to discuss their budget the EMS budget.

Officer Grimes indicated a 44% increase in run volume with a total of 500 calls. He expressed a desire to hire a part-time clerical person for 12 hours a week at \$9.31/hr. He also agreed in turning over his \$850 for gasoline/oil to the Highway Department budget. Officer Grimes stated he would like to replace the 1984 ambulance which would be about \$83,000. Remounting, which is take the modular and putting it on another chassis, is around \$50,000. He stated he looked at lease purchasing, assuming they would be borrowing \$70,000 including a \$14,000 trade-in, would be \$25,360 for a 3-year plan; \$16,440 for a 5-year plan; and \$12,760 for a 7-year plan. He mentioned there were no federal or state grants available; that it could be traded in for \$16,000; that it did 3,000 runs in 8 years; and is just under 57,000 miles.

Mr. Brown made a motion that the following be approve for the EMS budget:

line 52 - salaries - \$36,910

line 53 - expenses - \$9,130

Mr. Johnson seconded; all aye.

Mr. Brown mentioned to Officer Grimes that the salaries of the EMT's should be put on the salary schedule. He suggested that he make arrangements to go before the JCRB.

- 9:44 -Pam Yanco, who was on the agenda for 8:30, called earlier in the day and cancelled stating she would come another time with a petition on the brush pile.

- 9:45 -Diarmuid Higgins, Highway Supt., was present to discuss the DPS budget. \$1,500 for public works was eliminated on Traffic Signals.

Mr. Brown made the motion that the following be approved for the Traffic Signals budget:

line 81 - expenses - \$2,000

Mr. Johnson seconded; all aye. Mr. Higgins mentioned applying for a grant for triggered lights on Route 126 and Milford Street.

- Road repair was discussed next. Due to the cost of street line markings, and repairing of catch basins, and road repairs in the works, the budget was increased.

Mr. Brown made a motion that the following be approved for the **Road Repair** budget:

line 77 - expenses - \$30,000

Mr. Johnson seconded; all aye.

-Snow removal was discussed next. Because this is an unpredictable budget, it was left the same.

Mr. Brown made a motion that the following be approved for the **Snow Removal** budget:

line 78 - salaries - \$18,000

line 79 - expenses - \$40,000

Mr. Johnson seconded; all aye.

-The Board next discussed the DPS-Highway budget. Some increases were seen to be needed in salaries, cost of oil, uniforms, fuel tax, and telephone; decreases were seen in equipment repairs, public works and travel.

Mr. Brown made a motion that the following be approved for the **DPS-Highway** budget:

line 73 - salaries - \$210,938

line 74 - expenses - \$71,315

Mr. Johnson seconded; all aye.

-Mr. Brown asked Mr. Higgins about the sidewalk ads and going out to bid. Mr. Higgins said he would be putting out the ad the next day, so bids could be opened on March 2nd.

10:10 -Mrs. Allen asked the Board to sign the Presidential primary town warrant for the Town Clerk.

-The Park Department had sent in a letter to the Board requesting to use Town Counsel to research the deed for the property west of the park and north of Oak Street. They had received the preliminary approval of the Conservation Commission to develop the land. The Board asked Mrs. Allen to just respond to the Park Department with what information Mrs. Allen already had.

-The Board acknowledged receipt of the following:

- a letter from Dee Moschos noting that Mass. public employers cannot conduct random drug tests of their employees.
- the resignation of Randy Marcus from the Arts Lottery Council.
- a letter from Effie Marshall concerning a fall at the Burke School; and Supt. Bettencourt's subsequent letter to Mrs. Marshall. Mrs. Allen will forward a copy of both letters to the insurance company.

- a response from Chaulk Services acknowledging the Board's letter.
- a letter from the Norfolk County Advisory Board indicating that their next meeting was on February 12th - Mr. Johnson will be going.
- a bill from Special Counsel Greg Barnes - Mrs. Allen will pass it on to the Water Dept. since it was their department for which he was also working.
- the Water Dept. proposed budget.
- an article from the Conservation Commission on "how an effective Massachusetts Conservation Commission operates".
- a copy of the bond payment schedule.
- a letter from the Mass. Emergency Management agency concerning financial reimbursement.
- a letter from the Central Massachusetts Agency on Aging mentioning an up-coming meeting on March 6th.

- Mr. Brown mentioned that he had faxed a letter to the Police Chief concerning the dangerous situation that was being created at the corner of Holliston Street and Route 109 with C.B. Trucking parking their trucks near there. The Board concurred and Chief Lambirth has indicated he would take care of the Board's concerns.

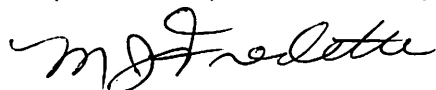
- The Board acknowledged the receipt of the resignation of John Ryan from the Council on Aging. The COA recommended Harold Bemis be appointed to fill that position. Mr. Brown made the motion that Mr. Bemis be appointed to the Council on Aging; Mr. Johnson seconded; all aye. The COA also recommended that John Ryan and Hazel Caton be appointed as Advisory Members. Mr. Brown made that motion; Mr. Johnson seconded; all aye.

- Mr. Johnson questioned the Building Inspector's fees. Mrs. Allen mentioned Mr. Speroni was salaried, but if he filled in for Mr. Parchesky while on vacation, he would collect the inspection fee.

- Mr. Dronzek hoped the questions from the Medway Business Council for his up-coming meeting on March 2nd would be coming soon for the Board to review.

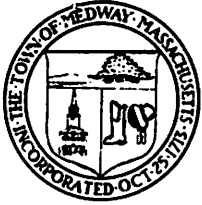
10:30 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette
Secretary

mj



BOARD OF SELECTMEN

166 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02063
(508) 533-2013

AGENDA

FEBRUARY 3, 1992

7:00 p.m. - Open meeting, sign warrants, approve minutes for 1-21-92 and 1-27-92 meetings.

7:01 - Jonathan Cortelli
re: two taxi licenses

7:10 - David Melville & Rebecca Parker
re: solicitor's permit

Budgets:

7:15 - Fire Department

7:30 - Civil Defense

7:40 - Finance Committee

7:50 - Wire Inspector

7:55 - Gas Inspector

8:00 - Building Inspector

8:05 - Sealer of Weights & Measures

8:10 - Evergreen Cemetery Trustees
re: pauper graves and Cottage Street drainage

8:30 - Dunkin Donuts - 24 hour window

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's
Meeting Room 2 of Town Hall. The warrants were signed.

Minutes of January 21 were brought up to be accepted.

Several corrections were made:

- page 1- take out the reference to Franklin Street in the
second to the last line.
- page 3- add "various minor" to the drainge problems in the
first line.
- page 3- delete the fifth line in its entirety.
- page 3- change the line to read "part of Lovering Street
from Partridge Street to Chicken Brook".

Mr. Brown made a motion to accept the minutes of January 21
as amended; Mr. Johnson seconded; all aye.

Mr. Johnson made a motion to accept the minutes of January
27th; Mr. Brown seconded; all aye.

7:05 -Jonathan Cortelli of Dave's Taxi came before the Board to
apply for a taxi license for two vehicles. He resides in
Millis and is currently licensed in Millis and Norfolk. He
showed the Board his insurance coverage indicated adequate
coverage. He said the vehicles would be garaged in Millis,
and would provide the Board with plate numbers, drivers'
names and their license numbers. Mr. Brown made a motion to
approve the application for a taxi license for Mr. Cortelli;
Mr. Johnson seconded; all aye.

7:10 -David Melville and Rebecca Parker representing Kirby Vacuum
Cleaners of Framingham did not show up to discuss a
solicitor's permit with the Board.

Budget hearings:

7:13 -**Fire Department.** Chief Wayne Vinton came before the Board
with his budget. He stated there were 4400 man hours
involved with 45 members. His 20 hours per week was coming
out of part-time salaries at this time (\$9,000), plus \$3,000
out of stipends for a total of \$12,000. He recommended
adding \$12,000 into the salaries account to cover his hours,
and reduce the stipends by \$3,000. Mr. Brown suggested the
Chief go to the FinCom for an emergency transfer by the end
of March for his \$9,000.

The Chief mentioned needing new doors for the ambulance fire
barn, and it was recommended that the Chief include that as a
special article on the town meeting warrant. The Chief also
asked that \$1,648 be transferred from line item 301-gasoline/
oil to the Highway DPS' account of gasoline/oil.

Mr. Brown made a motion that the following be approved:

- line 47 - salaries - \$67,800
- line 48 - expenses - \$38,350
- line 48A - inspection fees - \$3,000

Mr. Johnson seconded; all aye.

7:50

-Civil Defense. Chief Wayne Vinton came before the Board. He stated that he was in the process of redoing the emergency plan for the Town, and recommended an increase of \$200.

Mr. Brown made a motion that the following be approved:

line 56 - expenses - \$400

Mr. Johnson seconded; all aye.

7:55

-Finance Committee. Vice-chairman Tucker Reynolds came before the Board. Mr. Dronzek noted that the salaries account was higher than previous years. Mr. Reynolds stated that the JCRB changed the grade and step of the committee's secretary over the summer. The hours were increased also from 150 to 179-1/2 hours. He mentioned that for years she was being paid less as Board Secretary than her regular job in the Water Department. Mr. Dronzek asked if all Board Secretaries were also changed in grade and step? - Mr. Reynolds did not know. The Board discussed the cost of the Finance Committee book for the annual town meeting, and Mr. Reynolds said the Secretary also took the low bidder and mailing cost was at bulk rate. Mr. Brown also suggested instead of one hour a week for 52 weeks, that 30 hours total would be enough.

Mr. Brown made a motion that the following be approved:

line 23 - salaries - \$1,522

line 24 - expenses - \$4,139

Mr. Johnson seconded; all aye. No amount for reserve fund was voted on. Mr. Dronzek stated he would rather see budgets staying in line rather than having to go for emergency transfers, even if it meant the budget had to be slightly increased.

8:10

-Wire Inspector. Bob Belland came before the Board. He said the fee schedule had not been changed since 1986, and recommended a slight increase in certain areas. He also restated that the electricians should pull permits to remove meters for vinyl siding. Mr. Johnson made a motion that the fee schedule be effective July 1, 1992; Mr. Brown seconded; all aye (copy attached).

Mr. Brown made a motion that the following be approved:

line 59 - salaries - \$150

line 60 - expenses - \$150

line 61 - inspection fees - \$9,000

Mr. Johnson seconded; all aye.

8:20

-Gas Inspector. Bob Coakley came before the Board. He asked that the \$100 stipend be reinstated. It was also recommended that all the miscellaneous expenses be grouped into one line of just expenses at \$150. Mr. Coakley also recommended

that inspection fees be increased to \$2,000.

Mr. Brown made a motion that the following be approved:

line 62 - salaries - \$100
line 63 - expenses - \$150
line 64 - inspection fees - \$2,000

Mr. Johnson seconded; all aye.

8:30

-**Building Inspector.** Rob Speroni came before the Board. Mr. Speroni was asked about all the violations that the Board of Assessors had picked up in their reval of the town. He stated that he was not pursuing that area in order to get some clarification on certain restrictions by Town Counsel in regard to set-backs.

Mr. Speroni stated that, for some reason, the \$1,000 inspection fee for the Local Inspector was not included in the budget for FY'92. It was recommended that he put in an emergency transfer for that amount. He, therefore, asked that salaries be placed at \$13,000 instead of \$12,000. Some expenses were changed around also. On inspection fees, looking at the rate of inspections, he felt that an increase should be made of \$2,500.

Mr. Brown made a motion that the following be approved:

line 65 - salaries - \$13,000
line 66 - expenses - \$1,600
line 67 - inspection fees - \$6,500

Mr. Johnson seconded; all aye.

8:50

-**Sealer of Weights and Measures.** Richard Tighe came before the Board. He asked for the same budget.

Mr. Brown made a motion that the following be approved:

line 57 - salaries - \$215
line 58 - expenses - \$50

Mr. Johnson seconded; all aye.

8:55

-**Richard Tighe, President and CEO of Evergreen Cemetery and George Lee, Treasurer** came before the Board as requested to discuss the subject of an easement through the cemetery driveway, and paupers graves.

Allan Osborne, who was present, said he had brought up the subject to the Selectmen as a suggested way to help alleviate the drainage problems at Cottage Street. Mr. Osborne had been led to believe there were many more paupers graves than Mr. Tighe said there were. (Mr. Osborne thought there were 50 - there are 26 left.) Even then, the graves are not near the driveway where the easement would be requested. Both Mr. Lee and Mr. Tighe did not have any problem with an easement through the cemetery, as long as the driveway was put back

the way it was.

9:00

-Carlos Placido of Dunkin Donuts came before the Board to request a 24-hour drive-thru window only. This would be an extra five hours of being opened from 12 midnight to 5 a.m. Mr. Placido said he would hire another individual for those five hours because he wanted someone there with the baker. He said the lights in the parking lot would not be on, just the light illuminating the sign and interior lights.

Mr. Brown made a motion that Mr. Placido be allowed to have the drive-thru window open during the hours that Dunkin Donuts is closed from midnight to 5 a.m.; Mr. Johnson seconded; all aye.

9:15

-Jonathan Bruce, president of Triad Building, came before the Board to discuss Nathaniel Cutler Place that he has an approved sub-division plan for. His plan was approved in December of 1989. Mr. and Mrs. King, owners of the property, were also present.

Mr. Bruce said there is a concern about the drainage at the intersection of Maple Street. Mr. Higgins had stated not to go through the wingwall but adjacent to it. Mr. Bruce asked if he should speak to the County Engineers, maybe have them look at the intersection? Mr. Dronzek said the three board members had been there a couple of years ago to look at it.

Mr. King felt there was more of a problem with people on Winthrop Street going to Maple Street. Could the area be rerouted or have the County Engineers talk to Mr. Bruce? Mr. Dronzek said the Engineers would be asked if they would like to look at the intersection and meet with Mr. Bruce, with a copy of the letter going to the Safety Officer and Chief Lambirth.

Mr. Bruce also mentioned that he was looking to the Selectmen for support in concept. Is the drawing consistent with what was agreed to in 1989 to empty into Chicken Brook? He said he had done extensive hydraulic surveys on the area. Mr. Dronzek said the Board can approve the plan subject to all the Boards agreeing. Mr. Bruce said he would do the extra work at no charge.

Mr. Brown made a motion to approve the drainage plan drawing of Nathaniel Cutler Place as revised dated 12/9/91; Mr. Johnson seconded; all aye. Mrs. Allen kept the plan that Mr. Bruce presented. He asked that a confirming letter on this action be sent to him by the Board.

In reference to the headwall, Mr. Bruce said it was located in the flood plain, referring to Section Q, Paragraph 7 of the Zoning By-laws. He stated he was not sure if he needed a special permit, since the headwall will be in the public way on Winthrop Street. Mr. Bruce said he believed he had to go to the ZBA for a special permit. Mr. Dronzek said wetlands is Conservation's area, not ZBA. As long as Mr. Bruce received the Order of Conditions from the Conservation

Commission, that should be sufficient. Mr. Bruce asked if Town Counsel could give an opinion on this? Mr. Dronzek said the Board would try for an answer by Monday, and if Town Counsel rules he needs a special permit, then he would have to go to the ZBA.

9:30

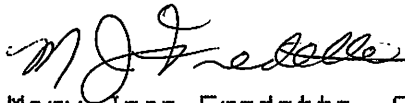
- Diarmuid Higgins, Highway Supt., told the Board that the new addition to the Highway Garage is up. He mentioned the additional funds for the gas trap drain, and the overhead doors. Floors will be put in when it warms up. They also found the septic tank finally after 22 years and had it pumped out.
- The Board signed the common victualler, automatic amusement, and Sunday entertainment licenses of Papa Gino Acquisition Corporation.
- Mr. Johnson expressed some concern about Mr. Higgins' idea of adding on another level for the highway garage. He was concerned about the strength of the foundation.
- Mr. Johnson mentioned some ditches in front of Mr. Clorite's house - Mr. Higgins said it would be taken care of when it warms up.
- Mr. Johnson said that Al Downs, who has retired, is the only one with a registered engineer's stamp.
- Mr. Brown made a motion to approve the Veterans Agent going to the Finance Committee for an emergency transfer for Veterans Services for \$6,952.72; Mr. Johnson seconded; all aye.
- Mr. Brown made a motion to allow the Police Department, per their recommendation, to lower the speed limit on Clark Street to 20 MPH near the high tension line; Mr. Brown seconded; all aye.
- The Board acknowledged the letter from the Mass. Office on Disability and Dee Moschos' letter on the Americans with Disabilities Act effective January 26, 1992. Mrs. Allen was appointed Compliance Officer by the Board.
- It was mentioned by the Board that the VFW is a designated shelter for Civil Defense, as is the Town Hall.
- The Board acknowledged receipt of a letter from Dee Moschos concerning the posting of "employee rights".
- The Board acknowledged receipt of a letter from the Dept. of Public Utilities concerning the public hearings on their company's proposed fuel charge on February 12 and 13.
- The Board reviewed the preliminary plan of Narducci's of Mayland Woods. The plans are not totally complete, and the Board questioned the location of a cul-de-sac. Was that absolutely necessary, as cul-de-sacs pose problems with snow plows. Mrs. Allen will write a letter to the Planning Board.

MINUTES OF THE SELECTMEN'S MEETING

FEBRUARY 3, 1992 PAGE 6.

10:00 -The meeting was adjourned.

Respectfully submitted,


Mary Jean Fredette, Secretary

mj

3Feb 1992

To: Honorable Board of Selectmen

From: Wire Inspector

Subject: Fee Schedule

I hereby request the following changes be made in current fee schedule: *EFFECTIVE 7/1/92*

RESIDENTIAL

	<u>PRESENT</u>	<u>PROPOSED</u>
New single home (overhead service)	\$40.00	\$45.00
New single home (underground service)	\$50.00	\$60.00
New two family (overhead service)	\$60.00	\$60.00
New two family (underground service)	\$75.00	\$75.00
Temporary service	\$20.00	\$20.00
Swimming pools/siding	\$40.00	\$40.00
Outlets - one to ten	\$25.00	\$30.00
Outlets - eleven or more	\$37.00	\$40.00
Service change per meter	\$25.00	\$25.00
Each: range, clothes dryer, air conditioner	\$20.00	\$20.00
Each: oil or gas burner (new or conversion)	\$20.00	\$20.00
Each: water heater	\$20.00	\$20.00
Each: reinspection for defective work (requires an additional permit)	\$20.00	\$20.00

INDUSTRIAL/COMMERCIAL

Temporary service	\$30.00	\$30.00
Per ampere on main, (connected load)	\$.35	\$.35
Building of multiple occupancy, add to above for each additional unit	\$38.00	\$38.00
Outlets - one to ten	\$50.00	\$50.00
Outlets - eleven or more	\$60.00	\$60.00
Motors:		
first ten horsepower	\$41.00	\$45.00
each additional horsepower	\$ 5.00	\$ 5.00
Exterior sign	\$25.00	\$25.00
Service change	\$50.00	\$50.00

*Approved Sel. Mtg
2/3/92*

TOWN OF MEDWAY

WIRE INSPECTOR

Budget proposal for fiscal year 1993:

SALARIES: FY'92 Request FY'93

0 \$150.00

EXPENSES:

\$225.00 \$150.00

INSPECTION
FEES

\$9000.00 \$9000.00

RECEIPTS

FY'90

FY'91

FY'92

\$12,269.00

\$9,657.00

\$4,723.00 thru 12/31/91

- 9,000.00

-8,063.00

9,446.00 est 7/1/92

+ 2,935.00

+1,297.00

-9,000.00

+ 446.00

FEES PER INSPECTION:

FY '86-'92

REQUEST FY'93

Residential

\$12.00

\$15.00

Commercial/Industrial

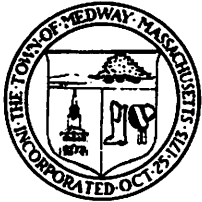
\$20.00

\$20.00

Respectfully submitted,

Robert F. Belland
Robert F. Belland

Approved Sel. Mtg 2/3/92



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JANUARY 27, 1992

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 - Public Hearing - Papa Gino's -
Wine & Malt liquor license transfer.
- Budgets:
- 7:10 - Council on Aging
- 7:15 - ZBA
- 7:25 - Police
- 7:45 - Police/Fire Communications
- 8:00 - C.I.P.C.
- 8:05 - Conservation Commission
- 8:15 - Scott Carey
re: Class II (pocket license)
- 8:30 - Insurance Committee
- - old business
- - new business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

Prior to the start of the meeting, Mr. Brown told the Board about a meeting he attended of the Field Lighting Committee to help raise the balance of \$10,000 needed to pay off the loan taken out by the committee to pay for the lights installed at Charland Field. He said that the committee had thought about various fundraising ideas, but seemed to have settled on the idea of an auction. He said groups and organizations in town, and the general public would be asked to donate some of their time to provide a service that could be auctioned. Other meetings will follow.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. He first asked that Mrs. Allen send letters of commendation to the those involved in the handling of the fire at the Mahan Circle complex, including the public service departments, Fire Chief, Police Chief, Police and Fire Communications, EMS personnel, and to the emergency personnel of the neighboring towns that responded. The Selectmen were all there and they said the joint effort of everyone involved was excellent in what could have been a more tragic situation.

7:05 -Mr. Johnson read the public hearing notice for the transfer of wine and malt license from Papa Gino's of America to Papa Gino's Acquisition Corp. and the change of manager at Papa Gino's on Main Street from Donna Kryszak to Edward Fontaine. Chief Lambirth, who was present, had no problem with this change being made. Edward Fontaine and Hank Pytka representing Papa Gino's were also present. Mr. Dronzek asked if there were any comments from the general public; seeing none, Mr. Brown made a motion to approve the transfers; Mr. Johnson seconded; all aye. The ABCC application was signed by the Board.

-Budget hearings followed:

7:10 -Council on Aging. Paula Bisson, Treasurer and Ruth Sanders, Chairman were present representing COA. They stated a need for more monies in salaries that could be taken out of professional/technical expenses. They also said they were showing a loss in transportation and asked for an increase in that line item.

Allan Osborne, who was present, mentioned monies put aside in a special account for transportation that former Town Accountant Mary Shea had stated could not be used. Mr. Dronzek suggested they talk to the present Town Accountant Bob Brothers about this.

Mr. Brown made a motion for approval of:

line 45 - salaries - \$11,763
line 46 - expenses - \$15,472

Mr. Johnson seconded; all aye.

7:37

-**Zoning Board of Appeals.** Joe Dziczek, representing ZBA was present. He felt an increase in salaries would be necessary, but a decrease in advertising and postage could be made. In discussing the printing costs of the Zoning By-Laws, Mrs. Allen reminded him that a duplex machine was available in Town Hall for the Secretary's use.

Mr. Johnson made a motion for approval of:

line 30 - salaries - \$2,500

line 31 - expenses - \$2,100

Mr. Brown seconded; all aye.

-Mr. Dronzek excused himself from the next two budget hearings and left the meeting room as he felt they were a conflict of interest.

7:50

-**Police Department.** Chief Lambirth was present representing the Police Department. The Chief presented two budgets to the Board for their review. He mentioned a 2% increase via collective bargaining. He also stated that increases reflected the two vacancies he wanted to fill: either two to sergeants' position, or one to sergeant and one to lieutenant. He also was asking to put stipends back in. Mr. Brown confirmed that the increases were only for bargaining units.

Mr. Brown made a motion for approval of:

line 49 - salaries - \$651,961

line 50 - expenses - \$74,355

line 51 - out of state travel - \$1,000

Mr. Johnson seconded; all aye.

8:15

-**Police & Fire Communications.** Richard Simard was present representing Communications. He mentioned, with the Board's permission, they would be going to the Job Classification Review Board for a classification, as they are the only non-contractual department that has no classification. He said there were four full-time and five part-time employees.

Mr. Brown made a motion for approval of:

line 54 - salaries - \$100,250

line 55 - expenses - \$2,830

Mr. Johnson seconded; all aye.

-Mr. Dronzek returned to the meeting.

8:20

-**Capital Improvement Program Committee.** No one representing this committee was present.

8:22

-**Conservation Commission.** Jan Morris, Chairman and Raphaela Rozanski, Vice-Chairman were present representing ConCom. Mr. Morris mentioned that the Commission will be trying to

educate themselves more and, therefore, the entire Commission would be attending a seminar on February 29. They stated that they had requested an emergency transfer, and were requesting another transfer this evening, for salaries. On that basis, they were looking to an increase in the salaries account to \$3,000. They also asked for an increase in printing costs, but a decrease in dues/subscriptions.

Mr. Johnson made a motion for approval of:

line 32 - salaries - \$3,000
line 33 - expenses - \$1,900

Mr. Brown seconded; all aye.

8:30

-Scott Carey came before the Board to apply for a Class II (pocket) license, with two other gentlemen representing their Board of Directors. Mr. Carey said he would be brokering for others, and that no cars would be located on the premises of 9 Skyline Drive. Mr. Brown made a motion to approve the Class II license for Scott's Auto Brokerage; Mr. Johnson seconded; all aye.

8:35

-Bob Brothers and Peggy Tighe, along with Ruth Allen, were present representing the Insurance Committee. Mr. Dronzek told the Committee the Board had asked them to come to a meeting so that the committee could review different alternatives to the present MIIA policies, and see if there are any substantial savings out there for the town. Mr. Brown agreed saying that the town just does not want to accept MIIA as the insurance carrier without getting any other quotes. It was suggested that the present insurance policies be made available to those who would like to look at them at Town Hall. Mr. Dronzek gave the name of Insurance Marketing Agencies (Ken Eddy) at 753-7233 as possibly an interested party to contact. It was stated that there are many agencies also in town who might like to quote. Mr. Brown suggested sending a notice to agencies to make them aware we would be looking for quotes.

Mr. Brothers mentioned that specs were available from Attleboro and Plainville, and that Mrs. Allen had been able to arrange that they would be made available to him in the morning. The Board agreed that obtaining quotes would at least show people the town wants to try and get the best prices as well as the best insurance. Mr. Dronzek also stated that the Board would be receptive to recommendations made by the Insurance Committee, including any additional increases that might be needed. Mr. Brown also suggested reviewing the municipal property insurance account, and seeing if monies actually need to be set aside each year.

Mrs. Tighe gave the Board the present figures from Blue Cross/Blue Shield and Pilgrim that she had:

Blue Cross - family \$517.06; individual \$213.83
Pilgrim - family \$429.83; individual \$165.31

9:00

-Chief Wayne Vinton stopped by to show the Board pictures of the fire at Mahan Circle, and to tell them he had just come from a meeting at the Housing Authority. The Chief stated that a fire watch detail and a police watch detail were at the complex, as well as EMT's until the fire alarm system is put back into service. He mentioned that the fire personnel and the EMT's are on 4 hour shifts, and the police are on 8 hour shifts. Originally, the watches were requested by Mrs. Luccio, but the Chief felt that the insurance company would cover the cost. He stated the whole alarm system was out, including the individual calls in their rooms. He got the Board's agreement on the same salary for the fire personnel as the police department.

At this time, the Chief brought up the problems he was having with the 25 year-old used fire radio that the department has, especially in light of the recent fire, and all the relaying of messages that had to be done because of its inefficiency. The Chief said that he saw a bay station radio on the state bid list for \$5,900 plus another \$500 for installation. As long as it was on the state bid list, he did not have to go out to bid, but it had to be ordered by January 30th. He, therefore, needed to go to the FinCom for an emergency transfer and they were having a meeting on January 29th. Mr. Johnson made a motion that the Chief be allowed to go to the Finance Committee for an emergency transfer for a fire radio; Mr. Brown seconded; all aye.

The Chief stated he had sent letters of commendation to all parties involved with the recent fire, and also to 7 individuals who were outstanding. The Board said they should also send letters of commendation to those same 7 people, who were: Tim Choate, Mike Power, Jim Smith Jr., Doc Herring, Tim Coakley, John Mill and Steve Reding. He also said the pictures taken by the Franklin Fire Department were given to Medway with their compliments.

9:15

-Diarmuid Higgins mentioned to the Board that he had a meeting scheduled the next day with Mike Delaney of Mass DPW and Mike Perrault of Commonwealth Engineers concerning the extending of the drain on Cottage Street. Conservation did not feel it would be a problem.

Mr. Higgins also said he would need more funds - \$250 for the building permit. The Board felt that fee should have been included in his overall costs, and to go after Smith-Grove for payment of the permit.

Mr. Higgins said that the DEF wants another pit for the floor drain which would be another \$600, and maybe \$200 more for installation.

Mr. Higgins also said that he would someday like to raise the old barn, allowing for storage and office on the second floor, and an extra bay below.

Mr. Dronzek asked about Lee Lane when a lot of rain fell the other night. Mr. Higgins said that the crew had been out

three times in that area that night, and there was no problem with the drainage. Mr. Dronzek mentioned that the Lee Lane area would probably be discussed with the Assessors next week.

9:25

-Mrs. Allen went over several matters with the Board.

-Mrs. Allen went over a petition #91-20 from New England Telephone and Boston Edison for joint ownership of pole #3/125 - 3/127 on Holliston Street. No public hearing is required. Mr. Brown made a motion that this petition be approved; Mr. Johnson seconded; all aye.

-Mrs. Allen showed the Board the present map location from 109 reconstruction project of the intersection, of the Aoude Gulf Station in conjunction with a request upcoming before the ZBA in February. The map shows the county layout of the area done in 1922. Chief Vinton had questions on where the tanks would be put. The Board asked that Mrs. Allen send the documentation to the ZBA for their own information.

-Mrs. Allen presented the name of Kelly Adler as the Selectmen's representative to the Capital Improvement Program Committee. Mr. Brown made a motion that Ms. Adler be appointed to that committee through June 30, 1993; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up the letter received from Tri-County concerning teachers' deferral. Mr. Brown made a motion that this Board hereby concurs with the action of the Tri-County Regional Vocational School Committee and rejects the provisions of Chapter 336 of the Acts of 1991 relating to the deferral of teachers' compensation for the Tri-County Regional Vocational School District; Mr. Johnson seconded; all aye.

-The Board discussed the letter received from Tri-County concerning receiving the Board's permission to seek emergency education funds. Mr. Johnson made a motion that Tri-County be granted permission to apply for these emergency education assistance funds; Mr. Brown seconded; all aye.

-Mr. Dronzek mentioned that in speaking with Jeff Nutting, Mr. Nutting expressed the desire that the government study committee's proposal for the Town Charter be mentioned at the Medway Business Council's meeting in March.

-The Board acknowledged receipt of:

-A memorandum from Representative Barbara Gardner's office on worker's compensation.

-The proposed county charter districts for the November state election.

-The letter from the Police Chief on termination of employee leave.

-Notification of the Mass. Interlocal meeting, which no one can attend.

-Norfolk County Treasurer, Robert D. Hall's annual report.

-A letter from Mass. Office on Disability concerning the

Americans with Disabilities Act.

-A letter from Sharon Cable TV Oversight Committee on high cable rates.

-Mrs. Allen mentioned that five quotes had been received for the publication of the annual town report ranging from \$925 to \$2,050; and she felt that the town could not pass up the low bidder for \$925.

-Mrs. Allen mentioned that Joe Griffiths advised her that a sound engineer would be going to Sabina Doyle's to measure the sound level of their entertainment.

-Mrs. Allen read the letter to the Board that she wrote to be sent to Attorney Akre concerning Paul Yorkis. The Board agreed that the contents were what they wanted to have stated, and Mr. Dronzek signed it.

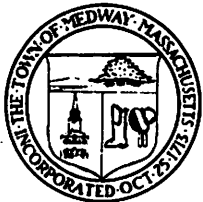
9:50 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

TUESDAY, JANUARY 21, 1992

7:00 p.m. Open meeting, sign warrants, approve minutes
of January 13, 1992.

----- Highway Supt. to discuss highway projects on the
books.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

Prior to the start of the meeting, Mrs. Allen mentioned the furnace problems and the lack of heat within the town hall building that had occurred over the weekend. She stated she had spoken to Bay State Gas and they could provide a rented furnace for \$7-\$9/month, and when problems occur, it would be their problem. She mentioned she had the representative coming in, and the Board was receptive to the cost-preventative measures this would provide.

The Board discussed Aoude going to the ZBA for a variance on the Gulf Station, and some of the problems in that location.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Johnson made a motion to accept the minutes of the January 13, 1992 meeting; Mr. Brown seconded; all aye. Mr. Brown made a motion to accept the executive session minutes of the January 6, 1992 meeting; Mr. Johnson seconded; all aye.

-Mrs. Allen asked the Board about the recent situation with Paul Yorkis and asked them if they wanted to rescind their decision? The Board so no. Mr. Brown asked hadn't they asked Mr. Yorkis to resign? Mr. Dronzek said no, it was just an abuse of authority, and asked that Mrs. Allen so state that in a letter to his attorney.

-Mr. Dronzek asked about the water sample test results that were brought to the Selectmen's office by Mr. Yorkis on Mrs. Cunning's well. Mr. Dronzek asked if Mr. Yorkis was bringing that document as an agent of Claybrook Farms - Mrs. Allen so confirmed, and clarified that Mr. Yorkis had stated it was a dug well, and that Claybrook would probably give her an artesian well to pacify the situation.

-Mr. Brown made a motion to accept the executive session minutes of October 21, 1991 and December 30, 1991; Mr. Johnson seconded; all aye.

-Mr. Dronzek asked about the violation received from the Water/Sewer Board on the backflow preventer. Mr. Dronzek said to take the appropriate steps and run it by Mark Flaherty and Bob Coakley, and if minor costs involved to do it. Mr. Johnson said it had to be done no matter what the cost.

7:15 -Diarmuid Higgins came before the Board to discuss highway projects. Mr. Dronzek told him the Board asked for this special meeting because town meetings have voted alot of money for highway projects, and the town would like to see the projects started and/or completed showing some finished results.

Mr. Higgins talked about concrete sidewalks with granite curbing for ~~Franklin and Village Streets~~ around Town Hall and going out to bid in February, not including Maple Street.

Mr. Dronzek said to advertise on February 7th and 14th and open the bids on February 24th, with work to begin after April 20th.

Mr. Higgins said that Village Street west of Franklin would be done by the Highway Department as soon as the weather permits; maybe start digging end of March/beginning of April. Bob Power, Assistant Supt., was also present and suggested the drainage problems in that area be corrected first.

Mr. Dronzek mentioned that there was \$100,000 in the bond with \$15,000 in reserve for Maple Street. Mrs. Allen said there is no estimate for that work yet. Mr. Dronzek told Mr. Higgins to do the work with the profile of the land as it is now with a 5' wide sidewalk.

In discussing northwest Maple Street and doing work from Maple Lane to Delmar - about 1,000 feet might cost about \$7,500. Mr. Higgins said he would go out to bid. Mr. Dronzek suggested maybe going out to bid on both Maple Street and Village Street as one contract? But, it was decided to have three separate contracts. Mr. Dronzek asked that this be advertised the same as for Village Street. Mr. Power asked about widening the road on Maple Street, as it was quite narrow and enough land was there to do it. Mr. Higgins said he would talk to the County Engineers about this.

Mr. Higgins mentioned that the stoning and sealing was all done and leaving a balance.

Mr. Johnson brought up Winthrop Street, but Mrs. Allen said that was the Water Department's area.

Mr. Dronzek brought up the repaving of Milford Street and the drainage across Fisher Street. It was decided to place reinforced concrete on Milford Street and repair and redo the drain at Fisher Street for about \$2,800. It is anticipated that Chapter 90 monies would be available for this, and nothing has been submitted to DPW yet as Simeone has the bid until July 1. Mr. Dronzek asked about when the scheduling of repair of Milford Street could be done. Mr. Higgins felt early summer and Mr. Dronzek suggested scheduling for May 1 and \$6,000 for thermal plastic lines as part of the paving. Mr. Dronzek suggested not bothering with Mass DPW but have Highway do the work at Fisher Street drain.

Mr. Higgins mentioned that Commonwealth Engineers would handle the necessary work at Main/Summer/Village Streets, including advertising and going to Conservation. It was noted that the County had designed it for the Highway Department to do the work. Mr. Dronzek asked that work be started around April 27th, and to coordinate with Commonwealth.

For the drainage problems at 24 Village Street, Mr. Dronzek said there was enough funds with the \$10,000 from the 12/86 STM for Highway to do the work maybe around Easter week.

Priorities were set down:

various minor

1. drainage problems to be corrected by the Highway Dept.
2. 24 Village Street to be corrected by the Highway Dept.
3. Lee Lane to be corrected by the Highway Dept.

~~Mr. Dronzek felt there was about \$115,000 to cover them.~~

Mr. Brown mentioned Causeway Street to Puddingstone as being a mess, as well as Fisher Street, and part of Lovering and Partridge Streets. *from Partridge St to Chicken Brook.*

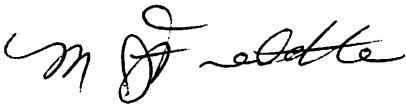
There was some discussion about Cottage Street and the relief pipe, which will help Cottage and Evergreen Streets a little.

-Mr. Power mentioned that there was a need for catch basin repair of about \$3,000. Mr. Dronzek told him just to repair them and the Board would find the money.

-Mrs. Allen mentioned that the Village Deli was still open and had not as yet corrected their building violations and paid for their common victualler license. The Board said to give them 48 hours to correct the work and pay the fees or close them down.

9:15 -The meeting was adjourned.

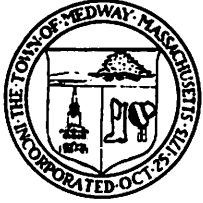
Respectfully submitted,



Mary Jean Fredette, Secretary

mj

*approved as
amended 2/3/92*



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JANUARY 13, 1992

7:00 p.m. - Open meeting; sign warrants; approve minutes of 11-18-91 executive session and 1-6-92 meetings.

7:05 - Public Hearing - New England Telephone & Boston Edison:

Summer Street - pole

Summer / Main St. - anchors and guys

Main at Village - pole

Cottage St. / Guernsey St. - pole

Budget hearings -

7:10 - Cemetery Commission

7:15 - Memorial Committee

7:25 - Law

7:35 - Veterans Services

7:45 - Conservation Commission

8:00 - Dennis Reardon -
re: Lee Lane drainage

----- old business

----- new business

Present: John Dronzek, Walter Johnson, Richard Brown. Administrative Assistant Ruth Allen was absent.

Prior to the start of the meeting, Arlene Doherty (Secretary of the Zoning Board of Appeals) came to the Board and mentioned that the ZBA was asked to hold their public hearings in the future in Sanford Hall instead of Room 2. She stated that Sanford Hall accoustics were not good, there was no phone, there was no outlet for the recorder, and if it was a small meeting they did not need the whole hall.

The Secretary of the Board told them that the intention is to hold just Selectmen's meetings in Room 2, and to have other boards and commissions meeting in Sanford Hall or the Sanford Hall Annex. The other boards that used to meet in Room 2 have also been so advised. She explained the intention is to have a more secured Selectmen's office and now that the copier has been moved out, there is no need to have access to the office. The Board said they would reconsider the use of Room 2 later on in the evening and let her know of their decision.

7:00 p.m.--Mr. Brown made a motion to accept the minutes of January 6, 1992; Mr. Johnson seconded; all aye. Mr. Brown made a motion to accept the Executive Session minutes of November 18, 1991; Mr. Johnson seconded; all aye. The warrants were signed.

7:05 -Mr. Johnson read the ad as it appeared in the Milford Daily News for the 4 public hearings to be held for petitions of New England Telephone and Boston Edison. Pat Lovett was present representing NET and Carol MacInnes was present representing Edison.

The first petition was for placing of pole no. 45/95 on the westerly side of Summer Street, approximately 70 feet northerly of Main Street. One resident was present to inquire about the pole being on her property. Mr. Dronzek stated that nothing can ever be put on private property without the homeowner's permission first. Mr. Brown made a motion that this petition #91-10 be granted; Mr. Johnson seconded; all aye.

The next petition was for placing of anchors and guys on Summer Street, approximately 153 feet westerly and 219 feet northerly of Main Street at existing poles no. 45/94, /93. Mr. Brown made a motion to grant this petition; Mr. Johnson seconded; all aye.

There was another petition from Boston Edison separately for a pole on Main Street to be removed and replaced. As there was no exact wording, Mr. Dronzek indicated on the petition that it would be, to move pole no. 20/7A approximately 60' to the southwest of its present location. Mr. Brown made a motion that this petition be granted as so noted by Mr. Dronzek; Mr. Johnson seconded; all aye.

The next petition was for the placing of pole no. 8/8-S with anchor on the easterly side of Cottage Street at the intersecting way of Guernsey Street. Mr. Lovett explained that the stub pole was needed for support structure in the

grassy area (sidewalk fixture).

Wayne Vinton, and another member of the Masonic Temple Lodge, were present to state that they had never given permission for Boston Edison to hook up a wire to their tree, which has been killed because of the guy wire being attached. They stated they had researched this back to the late 1800's, and could find no record of any public hearing being held on this. They requested that Boston Edison take down the tree with the attached wire, when they came through to put this pole in on Cottage Street. Mr. Dronzek asked the Secretary to contact the Tree Warden and refer this to him, and let the Board know what action is taken and when. Mr. Brown made a motion that petition #91-16 be granted; Mr. Johnson seconded; all aye.

The next two petitions did not need a public hearing, but as both representatives were present, the Board decided to discuss them.

The first petition #91-12 was for two existing poles, #20/6, 20/4 to be removed on the southeasterly side of Main Street at the intersecting way of Summer Street, southwesterly direction and relocated.

The second petition #91-18 was for NET to jointly own with Edison the existing poles #1, 2 on the north side of Woodland Road beginning approximately 10 feet west of Holliston Street; and then crossing to the south side of existing poles #3, 4, 5, 6.

Mr. Brown made a motion that both petitions be granted; Mr. Johnson seconded; all aye.

- 7:28 -Joseph O'Brien, representing the Cemetery Commissioners, came before the Board to discuss his budget. Mr. O'Brien stated that most of the money appropriated will be spent in the spring. Last year, \$2,074 was expended. Mr. Johnson moved; Mr. Brown seconded; all aye on:

Cemetery Commission:
expenses - \$1,087

- 7:32 -Col. Mike Matondi, representing the Memorial Committee, came before the Board to discuss his budget. Col Matondi mentioned he had to spend \$985 on flags, and he needed more grave markers. Mr. Dronzek also asked the Secretary to get line item 383 changed from bronze markers to grave markers. The Colonel said the Lions would be helping out with the cost of the names on the memorials. He felt an increase of \$175 in his account would be sufficient. Mr. Johnson moved; Mr. Brown seconded; all aye on:

Memorial Committee:
expenses - \$1,525

- 7:40 -Richard Maciolek, Town Counsel, came before the Board to discuss the Law budget. Mr. Maciolek felt line 204

(professional/technical services) - special counsel - was low. Mr. Dronzek said he hated to lean on the reserve fund for this, and that a minimum of \$8,500 per year is spent, so the appropriation should be changed from \$2,000 to \$5,000. Mr. Brown moved; Mr. Johnson seconded; all aye on:

Law:

salaries - \$16,000
expenses - \$ 6,000

Mr. Maciolek also gave Mr. Dronzek an affidavit form from the insurance company for counsel that, as Chairman, Mr. Dronzek needed to approve and sign, which he did.

7:53

-Anthony Mastroianni, Veterans Agent, came before the Board to discuss his budget. Mr. Mastroianni explained that he recently had to request a transfer of \$20,000, and it looked like he he might only need \$4,400 for the rest of the year. On his expenses, he said he could go from \$15,000 to \$10,000, but it was only a guesstimate, and that it was an understanding that he might have to come back to the Board. In conversation with the Town Accountant and the Treasurer/Collector, he stated all benefits are current. Mr. Brown moved; Mr. Johnson seconded; all aye on:

Veterans:

salaries - \$4,717
purchase of services - 400
veterans benefits - 15,000

8:00

-Conservation Commission was not present to discuss their budget. Mr. Dronzek asked the Secretary to reschedule them to come to another meeting - it's necessary to get their input before they go to the Finance Committee, as their budget will not be approved if they don't come to the Board first.

8:01

-Dennis Reardon of Lee Lane came before the Board to discuss the water problem in his basement when it rains excessively. He stated he had been waiting for a solution since August of 1990. Mr. Higgins, who was present, said he is working on an easement, and has talked to Mike Delaney of Mass. DPW. Mr. Higgins has estimates of different size piping, and has done a traffic count and a pedestrian count in that vicinity with Route 109. Mr. Reardon said he came to the Board last time with five suggestions to alleviate his water problem, and nothing has been done, however, he did appreciate all of Mr. Higgins' efforts to help him out.

Mr. Reardon suggested lifting the manhole covers, even though it is not the safest thing to do, but it does help a little. He said potholes have been dug in front of his house, but the problem is at the manhole to the left of his house. Again, he said the only two recent changes in the area have been Cassidy and Thunder Hill.

Mr. Higgins recommended a 24'-36" pipe to be installed on Lee Lane. He also hoped that Chapter 90 monies or another

chapter could be used for this. Mr. Dronzek asked Mr. Higgins to contact Mike Delaney about the problem this week. Mr. Reardon further elaborated on how he had to replace carpets, washer, dryer and furnace, can't refinance his house, and was looking for some help from the Board. He stated Karen Avenue wasn't any better with the catch basins depressed as they were. Mr. Higgins mentioned popping several of the manhole covers, and even though it wasn't the safest thing to do, Mr. Dronzek agreed it was better than nothing. Mr. Reardon agreed that all solutions cost money, but the larger pipe emptying into the smaller pipe was no good, even with the four catch basins there.

Mr. Dronzek asked Mr. Higgins to get something from Mike Delaney this week on the problem. Two quick solutions were mentioned: getting the easement from Newton and digging a trench from the catch basin in front of Mr. Reardon's house, eliminating the elbow, and putting another catch basin in. Mr. Higgins said the catch basins near Grimes' house have disintegrated, and the drainage relief should be under Karen Avenue. Again, Mr. Dronzek asked for a quick fix idea from Mike Delaney or Al Downes. He also mentioned a suggestion of the fire pumper truck being ready to go further down the road prior to when all the flooding begins.

Mr. Reardon also suggested lowering Lee Lane 6"-8" from his house to Route 109 as a relief. Mr. Higgins said that then the sewer manholes would have to be lowered too. In summation, Mr. Dronzek said they would discuss the subject next week after Mr. Higgins contacts Mr. Delaney and Mr. Downes.

8:30

- Mr. Higgins mentioned they were pouring foundation that day, and they were getting the compaction tests for the highway addition. On Wednesday, they would be putting the wall up. The building itself was coming around the 28th, then the floors. Mr. Dronzek inquired about change orders and funding.
- The Board brought up the application for a weekday automatic amusement license and Sunday entertainment license of G. T. Vending for a video game license at the China Lotus. Mr. Johnson made the motion that it be approved; Mr. Brown seconded; all aye.
- Mr. Dronzek inquired as to the well report of the sample that was done for Mrs. Cuning at 135 Summer Street. In what capacity did Mr. Yorkis bring the report to the town?
- Mrs. Lavenberg of the Historical Commission had requested one of the Board members be present when a representative from the agency investigating the grant application of the old fire station I and the Cole Library would be coming to Medway for a site visit on January 16, 1992 at 1 p.m. Mr. Johnson said he might be able to go. Mr. Dronzek asked that possibly Mrs. Allen might be available if need be.
- The Board requested that Commonwealth Engineering follow

through on the pursuit of the notice of intent with the Conservation Commission for Cottage Street.

- The Board acknowledged the receipt of a letter from Mary Livermore suggesting a way to use the old fire station I for a senior center. Mr. Dronzek asked that a letter be written to her acknowledging her letter and stating we appreciated her input, but the town did not know yet how the building would be utilized.
- The Board acknowledged the letters from the Franklin and Bellingham Fire Chiefs with regard to mutual aid. They agreed that a meeting should be set up with both Chiefs, Chief Lambirth and Officer Grimes. Mr. Dronzek asked that such a meeting be arranged, if possible for a Monday night Selectmen's meeting, otherwise the Board was receptive to another night during the week.
- The Board acknowledged receipt of the letter from the Division of Local Services on emergency assistance of local aid to schools, and said it was in the school's hands.
- The Board acknowledged the letter from Ed Duggan of the Municipal Building Utilization Committee to the Assessors, stating that no funds were available at the present time to do any town hall remodeling.
- The signing of the charter for the new form of town government was brought up, and Mr. Brown mentioned he worked right near Government Center and could be available for the signing on the 23rd, instead of Mr. Johnson making the trip. Mr. Dronzek asked that Barbara Gardner and Jeff Nutting be made aware of this.
- The Board acknowledged the Building Inspector's monthly report.
- The Change Order #1 from Smith-Grove was given to the Board. Mr. Brown made the motion that the change order be approved for a gas trap for \$3,950 for the highway garage addition as this was a requirement; Mr. Johnson seconded; all aye. The change order was signed.
- Mr. Johnson mentioned that Al Binda had called him regarding the condition of the wall on his property which he said was deteriorating because of the many trucks that travel up and down Clark Street. The Board was aware that the area near there had been recently paved again. Mr. Johnson asked if it was possible that maybe the speed limit could be lowered? Mr. Dronzek requested that Chief Lambirth be asked if he would consider lowering the speed limit on Clark Street, possibly the Safety Officer's opinion?
- Mr. Johnson said that Carlos Placido of Dunkin Donuts had approached him about coming before the Board to ask again if he could have a 24-hour window. Mr. Johnson mentioned the possibility of a 90-day trial period. Mr. Dronzek asked that Mrs. Allen schedule him for a Selectmen's meeting.

-Mr. Johnson presented the Board with various documentation on the Norfolk County charter, and mentioned that there were three possible charters. Mr. Dronzek asked the Secretary to make copies of the documentation for their next weekend's packets for their review.


-Mr. Brown mentioned that over the last few months, tools were purchased for the Highway Mechanic; an agreement has been reached to bring the maintenance of town vehicles to the Mechanic; that a maintenance schedule has been established; that old equipment is being brought up-to-date. Mr. Higgins went before the Job Classification Review Board with the blessing of the Administrative Assistant and Mr. Higgins brought a new job description and indicated at what level Mr. Cole should be at. The JCRB recommended a grade 7 step 5 for Mr. Cole which would bring him up to \$12.56; and now Mr. Brown asked for the Board's approval. Mr. Johnson made the motion that the Highway Mechanic be approved for grade 7 step 5 at \$12.56 effective January 1, 1992; Mr. Brown seconded; all aye. Mr. Brown also stated that Mr. Cole will be maintaining the generators at the police and fire stations as well.

-The Board acknowledged the letter from the Metropolitan Area Planning Council's SWAP meeting.

-The Secretary brought up the Zoning Board secretary's request for the use of Room 2 again instead of Sanford Hall. Mr. Dronzek stated the ZBA could use Room 2 until there was an outlet available in Sanford Hall, (maybe an extension cord from the custodian), and possibly a phone.

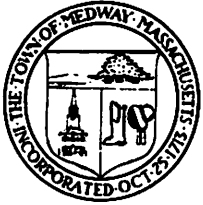
9:30 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JANUARY 6, 1992

- 7:00 p.m. Open meeting, sign warrants, approve minutes of
12-30-91 meeting.
- 7:05 Community Church, Historical Commission -
re: Old Fire Station I on Main Street.
- 7:30 Chief Lambirth - re: crossing guards.
- old business
- new business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Brown made a motion to accept the minutes of the December 30th meeting; Mr. Johnson seconded; all aye. The warrants were signed. Mr. Brown made a motion to accept the executive session minutes of December 23rd; Mr. Johnson seconded; all aye.

7:02 -Members of the Community Church including Pastor Wes Chapman, Charlotte Lee and Loring Maxwell met with the Historical Commission's Chairman Mary Ellen Lavenberg and member Grace Hoag and the Board to discuss the use of the old Fire Station I. Mr. Dronzek read the executive session minutes of the November 18th meeting for the Church's information, as well as the press.

Pastor Chapman asked the objectives of the town and the commission as far as the building was concerned? to make money? to look more historically appropriate?

Mr. Dronzek felt it best to dispose of both buildings (the other being the old Cole Library), but there was a restriction on the library that it would revert back to the Thayer family. If the town keeps the building, they have to maintain it.

Mrs. Lavenberg said the commission wanted the area kept as an historical district, but they did not want to interfere with any sale of the property. However, whoever bought the property should maintain it, but the commission would want to prepare any restrictions. Mrs. Allen said the buildings are in AR-2, not commercial.

Mrs. Lavenberg said that the grant application to study the re-use of the building was filed on December 13th, personally brought to Boston along with 20 letters of support.

Pastor Chapman said that the church community feels the buildings should be maintained with the rest of the buildings there, and they did have a lot of willing laborers. However, if there was an initial price, that was a problem; although maintaining the property over a period of time by them would be possible.

Mr. Dronzek said he would rather give away the property than let it sit there and deteriorate, but he was not sure of the legal restrictions; did they have to be appraised? would combining both buildings help?

Pastor Chapman again said a high price such as \$120,000 for the building, then adding on top of that the cost of renovations, it would be unreachable. Keeping the buildings for educational purposes was no problem as it could be defined as that. Mrs. Lavenberg suggested consultation with town counsel for clarification.

Mr. Dronzek was concerned with the need of an appraisal on town property. Mrs. Allen will check with the Assessors' office for what the tax value is on record for the property. Mrs. Lavenberg thought possibly the Treasurer/Collector's office would be able to ask for a certified appraisal from a bank on certain conditions. Mrs. Allen will check. Mrs. Lavenberg also questioned if other people would have to be notified if the town wanted to sell the property for \$1.00, other than the Community Church?

Allan Osborne, who was present, mentioned he remembered the offering of the Legion building back in 1944-45 - that it was offered for \$1.00, then an article was put on the town meeting warrant to dispose of the building for \$1.00 to the Legion. Mrs. Allen would check with the Town Clerk's office on that information. Mrs. Allen also was concerned about the wording in the deed of "other public use", transfers and subject to the library trustees.

Mr. Dronzek said, at this time, the old fire station is used by the Park Department for storing of equipment; by the Lions Club for sorting of bottles and cans; by the Fire Department for hanging of hoses. It was felt that the town cannot maintain the property so others can use it.

Loring Maxwell of the Community Church suggested, and Mr. Dronzek agreed, that town counsel should be asked if it was possible to change or get a waiver on stipulation #1, and put the monies into the general fund. Mr. Maxwell stated that there may be a time limit on the restrictions, depending on needs of the town changing. Mr. Osborne commented he did not feel it was difficult to change restrictions. Mrs. Allen also said that the deed states no less than \$500 per year must be appropriated for maintenance.

Mr. Dronzek suggested lifting the restrictions and asking the Library Trustees to come to the Selectmen's meeting the following week to discuss further, and then contacting town counsel for clarification. Pastor Chapman expressed the desire to work with the Historical Commission and the town on a joint venture, as well as the pursuit of the grant. Mr. Maxwell asked if it was possible to enter the buildings to get a work estimate - no problem with the Board on this. Again, Pastor Chapman said the Church did not want to circumvent other interests in this endeavor.

7:50

-Chief Lambirth came before the Board to ask that a Special Traffic Crossing Guard be appointed for backup. Mr. Brown made the motion that Cynthia Reding be appointed Special Traffic Crossing Guard through June 30, 1992; Mr. Johnson seconded; all aye.

-The Chief asked about a requisition from the Police Department for a sergeant's exam. Mr. Johnson made a motion that this be approved; Mr. Brown seconded; all aye. The Chairman signed the requisition form.

8:00

-Mrs. Allen brought up the subject of Castle Road and a

resident's complaint about no sanding or plowing being done. Mrs. Allen was asked to check with the Planning Board to see if it had been released as this street had a Chapter 11 owner, and to see if there are any manholes on the street that would be a problem. Mr. Higgins had no problem with sanding, but had a problem with plowing.

- The Norfolk County Engineers had assisted in trying to solve a drainage problem at 24 Village Street. Their suggestion of the catch basins being piped to the existing outlet on Cynthia Circle was taken under consideration. Mr. Higgins will try and find out what the total cost for the work would be and discuss it, along with other items, at a later date.
- Mr. Dronzek then suggested that a special highway meeting be held on January 21, solely to discuss highway projects; to get specific dates for these projects; to prioritize and make schedules, such as for the resurfacing of Milford Street, etc. He stated that the money has been appropriated; now let's do the work.
- Mr. Higgins said he talked to Mike Perrault and he would be meeting with Mike Delaney on Wednesday to discuss Main/Summer/Village Street intersection.
- Mr. Higgins mentioned that the drainage pipe near Fisher Street on Milford Street needs to be replaced, so they have to go into the road one more time. He is waiting for information from Mike Delaney on this.
- On the subject of registrars, Mr. Brown made a motion to appoint Mary June Nylander of Woodland Road to the Board of Registrars to fill the vacancy of Jean Hazensahl through 4/1/92 on the recommendation of the Republican Town Committee; Mr. Johnson seconded; all aye.
- The Board acknowledged the letter from the Board of Assessors to the Municipal Building Utilization Committee on the lack of space in their office.
- Mrs. Allen went over Attorney Maciolek's comments on the Millis Consortium contract. Mr. Maciolek felt the contract in form was OK, but that 20 years was too long, and the cost was too expensive.
- Mr. Osborne commented that an Annie L. Whittier, who is a relative of the Caseys, has paid taxes on property the Board is researching to swap with Sam White. He stated the foreclosure may have been on her and not the Caseys.
- Bob Power, Assistant Highway Superintendent, told the Board that he had spoken to Ben Generazio of the Conservation Commission and to Bill Reardon concerning the swail in front of the apartments on Cottage Street. The ConCom said it was OK to clean out the swail, but not the pipe to the catch basin. Mr. Dronzek asked Mrs. Allen to request Mike Perrault talk to Mr. Reardon concerning the pipe - that if they raise the 24" pipe and it was above the 15" pipe, the amount of

water would not be excessive on his property.

8:10

-Mr. Brown made a motion to go into executive session to discuss the reputation, character, physical condition or mental health - rather than the professional competence - of an individual, and not to return to public session; Mr. Johnson seconded; all aye. The vote: Mr. Brown, yes; Mr. Johnson, yes; Mr. Dronzek, yes. The Administrative Assistant and the Secretary did not attend this session.

Respectfully submitted,



Mary Jean Fredette, Secretary

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