

## BOARD OF SELECTMEN

185 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

December 29, 1997

- 7:00 Open meeting, sign warrants and approve minutes of 12/8 and 12/15 meetings.
- 7:05 Attorney John Dugan, regarding Speroni Acres curb cut.
- 7:30 Philip McNulty regarding Sally Nolan's evaluation.

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF DECEMBER 29, 1997.

1. Reappointment of Town Accountant.
2. Discuss and vote on Fire Chief's recommendation on EMS Incentive Program.
3. Attendance at MAPC Transportation Enhancement Workshop on 1/13/98.
4. Discuss letter from Rep. Barbara Gardner regarding the State's FY'99 Budget.
5. Discuss letter from Debbie Bain regarding the ACO and the ACO's response. What action do you want to take.
6. Discuss response from Robert Speroni regarding Flood Insurance rate map update.
7. Vote on Paul Wilson's offer of first refusal on Lovering Street land.

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Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:08 p.m.-Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

Attorney Dugan came to meet with the Board regarding a curb cut at the Speroni Acres subdivision. He stated he represented Owen Sullivan in contract with Peter Speroni for the subdivision going in behind Speroni's Restaurant.

He further noted that the Planning Board had concerns and wanted to curb off from Summer Street to Speroni's as they thought there should only be one entrance or exit to Route 109. The proposal was to make an entrance/exit from the back of the Speroni's parking lot onto the street into the subdivision, and not directly onto Summer Street. The curb cut would be 100' back from Summer Street and 20' wide. Mr. Downing said that Speroni's would still have to come back to the Board for a site plan review.

Mr. Downing asked Mrs. Allen to write a memo to the Planning Board stating that the consensus of the Board was to endorse the 20' curb cut in the Speroni acres subdivision road.

7:16 p.m.-Warrant #27 was signed totalling \$414,603.39.

Mr. Downing thanked all who came to the Special Town Meeting on December 22nd to make the quorum.

Mrs. Rozanski stated that all three Board members were at the IDC meeting held prior to the beginning of tonight's Selectmen's meeting. They all congratulated and thanked Buddy Rabaioli on behalf of the Town for his years of service on the Town Hall Building Committee and the IDC. Mr. Downing read the congratulatory letter signed by the Board, adding Disability Commission to Mr. Rabaioli's list of service.

Mrs. Rozanski moved approval of the minutes of December 8th; Mr. Brodeur seconded; all aye. Mr. Brodeur moved approval of the minutes of December 15th; Mrs. Rozanski seconded; all aye.  
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DATE 08-19-2010 BY 60322 UCBAW

Room 2 to 2 room 2

specimen for the subdivision within behind Spencer's testament.

The further west I was the Planning Board had concerns and wanted to curb off from Summer Street to the south as well. Though their board only had one vote, it was not to be counted. The proposed road to make an extension from the back of the property parking lot into the street into the subdivision and not clear the Summer Street. The extension will be 100' back from Summer Street and 50' wide. The Planning Board will have a vote back to the street and the

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and would be gathered, would be used and it would be in the hands of the people and the group will be in the hands of the people.

Mr. Rozalski stated that all three board members were at the 1967 meeting held prior to the beginning of the 1968-1969 school year. They all contributed and shared their knowledge on behalf of the Town for his years of service on the Town Hall Reading Committee and the TRL. Mr. Downing read the following letter signed by the board adding Disalle's Commission to the Rozalski's list of service:

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Mr. Downing stated that the Master Plan Committee would like to call an all boards meeting on March 21st, a Saturday, from 9 a.m. to Noon in the Bandroom of the High School. It seemed hopeful that they would be able to discuss the results of the survey by then.

The Board noted that the warrant for the January 26th STM opened today and would cost on January 5th. The Board would have to sign the warrant by the 9th for posting on the 12th.

7:25 p.m.-Philip McNulty was present regarding the evaluation of Sally Nolan; Ms. Nolan was also present. Mr. McNulty said this was the last evaluation for the year, and she exceeded expectations this year. Mrs. Rozanski asked if he had any specific accomplishments he wished to highlight? Mr. McNulty noted she attended a program for worldwide web and assisted in the move from High Street. Mr. Brodeur commented on some of the "4's" Ms. Nolan received.

Mr. Downing noted the two types of evaluation done; one of which he is obligated to use, and the other supplements it as an internal form. He felt Mr. McNulty always does an exceptional job of presentation. Mrs. Rozanski also commented that the Library was producing some "42's" of outstanding people.

Mrs. Rozanski moved to endorse and approve the evaluation for a merit increase for Sally Nolan from a grade 8, step 2 to a grade 8, step 3 effective January 6, 1998; Mr. Brodeur seconded; all aye.

- Action Items.

- The Board discussed the re-appointment of the Town Accountant, Arti Mehta. Mrs. Rozanski noted it was a statutory appointment, and moved to appoint Arti Mehta as Town Accountant/Computer Systems Manager through December 19, 2000; there was no second. Mrs. Rozanski stated if the Board wanted a 4 or 5 year contract, she believed it would have to be done by contract. Mr. Brodeur then assumed that it was 3 years, or nothing. Mr. Downing just extend her term for a while, but he could not support it. Mrs. Rozanski Technology Committee and Town Administrator coming.

Mrs. Rozanski stated that the Computer Systems Manager is  
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part of the job description, and is not contractual. Mr. Brodeur was assured she could stay until there was a successor. Mrs. Rozanski said she did not feel the position of Computer Systems Manager should be there, with Mr. Brodeur asking if it could be eliminated, and Mrs. Rozanski said it could.

Mrs. Allen stated that, in 1988, it was part of the MMA plan to have both positions under one individual. Mrs. Rozanski said it did not have to be part of the appointment, and asked Mrs. Allen to call Town Counsel and see if an appointment can be done for less than three years for just the Town Accountant, not both positions, but still helping out with the computers. Mr. Downing recommended deferring until next week.

- The Board discussed the Fire Chief's recommendation on the EMS incentive program, but felt since they had questions, thought he would be here. Mr. Downing asked about those individuals that had "no participation" next to their names-what about that money? He was also concerned about the individual on "administrative leave". Mr. Downing felt there was no safety net here, and if the person was not coming back, why was that individual listed here? Mrs. Rozanski also asked if only certain spots are filled, where do the stipends go for those that are not filled? Mr. Downing said the Chief had stated this does not effect the stipend system as it exists now. Mr. Brodeur thought we were changing rules in the middle of the year.

7:50 p.m.-Chief Vinton arrived. With reference to stipends, the Chief stated that the EMS personnel get paid when requested anytime during the year. Looking at the spread sheet he had presented to the Board, six had been paid \$300, and one \$400. He added that any EMT could request the stipend on July 1st in full. With a remaining amount of \$4,375, the Chief said it was not enough, but a starting point.

Mr. Downing asked the Chief if he had gotten any feedback from the EMT's? The Chief said only a problem with the increments of time, and one of the EMT's changed their schedule; four were interested, however. Mrs. Rozanski said she was uncomfortable with doing this in the middle of the year.

Mr. Brodeur asked what it would take to change the rules and regs of payment, and the Chief said the Selectmen could do it. Mr. Brodeur had a problem with page 3.

It could be the intent that the Government could stay until there was a decision on this point and said she did not find the job description of and a not commensurate with the level of the job.

recommended deferring until next week.

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paying an EMT in advance, with Mrs. Rozanski agreeing there needs to be a procedure of implementation, and again said she did not feel this could be done until July 1st.

Mr. Brodeur commented that they had a committee come to the Board with a recommendation to include daytime coverage, but no recommendation was made to wait until July 1st. He felt it was increasing the availability of what we have. The Chief noted some of the funds could come out of line 117, if line 104 was expended. Mrs. Allen noted that bottom line was funded at town meeting.

Mr. Downing recommended implementing the incentive program for three months, and review it after every 30 days. Mr. Brodeur added that they need to have a new regulation on how stipends get paid. Mr. Brodeur moved to authorize the Chief to implement the EMS incentive program as outlined in his memo dated December 19th to start January 5, 1998 on a three month trial basis; Mrs. Rozanski amended the motion to include thirty day reports to the Selectmen; Mr. Brodeur seconded Mrs. Rozanski's amended motion; all aye. The Board agreed it would be reviewed again before the three months was up, but Mrs. Rozanski asked the Chief what would be a criteria that would make it a success. The Chief said that they had increased the coverage, with Mr. Brodeur adding that they had spent the money.

- The Board discussed attendance at the MAPC Transportation Enhancement Workshop on January 13th. No one from the Board could go but Mr. Downing suggested asking Mr. Henry if he would like to.

- The Board noted receipt of a letter from Rep. Gardner regarding the State's FY'99 budget and asking for ideas for specific local projects that might qualify for state funding. Mr. Downing thought two ideas would include traffic lights for Route 109 and the boat landing launch area. He noted that if the Park Commission changes to a Recreation Commission, this might be something that could be looked at again. Mrs. Rozanski suggested an overall recreation plan for the whole town. Mr. Brodeur thought there might be a grant available for a traffic study and engineering for part of Route 109 down to Winthrop Street, but Mr. Downing commented he did not want another Route 140 and cost could run from \$150,000 - \$200,00. Mr. Downing asked Mrs. Allen to respond to Rep. Gardner indicating one idea was the traffic mitigation of Route 109, and the other was opportunities for a passive recreation plan of the town.

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proposed the coverage, with Mr. Webster adding that they had spent the money. "I would be a citizen that would not be a success," The Court said that they had again proven the three merits was up to the Government, asked the Court what Mrs. Kozminski's counsel wanted to prove. The board agreed it would be reviewed the motion to include their testimony. At the settlement Mr. Webster announced 1986 to start January 27, 1987, as a three month trial basis. He also said it amounted to implement the 1982 recovery program as outlined in his memorandum received on November 19, 1986. Mr. Webster moved to withdraw the Exhibit A and B from being submitted, got paid. Mr. Webster moved to withdraw the Exhibit A and B from being submitted. The Court said that they had spent the money.

It is worth mentioning that the YAM software is somewhat biased toward the "normal" distribution. The program does not allow the user to specify a non-normal distribution, and the results of the analysis may be biased if the data are not normally distributed. The user should be aware of this limitation and consider using other software if the data are not normally distributed.

1. The Board noted receipt of a letter from Mr. J. (names) regarding the status of the project and asking for ideas for specific local projects that might qualify for state funding. Mr. Downing thought the ideas would include traffic lights for the intersection of the road and the railroad and a road improvement project for the road from the intersection of the road and the railroad to the intersection of the road and the railroad. Mr. Downing thought the ideas would include traffic lights for the intersection of the road and the railroad and a road improvement project for the road from the intersection of the road and the railroad to the intersection of the road and the railroad.

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- In acknowledging the letter from Debbie Bain regarding the ACO and the ACO's response, Mr. Downing suggested having a meeting with the ACO. Mr. Brodeur said he would like to see the court documents. Mr. Downing, therefore, asked Mrs. Allen to acknowledge both letters and to get a copy of the ruling from the Clerk Magistrate.
  - The Board noted receipt of Bob Speroni's response concerning the flood insurance rate maps. The Board agreed with Mr. Speroni that the only changes to the maps are the new streets. Mr. Downing wondered if changes to structures might have occurred in the floodplain areas thereby creating other changes. Mrs. Allen said that the Department of Environmental Management does not have funds to create new maps even though it would be good to have them updated. Mr. Downing said we would have to identify floodzones and come up with as-builts, but who would pull it all together? Mrs. Allen asked who is qualified since Town Counsel has already stated no one in Town Hall is qualified to read and interpret floodmaps. Mr. Downing was going to request a copy of some the documentation referred to in the FEMA letter, and then said he would come in and do a conference call with Mr. Speroni.
  - With reference to Paul Wilson's property, Mrs. Allen said no other boards were interested in the property, entitled lot 1C. Mr. Brodeur moved to not exercise the Board's option of first refusal to purchase the property, lot 1C, Lovering Street, as shown on a plan dated August 18, 1997, shown in book 3494, page 590. Mrs. Rozanski said she would sign the document later <sup>98</sup>~~after~~ the Town Clerk had not notarized it yet.
  - Mr. Downing asked if Town Counsel had completed the documents for Apollo yet, and Mrs. Allen said she would pursue it with him.
  - The Board discussed the routine audit letters from Melanson, Heath & Company. Mrs. Rozanski moved to authorize the Chairman to sign the letter of disclosure and to authorize the commencement of the audit.
  - Mrs. Allen asked the Board to sign the licenses for Mark's Taxi. Mrs. Rozanski moved to award the taxi licenses; Mr. Brodeur seconded; all aye.
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- Mr. Downing asked about a light pole on Maple Street. Mrs. Allen said she had passed that concern on to Officer Watson, but she would follow through with him.
- Mr. Downing asked about the memo on payroll services that David Verdolino had sent to the Treasurer. Mrs. Rozanski said she would speak to the Treasurer to see if she needed anything from the Board.
- Mr. Downing asked about the RFP for cleaning services for Town Hall. Mrs. Allen said she would check to see where the Municipal Facilities Study Committee was going. Mr. Brodeur asked if the cleaning service would replace the present duties being done, and Mr. Downing said other duties would be undertaken, i.e. maintenance. Mr. Brodeur suggested they go a different route now.
- Mr. Downing brought up the possibility of a PC for the night board secretaries. Mrs. Rozanski said the technology committee was looking at that and requested a copy of Arlene Doherty's memo on the subject.
- Mr. Downing said he would see Harry Johnson about the location of the blueprint machine.
- Mrs. Rozanski asked if the proposals on the Summer and Village Street engineering came into the Office? Mrs. Allen said they used to be opened by the Selectmen under the old by-law; now it is done under 30B by the Procurement Officer, and the Administrative Assistant is the Procurement Officer. She said the Interim DPS Administrator is now reviewing them to see if they meet specs. Mrs. Rozanski asked that Mrs. Allen check with Town Counsel on this, since only Lee Henry and the Selectmen's Secretary were present at the opening with Mrs. Allen not being available because of illness. Mrs. Allen stated that everything was done publicly as advertised and at the time specified; anyone could have been present for the opening if they chose to be.
- The Board noted receipt of the 100% plan for the Route 109 corridor project. Mr. Downing asked that Mrs. Allen let Michael Jarrett of Apollo know the plan was in the Office.

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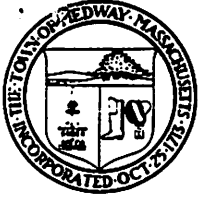
- Mr. Downing asked Mr. Brodeur about his evaluation of the Town Accountant. Mr. Brodeur said he inadvertently left it at home. Mr. Downing noted Mrs. Mehta was to do one too.

9:12 p.m.-Mrs. Rozanski moved the Board adjourn to executive session for the purpose of contract negotiations, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - yes; Mrs. Rozanski - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved*  
*1/12/98*



## BOARD OF SELECTMEN

165 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### *AGENDA*

*DECEMBER 22, 1997*

*Location: Room 111 of Medway High School*

- 6:00 p.m.            Evaluation of Town Accountant
- 6:30 (time permitting)  
                         Evaluation of Administrative Assistant
- 7:00                    Special Town Meeting
- 7:30 (time approximate)  
                         Reconvene public hearing with Board of Assessors

*Location: Town Hall Meeting Room 2*

- 8:00 - 8:30            Apollo re: Route 109
- Committee Reports.
- Action Items.

**ACTION ITEMS FOR SELECTMEN'S MEETING -DECEMBER 22, 1997.**

1. Approve minutes of the December 8th and 15th meetings.
2. Decision on Municipal Technology Committee's recommendations.
3. Attendance at the transportation enhancement workshop?
4. Set date to meet with the Town of Millis on Route 109 reconstruction.
5. Does Board wish to pursue article for reduced zoning requirement in Industrial III?
6. Any comments on CIPC's letter regarding unused funding for capital items.
7. Attendance at MILA business meeting and luncheon?
8. Any comments on Board of Assessors' letter on use of basement space?
9. Acknowledge Fire Chief's further clarification on the EMS stipend program.
10. Any comments on Cable Advisory Committee's letter?

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Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

6:00 p.m.-The Board met with Town Accountant Arti Mehta in Room 111 of Medway High School to go over her performance evaluation.

7:00 p.m.-The Board adjourned the meeting for the Special Town Meeting in the High School Auditorium.

7:20 p.m.-The Board met jointly with the Assessors and reconvened the public hearing to set the tax rate in Room 111 of the High School. Joining the Assessors was Assistant Assessor/Appraiser Paul Keefe. At the original meeting of December 15th, it was recommended that there be one tax for all classes, and that the rate be \$18.79 per thousand. Mr. Keefe further elaborated on that information in the attached documentation. Mr. Johnson said the Selectmen needed to acknowledge as a vote the excess levy at an open meeting. Mrs. Rozanski moved to acknowledge the excess levy of \$1,032; Mr. Brodeur seconded; all aye.

7:25 p.m.-The Board adjourned this portion of the meeting at the High School to reconvene in the Selectmen's Meeting Room 2 of Town Hall.

7:55 p.m.-The Board signed warrant #26 totalling \$895,975.31.

8:00 p.m.-Michael Jarrett, President and Operator of Apollo came before the Board to discuss his class II and III licenses that were put on hold. Mr. Downing said it was used as a negotiating tool, and it was not their intent to deny the licenses. Mr. Brodeur further noted that the Board was being asked to sign licenses where the property was in question. Mr. Jarrett said that there are two separate parties involved here, and he has no control over what happened.

Mrs. Rozanski asked about the demolition of the building and where would he go? Mr. Jarrett indicated he has two other buildings he can move into. He said the main utilities, however, are in the building that needs to be torn down. He noted he had twenty years on the lease.

Larry Hickey, the Chief Financial Officer for Apollo, said he has spoken with Town Counsel Richard Maciolek, and he has also tried talking to the landlord's  
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attorney but felt as if he was getting nowhere. At least now, they feel as if they have opened up some dialogue, and there was a commitment in the attorney's recent letter to do the demolition.

Mr. Downing said the prime objective was not the removal of the building; the Board wanted to keep the owner in Medway. He asked Mr. Jarrett if he knew what he planned on doing in that location, or was he going to relocate? Mr. Jarrett said the bulk of the burden lies with the landlord. He felt that the sales room is basically what will go, but he couldn't commit to any floorplan yet. He could possibly move in one week's time, but the major problem was the utilities. Mrs. Rozanski asked if he could operate without that building, and Mr. Jarrett said he could.

Mr. Downing asked about the square footage of the building coming down, and Mr. Jarrett said it was almost the whole building that had to go; about 40-50% was encroaching, and 40-50% Mass. Highway wants. The deed he had went back to 1921 and shows his 600 feet of frontage, and because of the area of demolition, he would have to move the fencing and stockade.

Mr. Downing assured both parties that the Town would assist as much as they could. The Board had liaisons to all the different utility companies that they could call upon. He said, however, that he would need a commitment as to when they would be able to vacate the building so they can go back to the landlord and let him know he had so much time to demolish the building. Mr. Hickey suggested 120 days, but it all depended on how the utilities worked out.

Mr. Downing added they would instruct the Building Inspector to come down and discuss what needed to be done and assist you as much as possible. Mr. Hickey said they could operate temporarily in the house, and then when the Route 109 reconstruction project was done, would assess the situation and put in a quality building. Mr. Maciolek stated no construction easements were required with the house. Mr. Jarrett noted he would eventually like to get rid of the house as well. He also noted there would be no stockade during construction.

Mr. Jarrett turned the Board's attention to problems he has with wetland areas where, 12 years ago, he had no water problems at all. He felt that the industrial  
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park has turned the back part of the Apollo property into a detention pond three feet deep and fifteen to twenty feet wide; now he has two and a half acres he cannot use. He felt that the Swenson-Granite property was also constructed on a drainage easement with a sixty inch pipe coming out. Mr. Jarrett also commented that Innovative Coatings had a detention pond that vented out into the Apollo property as well. He said that the recent paving within the past one to two years on Route 109 has increased the water runoff as well as the continuous filling in at the industrial park. He hoped that new curbing will help eliminate some of the curbing.

Mrs. Rozanski noted they could get the permit in 30 days, but Mr. Hickey said he would still want the 120 days even though they could try and get the utilities completed in 30 days. Mr. Downing asked if the old utilities could be surrendered once the new utilities were in, and Mr. Jarrett said they could.

Mr. Downing said they have to give the State a timeline, and Mr. Hickey said demolition could begin May 1st. Mr. Maciolek suggested they get a commitment from Mass. Highway's Tom Loughlin to put the sixty foot culvert in. Mr. Downing asked that Mr. Jarrett give some thought as to where he wants to be five years from now.

- Action Items.
- The Board agreed to hold off approval of the minutes of December 8th and 15th until next week.
- The Board discussed the Technology Committee's recommendations for a needs assessment of town technology. Mrs. Rozanski moved to enter into an agreement with Pioneer for \$9,375 as an emergency transfer at the request of the technology committee; Mr. Brodeur seconded; all aye.
- The Board agreed to take up attendance at the transportation enhancement workshop next week.
- The Board brought up Millis' request to meet and discuss the Route 109 reconstruction project. Mr. Downing felt confirmation of on-going discussion could be indicated by way of a letter highlighting tonight's meeting with a copy of page 3.

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the letter going to the landlord. Mrs. Rozanski felt Town Counsel should write the letter to the landlord. Mr. Downing asked Mrs. Allen to draft a letter to Mr. Jarrett and Town Counsel could send the letter to the owner indicating the building would be vacant on May 1st. Mrs. Rozanski suggested they give the landlord fifteen days to demolish. On second thought, the Board asked Mrs. Allen to advise Town Counsel to write both letters confirming tonight's discussion. Mrs. Rozanski asked that Counsel also be advised of when the easements need to be done by. Mr. Brodeur believed that the actual taking of the easements required two public hearings. Mrs. Allen will also mention that to Town Counsel, as well as asking him how should the Board respond to Millis' letter.

- The Board discussed Paul DeSimone's letter to the Board requesting their support for an article to reduce zoning requirements in Industrial III Alder Street. Mrs. Rozanski noted that no other community has five acre zoning, and the IDC is requesting the five acres be dropped to one acre to allow more flexibility for property there.

Mr. Downing said he might consider two acres but he needed to look at the map. He felt there was no rush anyway as they were looking to place the article on the annual town meeting warrant, but he did not want to see lots landlocked. He said, at this time, he could agree to a letter of support for two acres but no less.

Mrs. Rozanski moved to send a letter to the Planning Board that five acres was too restrictive, but the Board could support a reduction down to two acres for Industrial III; Mr. Brodeur seconded; all aye. It was then added to include in the letter that for further clarification, to speak to the liaison.

- The Board discussed CIPC's letter concerning unused funding for capital items. Mrs. Allen said there should be no balances left if the project was completed. Mr. Brodeur felt extra leftover funds should go to general revenue at the end of the fiscal year, but Mrs. Rozanski stated that special article funds don't go into the general fund. Mrs. Allen added, however, if the money has been spent for the project and money was saved, then it could go to the general fund, and the Town Accountant can do that. Mrs. Rozanski felt that the Accountant cannot do those transfers with school funds, but Mrs. Allen said the CIPC articles are different. Mrs. Rozanski said she would attend the School Committee meeting on January 22nd and ~~tell them if they were given the funds, then use them~~ Mr. *ask them the progress of their projects.*

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Downing said he would attend as well.

- With reference to the MIIA business meeting and luncheon, all three Selectmen said they would attend, along with Rosemary Cashman.

- The Board noted the Assessor's request to use the old firing range for the housing of the blueprint machine and the original mylars behind locked doors. The Secretary noted that some of the space was needed for the different departments' files that need to be in the basement. The Board requested that some thought be given to venting as long as the machine was in there.

- The Fire Chief's memo on the EMS stipend program was acknowledged.

- The Board noted the Cable Advisory Committee Chairman's letter with some additional thoughts on the contract with Time-Warner. Mrs. Rozanski ~~did not feel~~ <sup>viewed their commitment as a short-term commitment</sup> members of the Committee ~~wanted to continue serving on the Committee~~ <sup>felt</sup> but Mrs. Allen stated the Committee has always existed but people have dropped off over the years. Mrs. Rozanski said she could speak to the members and see if they want to continue serving. She also noted the check coming from Time Warner will be turned over to the Town of Medway, and we, in turn, would turn it over to the Cable Access Board.

Mrs. Rozanski moved to rescind the vote to dissolve the Cable Advisory Committee as of December 31, 1997; Mr. Brodeur seconded; all aye.

- The Board noted receipt of the request from William Kingsbury for employer-assisted education reimbursement. Mrs. Rozanski moved approval of \$1,500 for continuing education for William Kingsbury as recommended by Chief Lambirth and Sgt. Saleski; Mr. Brodeur seconded; all aye.

- The Board discussed the Water/Sewer Commissioners' letter of December 15th concerning the sewer revenue account. Mrs. Rozanski moved that the Board acknowledge receipt of the letter and to advise they proceed as they see fit, & Mrs. Allen be authorized to sign the letter; Mr. Brodeur seconded; all aye.

- The Board reviewed the Wingate Farm definitive plan sch. hearing on January 13th at 8:30 p.m. They noted their concerns &  
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Following was the summary of the meeting:

The first item discussed was the status of the project. It was noted that the project was still in the planning stage and that the funding had not yet been secured.

The second item discussed was the progress of the research. It was noted that the research team had completed the initial phase of the study and that the results were promising. The team was planning to conduct a second phase of the study in the near future.

The third item discussed was the status of the grant application. It was noted that the application had been submitted and that the review process was ongoing.

The fourth item discussed was the status of the project budget. It was noted that the budget had been reviewed and that the funding was sufficient to cover the costs of the project. The team was planning to submit a detailed budget to the funding agency in the near future.

The fifth item discussed was the status of the project timeline. It was noted that the timeline was realistic and that the project was on schedule.

The sixth item discussed was the status of the project team. It was noted that the team was well-organized and that the members were committed to the project. The team was planning to hold a meeting in the near future to discuss the progress of the project.

The seventh item discussed was the status of the project results. It was noted that the results were positive and that the project was making significant progress. The team was planning to publish the results of the study in the near future.

The eighth item discussed was the status of the project funding. It was noted that the funding was sufficient to cover the costs of the project. The team was planning to submit a detailed budget to the funding agency in the near future.



MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 22, 1997

of Holliston Street, site distance was questionable; radius does not seem to comply; and did all rules and regs get followed.

10:00 p.m.-Mrs. Rozanski moved the Board adjourn to executive session for the purpose of contract negotiations, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - yes; Mrs. Rozanski - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved as  
amended  
1/5/98*

attach  
to  
minutes

TOWN OF MEDWAY  
FISCAL 1998 CLASSIFICATION HEARING  
DECEMBER 8, 1997  
CONTINUED TO: DECEMBER 22, 1997

BOARD OF ASSESSORS

The Board of Assessors has received from the State the certification on the fiscal year 1998 values of all classes of real property and personal property in the Town of Medway. This includes the approval of the LA-4 (Assessment/Classification Report), and the LA-13 (Tax Base Levy Growth).

Based on the information to be included in these Forms, the Assessors have prepared preliminary statistics for a Classification hearing. The following is a breakdown of the property classes by percentage:

<u>CLASS</u>	<u>PERCENTAGE</u>
RESIDENTIAL	83.9389 %
COMMERCIAL	5.0301 %
INDUSTRIAL	7.2272 %
PERSONAL PROP.	<u>3.8038 %</u>
TOTAL:	100.0000%

The combined percentage for the Commercial, Industrial and Personal Property (CIP) classes is 16.0611 %.

The percentages shown on the above chart represent the share of the Tax Levy to be borne by each class with a single tax rate, called a residential factor of one. The following describes the result of electing to split the tax rate into residential and CIP rates.

1. The MAXIMUM allowable shift of the Tax Levy to the CIP classes is 150 %. This shift would result in the CIP classes paying 24.0917 % of the Tax levy.
2. As a result, the Minimum Residential Factor becomes 90.4328 %. This means that shifting the Tax Levy to the CIP classes by the legal maximum will result in the Residential class paying 90.4328% of the tax levy burden it would have paid under a single tax rate.
3. For every decline in the residential tax rate of 2 %, there is a corresponding increase in the CIP rate of 10 %.

<u>RESIDENTIAL RATE</u>	<u>CIP RATE</u> (rounded)
98 %	110 %
96 %	120 %
94 %	130 %
92 %	140 %
90.4328 %	150 % (MAXIMUM)

The Board of Assessors has prepared a preliminary Tax Rate Recapitulation form, a copy of which has been included. The Recap sheet calculations yield a Fiscal Year 1998 tax rate of \$18.79 per thousand dollars of assessed valuation.

There are three additional attachments:

1. LA-7, Minimum Residential Factor Computation

This form shows the breakdown by percentages of each Class of taxable property. It also shows the computation of the Maximum share of the tax levy for the CIP classes, as well as the computation of the Minimum Residential Factor.

2. Chart 1

This form illustrates the dual tax rates permitted, in steps of 2 % decreases of the single rate of \$18.79 on the residential rate, with corresponding increases in the CIP rates.

3. Chart 2

This form illustrates the impact in tax dollars for an average-valued single family dwelling versus a sample of commercial, industrial and personal property accounts. Single and dual rate calculations are included.

THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF REVENUE  
TAX RATE RECAPITULATION  
OF

FISCAL 1998

MEDWAY

City or Town

I. Tax Rate Summary

Ia. Total amount to be raised (from IIe) \$ 23,788,023.71  
Ib. Total estimated receipts and other revenue sources (from IIIe) \$ 10,369,387.00  
Ic. Tax levy (Ia minus Ib) \$ 13,418,636.71  
Id. Distribution of tax rates and levies

Is this a certification year? N <---(Enter Y or N)

Classified--> Unclassified--> X <---(Enter X)

(a) Class	(b) Levy Percentage (from LA-5)	(c) IC above times Each percent in col (b)	(d) Valuation by Class (from LA-5)	(e) Tax Rates (c)/(d)x1000	(f) Levy by Class (d)x(e)/1000
Residential	83.9389%	11,263,456.05	599,439,057.00	18.79	11,263,459.88
Open Space	0.0000%	0.00	0.00	ERR	0.00
Commercial	5.0301%	674,970.85	35,921,893.00	18.79	674,972.37
Industrial	7.2272%	969,791.71	51,612,150.00	18.79	969,792.30
SUBTOTAL	96.1962%	*****	686,973,100.00	*****	12,908,224.55
Personal	3.8038%	510,418.10	27,164,032.00	18.79	510,412.16
TOTAL	100.0000%	*****	714,137,132.00	*****	13,418,636.71

Board of Assessors of

Medway 12/16/97 508-533-3203  
City or Town Date Tel. No.

*Henry J. [Signature]* *James W. [Signature]* *John [Signature]*

Do Not Write Below This Line --- For Department of Revenue Use Only

Reviewed by -----

Date -----

Director of Accounts

Date



## CHART 1

## TOWN OF MEDWAY

TOWN OF MEDWAY FY98 CLASSIFICATION TAX RATE SHIFT BASED ON A MINIMUM RESIDENTIAL FACTOR OF 90.4328%

\*MINIMUM RESIDENTIAL FACTOR 90.4328%

PROPERTY CLASSES	VALUATION (\$)	PERCENTAGE SHARE (%)	SINGLE TAX RATE "1"	DUAL TAX RATE 98% OF MRF*	DUAL TAX RATE 96% OF MRF*	DUAL TAX RATE 94% OF MRF*	DUAL TAX RATE 92% OF MRF*	DUAL TAX RATE USING MAX. ALLOWED FOR C.I.P.
CLASS 1 RESIDENTIAL	\$599,439,057	83.9389%	\$18.79	\$18.43	\$18.07	\$17.71	\$17.35	\$16.99
CLASS 2 OPEN SPACE	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
CLASS 3 COMMERCIAL	\$35,921,893	5.0301%	\$18.79	\$20.67	\$22.55	\$24.43	\$26.31	\$28.19
CLASS 4 INDUSTRIAL	\$51,612,150	7.2272%	\$18.79	\$20.67	\$22.55	\$24.43	\$26.31	\$28.19
CLASS 5 PERSONAL PROPERTY	\$27,164,032	3.8038%	\$18.79	\$20.67	\$22.55	\$24.43	\$26.31	\$28.19
TOTAL	\$714,137,132	100.0000%						

CHART 1

R & O VALUE	599,439,057	R&O %	83.9389%
C I P VALUE	114,698,075	CIP %	16.0611%
TOTAL VALUE	714,137,132		

LEVY	13,418,637
SINGLE TAX RATE	18.79

SHIFT	RES FCTR	R&O LEVY %	CIP LEVY %	R&O LEVY	CIP LEVY	R&O TR	CIP TR
1.01	99.8087	83.7784	16.2217	11,241,919	2,176,731	18.75	18.98
1.02	99.6173	83.6177	16.3823	11,220,355	2,198,281	18.72	19.17
1.03	99.4260	83.4571	16.5429	11,198,805	2,219,832	18.68	19.35
1.04	99.2346	83.2965	16.7035	11,177,255	2,241,382	18.65	19.54
1.05	99.0433	83.1359	16.8641	11,155,704	2,262,932	18.61	19.73
1.06	98.8519	82.9752	17.0247	11,134,141	2,284,483	18.57	19.92
1.07	98.6606	82.8147	17.1853	11,112,604	2,306,033	18.54	20.11
1.08	98.4693	82.6541	17.3460	11,091,053	2,327,597	18.50	20.29
1.09	98.2779	82.4934	17.5066	11,069,490	2,349,147	18.47	20.48
1.10	98.0866	82.3328	17.6672	11,047,939	2,370,697	18.43	20.67
1.11	97.8952	82.1722	17.8278	11,026,389	2,392,248	18.39	20.86
1.12	97.7039	82.0116	17.9884	11,004,839	2,413,798	18.36	21.04
1.13	97.5125	81.8509	18.1490	10,983,275	2,435,348	18.32	21.23
1.14	97.3212	81.6904	18.3096	10,961,738	2,456,899	18.29	21.42
1.15	97.1299	81.5298	18.4702	10,940,188	2,478,449	18.25	21.61
1.16	96.9385	81.3691	18.6308	10,918,624	2,499,999	18.21	21.80
1.17	96.7472	81.2086	18.7915	10,897,087	2,521,563	18.18	21.98
1.18	96.5558	81.0479	18.9521	10,875,523	2,543,113	18.14	22.17
1.19	96.3645	80.8873	19.1127	10,853,973	2,564,664	18.11	22.36
1.20	96.1732	80.7268	19.2733	10,832,436	2,586,214	18.07	22.55
1.21	95.9818	80.5661	19.4339	10,810,872	2,607,764	18.03	22.74
1.22	95.7905	80.4055	19.5945	10,789,322	2,629,315	18.00	22.92
1.23	95.5991	80.2449	19.7551	10,767,772	2,650,865	17.96	23.11
1.24	95.4078	80.0843	19.9157	10,746,221	2,672,415	17.93	23.30
1.25	95.2164	79.9236	20.0763	10,724,658	2,693,966	17.89	23.49
1.26	95.0251	79.7631	20.2370	10,703,121	2,715,530	17.86	23.68
1.27	94.8338	79.6025	20.3976	10,681,570	2,737,080	17.82	23.86
1.28	94.6424	79.4418	20.5582	10,660,007	2,758,630	17.78	24.05
1.29	94.4511	79.2812	20.7188	10,638,456	2,780,181	17.75	24.24
1.30	94.2597	79.1206	20.8794	10,616,906	2,801,731	17.71	24.43
1.31	94.0684	78.9600	21.0400	10,595,356	2,823,281	17.68	24.61
1.32	93.8770	78.7993	21.2006	10,573,792	2,844,831	17.64	24.80
1.33	93.6857	78.6388	21.3612	10,552,255	2,866,382	17.60	24.99
1.34	93.4944	78.4782	21.5218	10,530,705	2,887,932	17.57	25.18
1.35	93.3030	78.3175	21.6824	10,509,141	2,909,482	17.53	25.37
1.36	93.1117	78.1570	21.8431	10,487,604	2,931,046	17.50	25.55
1.37	92.9203	77.9963	22.0037	10,466,040	2,952,597	17.46	25.74
1.38	92.7290	77.8357	22.1643	10,444,490	2,974,147	17.42	25.93
1.39	92.5376	77.6751	22.3249	10,422,939	2,995,697	17.39	26.12
1.40	92.3463	77.5145	22.4855	10,401,389	3,017,248	17.35	26.31

R & O VALUE	599,439,057	R&O %	83.9389%
C I P VALUE	114,698,075	CIP %	16.0611%
TOTAL VALUE	714,137,132		

LEVY	13,418,637
SINGLE TAX RATE	18.79

SHIFT	RES FCTR	R&O LEVY %	CIP LEVY %	R&O LEVY	CIP LEVY	R&O TR	CIP TR
1.41	92.1550	77.3539	22.6461	10,379,839	3,038,798	17.32	26.49
1.42	91.9636	77.1933	22.8067	10,358,288	3,060,348	17.28	26.68
1.43	91.7723	77.0327	22.9673	10,336,738	3,081,899	17.24	26.87
1.44	91.5809	76.8720	23.1279	10,315,174	3,103,449	17.21	27.06
1.45	91.3896	76.7115	23.2886	10,293,637	3,125,013	17.17	27.25
1.46	91.1983	76.5509	23.4492	10,272,087	3,146,563	17.14	27.43
1.47	91.0069	76.3902	23.6098	10,250,523	3,168,113	17.10	27.62
1.48	90.8156	76.2296	23.7704	10,228,973	3,189,664	17.06	27.81
1.49	90.6242	76.0690	23.9310	10,207,423	3,211,214	17.03	28.00
1.50	90.4329	75.9084	24.0916	10,185,872	3,232,764	16.99	28.18
1.51	90.2415	75.7477	24.2522	10,164,309	3,254,315	16.96	28.37
1.52	90.0502	75.5872	24.4128	10,142,772	3,275,865	16.92	28.56
1.53	89.8589	75.4266	24.5734	10,121,221	3,297,415	16.88	28.75
1.54	89.6675	75.2659	24.7341	10,099,658	3,318,979	16.85	28.94
1.55	89.4762	75.1054	24.8947	10,078,121	3,340,529	16.81	29.12
1.56	89.2848	74.9447	25.0553	10,056,557	3,362,080	16.78	29.31
1.57	89.0935	74.7841	25.2159	10,035,007	3,383,630	16.74	29.50
1.58	88.9021	74.6235	25.3765	10,013,456	3,405,180	16.70	29.69
1.59	88.7108	74.4629	25.5371	9,991,906	3,426,731	16.67	29.88
1.60	88.5195	74.3023	25.6977	9,970,356	3,448,281	16.63	30.06
1.61	88.3281	74.1417	25.8583	9,948,805	3,469,831	16.60	30.25
1.62	88.1368	73.9811	26.0189	9,927,255	3,491,382	16.56	30.44
1.63	87.9454	73.8204	26.1795	9,905,691	3,512,932	16.52	30.63
1.64	87.7541	73.6599	26.3402	9,884,154	3,534,496	16.49	30.82
1.65	87.5627	73.4992	26.5008	9,862,591	3,556,046	16.45	31.00
1.66	87.3714	73.3386	26.6614	9,841,040	3,577,596	16.42	31.19
1.67	87.1801	73.1780	26.8220	9,819,490	3,599,147	16.38	31.38
1.68	86.9887	73.0174	26.9826	9,797,940	3,620,697	16.35	31.57
1.69	86.7974	72.8568	27.1432	9,776,389	3,642,247	16.31	31.76
1.70	86.6060	72.6961	27.3038	9,754,826	3,663,798	16.27	31.94
1.71	86.4147	72.5356	27.4644	9,733,289	3,685,348	16.24	32.13
1.72	86.2234	72.3750	27.6250	9,711,738	3,706,898	16.20	32.32
1.73	86.0320	72.2143	27.7857	9,690,175	3,728,462	16.17	32.51
1.74	85.8407	72.0538	27.9463	9,668,638	3,750,012	16.13	32.69
1.75	85.6493	71.8931	28.1069	9,647,074	3,771,563	16.09	32.88

## CHART 2

## T O W N O F M E D N A Y

## FY 1998 TAX SHIFT SHOWING TAX IMPACT ON AVERAGE SINGLE FAMILY HOME VERSUS COMMERCIAL &amp; INDUSTRIAL PROPERTIES

PROPERTY	ASSESSED VALUE FY97	SINGLE TAX		98%		96%		94%		92%		MAX	
		RATE FY97	RATE FY98	DUAL RATE RES.	DUAL RATE C.I.P.	DUAL RATE RES.	DUAL RATE C.I.P.	DUAL RATE RES.	DUAL RATE C.I.P.	DUAL RATE RES.	DUAL RATE C.I.P.	DUAL RATE RES.	DUAL RATE C.I.P.
BOSTON EDISON (JET SITE) 2-65A	\$28,877,500	\$17.96	\$18.79	\$596,898	\$651,188	\$705,477	\$759,767	\$813,758		\$17.35	\$26.31	\$16.99	\$28.16
ALCONQUIN GAS CO.													
PERSONAL PROPERTY 911100	\$4,784,500	\$85,330	\$89,901	\$98,896	\$107,890	\$116,885	\$125,880	\$134,827					
BURGER KING 6-41X	\$879,000	\$15,787	\$16,516	\$18,169	\$19,821	\$21,474	\$23,126	\$24,770					
SHELL OIL COMPANY 6-319	\$232,400	\$4,174	\$4,367	\$4,804	\$5,241	\$5,678	\$6,114	\$6,549					
DUNKIN DONUTS 6-38B	\$434,500	\$7,804	\$8,164	\$8,981	\$9,798	\$10,615	\$11,432	\$12,244					
AVERAGE SINGLE FAMILY HOME (ROUNDED)	\$166,800	\$2,996	\$3,134	\$3,074	\$3,014	\$2,954	\$2,894	\$2,834					
NOTES:	RES. = RESIDENTIAL												
	C.I.P. = COMMERCIAL, INDUSTRIAL, PERSONAL PROPERTY												
	AVERAGE CONDO ASSESSED VALUE IS \$82,900 (ROUNDED)												
	AVERAGE 2-FAMILY ASSESSED VALUE IS \$160,900 (ROUNDED)												
	AVERAGE 3-FAMILY ASSESSED VALUE IS \$171,000 (ROUNDED)												

CHART 2

Selected %

# Eligible Parcels

\$ Value Eligible

\$ Value Exempted

5. Indicate percentages accurate to 4 digits to the right of the decimal point. The following was derived from the LA-7.

A	B	C	D
Class	Certified Full and Fair Cash Value Assessments	Percentage Full Value Shares of Total Tax Levy	New Percentage Shares of Total Tax Levy
1. Residential	599,439,057	83.9389%	
2. Open Space	0	0.0000%	
3. Commercial	35,921,893	5.0301%	
4. Industrial	51,612,150	7.2272%	
5. Personal Property	27,164,032	3.8038%	
Totals	714,137,132	100.0000%	0.0000%

I hereby attest that notice was given to taxpayers that a public hearing on the issue of adopting the tax levy percentages for fiscal year 1998 would be held on MONDAY 12/08/97 (date), 7:05 PM (time), at MEDWAY, MA (place), by (describe type of notice) LEGAL NOTICE

*Patricia A. Sampson* assist town clerk  
City/Town/District Clerk

7. We hereby attest that on MONDAY 12/08/97 (date) 7:05 PM (time), at MEDWAY, MA (place), a public hearing was held on the issue of adopting the percentages for fiscal year 1998, that the Board of Assessors presented information and data relevant to making such determination and the fiscal effect of the available alternatives at the hearing and that the percentages set forth above were duly adopted in public session on 12/08/97 (date)

8. We have been informed by the Assessors of \$ 1,032 excess levy capacity.

For cities: City Councillors, Aldermen, Mayor

For towns: Board of Selectmen

For districts: Prudential Committee or Commissioners

*Douglas M. Downing*  
*Michael J. Roden*  
*Michael J. Roden*





## BOARD OF SELECTMEN

185 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

December 15, 1997

- 6:00 Evaluation of Building Inspector
- 7:05 Cable Advisory Committee, regarding  
Cable contract renewal.
- 7:15 Philip McNulty, regarding Muriel  
Bulman's evaluation. Change Order  
#9.
- 7:30 Public Hearing on 75% plan for  
Alder Street Industrial area.
- 8:00 Fire Chief Wayne Vinton regarding  
the EMS Study Committee Report

Committee Reports

Action Items

8:30  
↓

Dr. Art Bettencourt  
Re: STM Canceled

ACTION ITEMS FOR SELECTMEN'S MEETING OF DECEMBER 15, 1997.

1. Sign letter for the Memorial School computers.
2. Approve minutes of the 11/24/97 meeting.
3. Sign contract for telephones for the Library.
4. Discuss letter from Charles Aspinwall, Town Administrator for the Town of Millis regarding purchase of water.
5. Sign Administrative Consent Order for Public Water Supply PWS ID#2177000.
6. Committee Appointments
7. Vote and sign 1998 Licenses.
8. Discuss letter from Norfolk County regarding resolution on electric rates.
9. Sign notification of new employee, Robert E. O'Neill Jr.
10. Approve and sign application for employer assisted education for William K. Boultenhouse.



**MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 15, 1997**

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:02 p.m. Mr. Downing called the meeting to order in Sanford Hall of Town Hall.

- Members of the Cable Advisory Committee were present to discuss a new cable contract. They included Charlie Myers, Joe Hoban, and Ken Masterson. Frank Voss of Time-Warner was also present.

Mr. Myers stated that back in July, a public hearing was held and additional comments were received by the Committee in addition to the comments made at the hearing. They met with high school students and members of Medway Cable Access as well. They have concluded negotiations and have reached an agreement with Time-Warner Cable.

Mr. Myers stated that a recent rate increase was not due to the licensing process; a portion of it was due to CableVision Industries switching to Time-Warner. A system-wide upgrade is coming to the Town in January/February of 1999 with fibreoptics. At that time, a completion of the I-net hookup with Fire, Police and Senior Citizen Center will be done. For the schools, educational programs will be enhanced.

Mr. Myers spoke about a mobile van which will provide additional coverage of events live at Charland Field with new wiring, i.e. Medway Pride Day, Historical Society's car show, graduation, etc.

Mrs. Rozanski asked about a mechanism for capital investment, and Mr. Myers said it was a one-time fee of \$95,000 over the 10 years of the contract.

Mr. Hoban felt this was one of the better contracts around, and Mr. Myers had done a superb job on behalf of the Committee.

Mr. Myers stated that Special Counsel had reviewed the entire license agreement and felt it was one of the best packages he had seen. The Committee's recommendation is to sign the ten year license with Time-Warner. A second letter of authorization would have to be executed for the mobile van and wiring of  
page 1.

**MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 15, 1997**

Charland Field. Mr. Myers said he would transmit the documents to the State.

Mr. Brodeur asked if the residents could utilize their own dishes? Mr. Voss said they can do that if they want; it creates a choice by subscribers. The license does not prohibit; it is non-exclusive, and Time-Warner will have to be competitive. He said Mr. Myers gave a good overview of franchise which included I-net, digital services and system upgrade. By the end of 1998, Time-Warner hopes to visit each home one-on-one and discuss the different features available. Mr. Voss noted they were negotiating with 14 communities.

Mr. Myers said they have a letter of understanding on the use of the van for now, and the contract will be covering the use of the van for the ten years. Mr. Downing noted the van is for the use of the whole municipality; it was not restricted to schools or municipal government. Mr. Voss said Time-Warner has 14 vans, and they are presently replacing them.

Mrs. Rozanski moved to accept the recommendation of the Cable Advisory Committee to enter into a contract with Time-Warner for ten years commencing on February 22, 1998 as outlined in the documents presented this evening on December 15th; Mr. Brodeur seconded; all aye. Mr. Voss noted that four copies need to be signed by the Board.

Mrs. Rozanski moved to approve the memorandum of understanding for the use of the van; Mr. Brodeur seconded; all aye.

Mr. Brodeur had a problem with just signing a one-page signature page contract with no backup attached to it; he did not feel it was appropriate. He did not feel it was a time-constraining issue, so they should wait for the entire package. (Later on in the meeting, Mr. Myers returned with the complete packages for the Selectmen to sign, which they did.)

Mrs. Rozanski moved to disband the Cable Advisory Committee as of December 31st, and offer appreciation for a job well done; Mr. Brodeur seconded; all aye.

7:32 p.m. At this time, a public hearing on the 75% plan for the Alder Street industrial area was held. Present were seven residents from the area and  
page 2.

**MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 15, 1997**

neighborhood, including Karen Alves, Ken Halloran, Peter Badger and Janet Riera. Paul DeSimone of the IDC was also present, along with Acting Highway Superintendent Bob Power and Fire Chief Wayne Vinton.

As no one had a copy of the advertisement that appeared in local papers available, Mr. Downing, resident Sandra Shaw, and Raphaela Rozanski confirmed they had seen the ad.

Mr. Downing opened the public hearing. Mr. DeSimone introduced David Giagrande of Design Consultants to speak on the changes from the 25% plan to the 75% design. Mr. Giagrande said they analyzed the area and, in particular, looked at the wetlands issue. They were concerned with how to mitigate the impact. The solution was to get rid of the grass strip on both sides of the street and the sidewalk on one side. The wetland count went down, so it was significant. They have upgraded the drainage information and noted the water line is not exactly in the middle of the road, so it will have to be changed. When asked if they were down to one plan, the response was yes. Mr. DeSimone added that the 75% plan is what the Selectmen indicated they wanted on the 25% plan.

Mr. Brodeur brought up the letter signed by the Police Chief, the Fire Chief, the Acting Highway Superintendent, and the Interim DPS Administrator dated December 11th. He asked if the sidewalk on the easterly side of Trotter Drive was being eliminated? Mr. DeSimone stated that the 75% plan does not reflect what is indicated in the letter. Mr. Downing said Alder Street will not change as is on the plan; the changes are to Trotter Drive. Mr. DeSimone added that it has been designed to direct traffic away from the residential area.

Ms. Alves stated that the residents want some physical barrier, and they would like some enforcement through the Selectmen. A resident asked about the emergency gate that has been brought up before. Chief Vinton said they could put up a barrier, but in having to access it could incur possible damages that would have to come back to the Town.

Mr. Halloran gave the Board a diagram of an electronic gate in use in Braintree that is triggered by siren, horn, remote control, or key lock entry. In gathering information, he said a representative of the company would be willing to come and speak to the Board. He said it deters traffic; it doesn't restrict. Mr.

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Brodeur felt the concern was with commuter traffic Monday through Friday. He further said the road was originally designed to be an industrial access for industrial traffic.

Mrs. Rozanski said this could be revisited and the Board was committed to signage; they want commuter traffic out of the industrial area. Mr. Power felt a dead-end sign would help for enforcement. Mr. Downing thought a sign saying the road was closed except for emergency vehicles east of Blue Ribbon with a movable barrier might work. Mr. Brodeur suggested Fox Run Road.

Ms. Alves noted a conversation with former DPS Administrator Donald Podgurski who had stated that you could not legally put signs at Stallbrook and Granite or at Fox Run and Alder. Mr. Downing said that was incorrect; you only need permission if it is a State road, and suggested sawhorses with signs at Fox Run Road. Mr. Brodeur felt you had to start somewhere, especially to get to the commuters.

Mr. Downing said he was opposed to any permanent barriers, but he would commit to additional signage and a temporary barrier, and continue to review the issue. A resident asked about the funding of the gate, and could the State pay for it, but Mr. Downing felt they could possibly utilize highway funds and get it back with Chapter 90 monies.

Mr. Brodeur still had a problem with the elimination of the footbridge and vehemently opposed to its not being included. He said it was a financial commitment the developer had to incur and now it is gone; it was also a Planning Board commitment.

Mr. DeSimone stated it was the IDC's cost, not the developer for the footbridge under the PWED grant, as they took over the responsibility from the developer. Mr. Brodeur said to create a residential area in an industrial area, you need to be able to allow the residents to get from one place to another safely; there should at least be a sidewalk to the intersection. Mr. DeSimone said the public safety people went over the area; the comments are strictly theirs. Mr. Downing said ConCom could be approached and asked to revisit this to provide some relief. Mr. Brodeur said he wanted it done; he didn't care what it cost. Mr. Downing said he wanted all the other issues brought up in the December 11th letter addressed as

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well and for a permanent status. Insofar as enforcement was concerned, he said a citizens group can do a lot of good. He was aware of a town that citizens were trained in the use of radar by the Police for enforcement assistance, but first they need signage before any enforcing can be done.

Before leaving, Mr. DeSimone mentioned to the Board they should consider taking easements for Highway purposes rather than land takings.

8:45 p.m. Mr. Downing apologized for keeping Library Director Philip McNulty waiting so the public hearing could be held on schedule. He said he reviewed the evaluation form of Muriel Bulman and it was well done, professional, and in accordance with the form's requirements. He was ready to move on his score of 42.

Mrs. Rozanski asked about a dress code requirement, and Mr. McNulty said it has never been an issue. Mr. Brodeur said he agreed with his comments and his performance of the form.

Mrs. Rozanski moved to approve the evaluation of Muriel Bulman of 42 points and award the merit increase; Mr. Brodeur seconded; all aye.

Mrs. Allen took an action item out of order which was the Library's request for approval of the telephone system contract. Mr. McNulty said there was no specific duration of contract or service contract per se, but there is a warranty and tied into their moving date. Mr. Downing noted he would eventually like all Town departments under one firm.

Mrs. Rozanski moved to approve the contract with Metropolitan Telephone for \$2,799 as recommended by the Library Trustees and Library Director; Mr. Brodeur seconded; all aye.

Mr. Downing went on to change order #9, and asked if this was similar to the recent computer issue with the new school building in that they were adding something into the contract that wasn't there? Mrs. Allen said this was entirely different, and she did not have a problem with change orders. Mr. McNulty added that these were custom-designed, not a part of the catalog.  
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Mrs. Rozanski moved to approve change order #9 for \$13,885 for the library project to M. O'Connor Contracting; Mr. Brodeur seconded; all aye. Mr. McNulty noted they hope to move in during the last two weeks of March.

9:00 p.m. Fire Chief Vinton came to meet with the Board regarding the EMS Study Committee Report. It was unsure as to where to begin with the Chief's review. Mr. Downing felt there was so much there to go over, possibly they should get an overview from the Chief and get together with him and some of the leadership to see how to implement it. The Chief said the Committee had made six recommendations, and he would like to speak on five of them

The Chief said he would be adding two positions: a captain and two lieutenants, which essentially would be a coordinator, an assistant coordinator and a training coordinator. Mr. Downing noted they were really re-defining and restructuring the different tiers. The Chief said that there can be 20 to 30 personnel allowed at each station, and the changes would comply. The Chief said he had worked up the job descriptions, with Mr. Downing noting the organizational chart delineates the management team.

Mr. Downing felt the organizational chart was O.K., and they had discussed the job descriptions. Mr. Downing asked about performance evaluations, and the Chief said he was working on establishing that in the field. Mr. Downing asked that this be included in the job description.

Insofar as the other recommendations were concerned, it was felt that the rules and regulations would be worked on, and the stipends would be further defined; and the reimbursement of an EMT basic course may be considered by the Selectmen. Mrs. Rozanski said she would support stipends as long as it was not a discretionary figure.

Mr. Downing asked if the JCRB had been approached on the two positions yet, and Mrs. Allen stated not that she knew. Mr. Downing said it should be identified where they are to be.

With regard to specific immediate action items insofar as work time was concerned on daytime coverage, Mr. Downing felt structure was best and that ending time was more important than the starting time because other personnel are  
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scheduled to come in at specific times. He recommended that the personnel fit the Chief's schedule; not the other way around, and stick to designated hours of work. The Chief said there would be two on each shift, and he would give the Board a monthly report.

It was felt that the subject of part time EMT's and defibrillators was something to discuss down the road.

With regard to long-term recommendations, the hiring of EMT's from out-of-town would necessitate a change in the Town by-laws, as the EMS fall under the Fire Department's Town by-laws. Mrs. Allen was asked to work on the language for the residency article.

Communications for all public safety departments, as well as budgeting and accounting procedures, will continue to be an on-going discussion. The training coordinator was already discussed. Insofar as the Cadet Program was concerned, the Chief felt that Fred Sanford was trying to coordinate more information getting to the Town on this.

On rules and regs, the Chief hoped to have them done by January 30th, which would be one set of rules for both EMS and Fire.

Mr. Downing said he would like to see a recorded vote of the EMT's that they buy into this program. The Chief said this program will only add to the Town's pocket; not take out. Mrs. Rozanski stated she would like to see a balance sheet before starting the program, and the Chief said it would be in the Selectmen's weekend packet.

Mrs. Rozanski was also concerned about the additional \$2.00 per hour for on-call and suggested Mrs. Allen contact Town Counsel about this. Mrs. Allen said the Board can make this decision as long as there were funds to cover it. The Chief said there were funds available, and this was on a trial period from January to June. He would write a memo to the Board on this anyway. Mr. Downing asked the Chief to define the criteria, and the Chief said it would be in their weekend packet as well.

9:50 p.m. The Board signed warrant #25 totalling \$516,195.34.  
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- Committee Reports.
- Mrs. Rozanski.

Mrs. Rozanski said it does not seem that the Technology Committee will be able to utilize the services of a peer to peer individual, but they will keep in touch with DHCD. She noted that Sumaria has dropped out of the running for the needs assessment that needs to be done, but there are two others, and one has municipal experience.

With reference to the audit, Mrs. Allen told the Board that there is no contract beyond FY'97.

- Action Items.
  - The Board signed the letter of authorization for the computer purchase for the new school building.
  - Mr. Brodeur moved approval of the minutes of November 24th; Mrs. Rozanski seconded; all aye.
  - The Board acknowledged receipt of a letter from Millis Town Administrator Charlie Aspinwall concerning a proposed well site. A copy of the letter was sent to Medway Water/Sewer Commissioners, and Mr. Downing asked that Mrs. Allen so inform Mr. Aspinwall.
  - The Administrative Consent Order for public water supply PWS ID#2177000 was signed by the Board.
  - The Board noted receipt of a letter from Town Counsel concerning special employees. Mr. Downing said that the Master Plan Committee was struggling to have enough members attend the meeting because of a possible conflict of interest; this would help that situation. He requested this be an action item on the December 22nd agenda.
  - The Board acknowledged receipt of a letter from Norfolk County regarding the pilot program for the purchase of electricity. Mr. Downing suggested
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the Board take it under consideration and table it for the time being.

- The Board noted receipt of a letter from Sgt. Saleski requesting the hiring of Robert O'Neill as probationary dispatcher. Mrs. Rozanski asked that he be sent a reminder memo that an individual should not be starting employment until after the Board signs the notification.

Mr. Brodeur moved to approve the hiring of Robert O'Neill as probationary dispatcher at a grade 6, step 1 at \$11.94 per hour effective the week of December 14th; Mrs. Rozanski seconded; all aye.

- Mr. Brodeur moved the approval of employer-assisted education reimbursement for William Boultenhouse for \$516; Mrs. Rozanski seconded; all aye.

- Mrs. Allen stated that Ron Young would again like permission to have a peddler's license granted to him for selling hubcaps at 16 Main Street on the premises of C & R Auto. She noted there had not been any complaints filed. Mrs. Rozanski moved to grant permission to Ron Young for his peddler's license through December 1998; Mr. Brodeur seconded; all aye.

- The Board acknowledged receipt of the resignation of Randall Whiting from the Medway Cultural Council. Mrs. Rozanski moved to accept his resignation with regret; Mr. Brodeur seconded; all aye.

- Mrs. Allen brought up the letter from the Town Clerk concerning questions that were going to come from the Board concerning Pat Sampson's evaluation. Mr. Brodeur thought some notes that he gave to Mr. Downing were sufficient, but Mr. Downing informed him it has to go through the Office and suggested he do that. Mr. Brodeur said he would write up his questions and give them to the Office.

- The renewal of licenses for 1998 were brought up. Mrs. Allen noted that a letter would be sent around to appropriate departments to see if taxes are owed or if there are any that did not pass inspection, etc. Mr. Brodeur moved approval of the 1998 licenses, per the attached list, subject to the approval received from all appropriate departments; Mr. Downing seconded; all aye. The Board held page 9.

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off signing Apollo's class I and II licenses for the time being.

10:30 p.m. Mr. Brodeur moved the Board adjourn to executive session for the purpose of strategy for contract negotiations, not to return to public session; Mr. Downing seconded; all aye. The vote: Mr. Brodeur - yes; Mr. Downing - yes; (Mrs. Rozanski left the room temporarily but would return).

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved  
12/29/97*

**LICENSE HOLDERS:****common victualler:****form #348 (\$50)*****name******address******\$ rec'd******issued*****The Little Store****76 Holliston St.****Galante's****320 Village St.****Medway Mart****141 Village St.****Donut Depot****122 Main St.****Med. House of Pizza****135 Village St.****Med. Restaurant****102 Main St.****Burger King****Main St.****Dunkin Donuts****81A Main St.****Papa Gino's****74 Main St.****Speroni's****45 Milford St.****Amer. Legion****6 Cutler St.****China Lotus****128 Milford St.****Elm Social Club****2-4 Sanford St.****Golden Jade****75 Main St.****VFW****125 Holliston St.****Cumberland Farms****126 Main St.****(Tax Dept., Cumberland Farms****777 Dedham St.; Canton 02021)****533-8877****Liquid Assets****116 Village St.****Med. Youth Soccer****P. O. Box 257****(concession stand)****Med. Youth Baseball****P. O. Box 267****(concession stand)****Bill Dacier****Sabina Doyle's****116 Main St.****Corner Pizza****1 High St.****Med. Famous Pizza****94 Main St.****Anne's Market II****82-84 Main St.****Gour. Bagel Express****112 Main St.****Szechaun Gardens****106B Main St.****Main St. Cafe****74 Main St.****Coffee Sensations****116 Main St.****Victorian Cottage/****122 Milford St.****Village Bean****533-2912**

<u>auctioneer :</u>	<u>form #343 (\$50/year; \$10/day)</u>		
<u>name</u>	<u>address</u>	<u>\$ rec'd</u>	<u>issued</u>
Betty Balboni	17 Lincoln St.		
Peter Kane	114D Main St.		
	As Time Goes By		
Joseph Ebert	188 Main St.		

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<u>class I:</u>	<u>(\$100)</u>		
<u>name</u>	<u>address</u>	<u>\$ rec'd</u>	<u>issued</u>
Medway Auto Sales	117 Main St.		

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<u>class II and III:</u>	<u>(\$100 each)</u>		
<u>name</u>	<u>address</u>	<u>\$ rec'd</u>	<u>issued</u>
Apollo, Inc. (2)	2-4 Main St.		

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<u>class II:</u>	<u>(\$100 each)</u>		
<u>name</u>	<u>address</u>	<u>\$ rec'd</u>	<u>issued</u>
Elliott Motors	42 Summer St.		
McGowan's	241 Village St.		
Norman Greene	71 Main St.		
Haven's Auto Body	117R Main St.		
C&R Auto	16 Main St.		
Auto Exchange	57 Main St.		
R&R Auto ???	12 Barber St.		
Aoude Gulf	73 Main St.		
Williams Restorations	119 Milford St.		
Bartolini Motor Sales	148A Holliston St. (P.O.Box 722)		
Scott's Auto Brokerage	9 Skyline Dr.		
Metrowest Truck	86 Lovering St.		

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<u>taxi:</u>	<u>(\$30/vehicle)</u>		
<u>name</u>	<u>address</u>	<u>\$ rec'd</u>	<u>issued</u>
Airport Taxi (1)	6 Massapoag St.		
Jeffrey Trust			
Dave's Taxi (3)	103 Farm St.		
Jonathan Cortelli	Millis 02054		
Mark's Taxi (4) ???	51 E. Main St.		
Mark Wassarman	Milford 01757		

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<u>alcoholic beverages:</u>	<u>(varied \$)</u>		
<i>name</i>	<i>address</i>	<i>\$ rec'd</i>	<i>issued</i>
Golden Jade (form #976A -\$1,750)	75 Main St.		
Liquid Assets (form #979A-\$1,500)	116 Village St.		
The Little Store (form #979W-\$1,000)	76 Holliston St.		
Elm Social Club (form #978A-\$2,000)	2-4 Sanford St.		
China Lotus (form #976A-\$1,750)	128 Milford St.		
Keystone Liquors (form #979A-\$1,500)	88 Main St.		
Papa Gino's (form #976W-\$1,000)	74 Main St.		
American Legion (form #978A-\$800)	6 Cutler St.		
Medway VFW (form #976A-\$1,750)	125 Holliston St.		
Sabina Doyle's (form #976A-\$1,750)	116 Main St.		
Speroni's (form #976A-\$1,750)	45 Milford St.		
West Medway Liquors (form #979A-\$1,500)	175 Main St.		
Medway Restaurant (form #976W-\$1,000)	102 Main St.		
Szechaun Gardens (form #976A-\$1,750)	106B Main St.		
Main St. Cafe (form #976A-\$1,750)	74 Main St.		

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<u>Sunday entertainment:</u>	<u>(form #90-\$85/\$100)</u>		
<i>name</i>	<i>address</i>	<i>\$ rec'd</i>	<i>issued</i>
Elm Social Club (2)	2-4 Sanford St.		
Medway VFW (2)	123 Holliston St.		
American Legion (2)	6 Cutler St.		

Papa Gino's (2)	74 Main St.
West St. Hobbies (1)	114C Main St.
China Lotus (1)	128 Milford St.
	Bert Tosti-473-6425-G.T.Vending
	5 Muriel La., Milford

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automatic amusement: (form #635-\$100 each)

<i>name</i>	<i>address</i>	<i>\$ rec'd</i>	<i>issued</i>
Papa Gino's (3)	74 Main St.		
Elm Social Club (2)	2-4 Sanford St.		
American Legion (3)	6 Cutler St.		
China Lotus (2)	128 Milford St.		
	Bert Tosti-473-6425		
	5 Muriel La., Milford		
Corner Pizza (3)	1 High St.		
Sabina Doyle's (2)	116 Main St.		
VFW (2)	125 Holliston St.		

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entertainment: (form #433-\$100)

<i>name</i>	<i>address</i>	<i>\$ rec'd</i>	<i>issued</i>
West St. Hobbies	114C Main St.		



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

December 8, 1997

7:00	Open Meeting, Sign Warrants
7:05	Tax Classification Hearing
7:30	DPS Adm. Lee Henry and Police Chief David Lambirth regarding Holliston/Main Street intersection
	Committee Reports
	Action Items

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF DECEMBER 8, 1997.

1. Discuss Police Chief's letter regarding parking at 154 Summer Street.
2. Sign authorization for release of remaining \$2,000 Pre-Loan Financial Assistance Retainage for Medway's Local Septic Management Plan.
3. Vote on request for extension of hours for New Year's Eve for Main Street Cafe.
4. Attendance at MMA's breakfast seminar on MunEnergy.
5. Discuss letter from FEMA regarding floodplain areas.
6. Discuss letter from Rep. Gardner regarding Senate Bill 335 (voting machines).
7. Discuss physical location for Town Administrator.
8. Looking for volunteers to serve on the Land Bank Committee
9. Discuss request of Fire Chief regarding his vehicle.
10. Acknowledge certifications of the Treasurer/Collector.
11. Sign notification of new employee.
12. Sign site plan for Micro Group.
13. Approve minutes of 11/24/97 meeting.
14. Sign notifications of reclassification of Fire Dept.
15. Will need to sign off on DEP consent order #PWS ID#2177000 prior to 1/1/98.
16. STM for 12/23/97
17. STM for 1/26/98



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Present: Douglas Downing, Raphaela Rozanski, James Brodeur,  
Administrative Assistant Ruth Allen.

**7:05 p.m.** Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

Mrs. Rozanski moved that the Board open and close the warrant this evening for a Special Town Meeting on December 22nd; Mr. Downing seconded; all aye.

Mrs. Rozanski stated the article was to transfer a sum of money from the stabilization fund to reduce the tax rate.

**7:12 p.m.** Members of the Board of Assessors, Harry Johnson, June Murray, John Creighton, and Assistant Assessor/Appraiser Paul Keefe were present for the tax classification hearing.

Mr. Johnson stated they were following the present principles for the hearing and gave the Board various breakdowns for the different classes, including residential, commercial, industrial, and personal property. He further stated they have no figure for the tax rate yet but would like to adjourn after the Special Town Meeting on December 22nd to vote in the tax rate.

Mr. Keefe stated that the residential percentage was not that much different from last year, and there was very little growth in commercial and industrial. Mr. Johnson felt that the rate should not be too different, maybe 18.79 per thousand, but first they needed to balance the budget. He also stated that his Board feels it should remain as a single tax rate.

Mrs. Rozanski moved to have a single tax rate for all classes for FY'98; Mr. Brodeur seconded; all aye. Mr. Johnson recommended both Boards take up this issue again on December 22nd after the STM. Mr. Downing agreed.

Mr. Brodeur moved to continue the hearing until after the STM on December 22nd in Room 111 at Medway High School; Mrs. Rozanski seconded; all aye.

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Mr. Johnson also explained the Summary of FY'98 tax rate calculations as presented (copy attached) noted that the figures were counted double; they were used at the annual town meeting and also as free cash at the October special town meeting. There is also the bonding monies, with the first payment becoming due in FY'98 instead of FY'99 for the school and those funds were put in the stabilization fund as a principal payment was not planned for at the annual town meeting.

Additionally, Mr. Johnson said he spoke to the DOR rep today, and her suggestion was this method to reduce the tax rate.

**7:40 p.m.** Interim DPS Administrator Lee Henry and Police Chief David Lambirth came to meet with the Board to discuss the Holliston Street and Main Street intersection and traffic on Route 109.

Mr. Downing thanked the Chief for his letter and explained he, for one, would like to see a light installed at the shopping center at the main entrance with a manual control. The Chief added that in 1987, the intent was to have turning lanes to enter the various businesses on Main Street, but there are so many curb cuts. Mrs. Rozanski added she liked the idea of a pedestrian light, but the position of the light is important due to, at times, the blinding sun. Mr. Downing asked how they could get the ball rolling?

Mr. Henry noted he did not have a copy of the Chief's letter Mr. Downing referred to, but he and the Chief met on Friday and discussed three possible scenarios: 1) making this a separate and independent project from the Holliston and Main Street intersection project; 2) include this issue as a portion of the Holliston Street reconstruction project; and 3) include this as part of a Route 109 reconstruction project. Mr. Henry added that thoughts are to include the subject of light and traffic control down to Pond or Winthrop Streets as part of whatever project. He felt that the best idea was to include it as part of a Route 109 reconstruction project. In speaking with several engineers who were reviewing the Village and Summer Street projects, they felt this could be another project, but it was important to determine which area needs the most reconstruction, and the traffic flow needs to be looked at.

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Mr. Downing said that some takings may be involved to utilize turning arrows, etc. with Mr. Henry adding that we would need State approval to get upgraded equipment. Mr. Downing said there were two basic issues: major traffic headaches and major reconstruction.

Mr. Henry said he would continue to pursue the traffic issue, but he was told they would need engineering and traffic signals are expensive. Mrs. Rozanski asked if Mr. Henry had submitted it for the tip list, and he said he had. He added that once the State has plans for a project, it will be put out to bid.

The Chief said that the State may be reluctant to do anything while the Route 109 project is going through as it could mess up their plans.

Mr. Henry stated that focusing on only Holliston Street is not cost-effective; it was better to do as part of a Route 109 project. Mrs. Rozanski asked if they should go ahead with the design, and maybe we should fund this ourselves? Mr. Henry asked for some direction.

Mr. Downing felt it was good to do as part of a Route 109 project, but would the State think of it as too big a project then? What do we want the road to look like? They have been looking at various ways of traffic calming. He added that they need to make it townspeople-friendly, more than commuter-friendly. They also need to be concerned with the curb cuts, and come up with a plan and approach the businesses. The Chief said that they have had arguments in the past years to reduce curb cuts. Mr. Downing noted the Board met with the Medway Business Council last month, not the Medway Landlords Council.

Mr. Brodeur said to remember we own the curb cuts, and he agreed with the Chief that we have been remiss in what we have been allowing. We have the ability to change things. We can even put islands in the middle of the road for pedestrians to get to while crossing the street.

Mr. Henry reminded the Board that Route 109 is only a State-numbered road; not a State road.

The Board went on to another issue. There had been some concern of parking on Route 126, and the recommendation of "no parking" signs. Mr.  
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**MINUTES OF THE SELECTMEN'S MEETING  
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Brodeur moved to authorize the Highway Department to post "no parking" signs on the easterly side of Summer Street from the Holliston town line to the intersection of Whitney Road, and for the Police Department to enforce same; Mrs. Rozanski seconded; all aye.

On another issue, Mr. Henry said the paving was done and the only thing that remained to be done was the guardrail on Granite Street, which would be done this week, and line painting. Mr. Downing asked about Maple Street? Mr. Henry said that was on the Spring list.

- Warrants were signed totalling \$890,613.10.
- Committee Reports.
- Mrs. Rozanski.

Mrs. Rozanski said she attended the SWAP meeting today; went to the IDC meeting noting the 75% plan was to be reviewed on December 15th; and said the Park Department had an initial meeting on Idylbrook.

- Mr. Brodeur.

Mr. Brodeur said the Water Department had a corrosion control meeting scheduled this morning, and Mark Flaherty was planning on going to it. He noted the consent order needed to be signed by January 1st. He also said the Planning Board had a meeting scheduled for Tuesday on Broad Acres, the Meadows and Speroni Acres.

- Mrs. Rozanski.

Mrs. Rozanski said that Kelly O'Rourke spoke to Mary Greendale of DHCD and Mary will, by December 19th, research to see if a peer can do the Town Hall technology evaluation.

- Mr. Downing.

Mr. Downing said the School Committee started negotiating with their

***MINUTES OF THE SELECTMEN'S MEETING  
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units. He also said that he and Mr. Brodeur went to the Wheelabrator party.

- **Action Items.**

- The Board acknowledged the letter from Chief Lambirth concerning on-street parking near 154 Summer Street, and noted this issue was discussed earlier when the Chief was here.

- Authorization from the Board was needed for release of retainage for the septic program. Mr. Brodeur moved to release the remaining pre-loan \$2,000 pre-loan financial assistance retainage for Medway's local septic management plan; Mrs. Rozanski seconded and added authorizing the Chairman to sign; all aye.

- Main Street Cafe had requested an extension of their hours for New Year's Eve, so Mrs. Rozanski moved to grant their request of being open until 2 a.m.; Mr. Brodeur seconded; all aye. Mrs. Allen will send them a letter to this effect.

- With reference to the MMA's breakfast seminar on December 16th on MunEnergy in Newton, Mrs. Rozanski said she would attend.

- The Board noted receipt of a letter from FEMA concerning the update of floodplain maps. Mr. Downing said he believed that Bob Speroni does this. Mrs. Allen noted the floodplain maps were old. Mr. Downing then asked Mrs. Allen to send a memo to Mr. Speroni and ask him how we should move on this process, and to put this down as a future agenda item.

- The Board noted receipt of a letter from Rep. Gardner concerning voting machines and that this had already been addressed.

- Mrs. Allen brought up the subject of the new Town Administrator and where would she physically be located? Mr. Downing felt they were looking at Room 2 or one of the empty offices. He noted she was coming on board the first Monday in February, and Mrs. Rozanski stated that Rosemary Cashman has officially accepted the position with the Town of Medway. Mr. Brodeur did not know that.

**MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 8, 1997**

Mr. Downing suggested discussing the location issue again in January, with Mr. Brodeur asking for an update on the second floor renovation project each week if possible.

- The Board stated they were looking for several people to serve on the Land Bank Committee. Mr. Brodeur suggested looking at the names of the people who signed the petition looking for a land bank; Mrs. Allen said she would look.

- The Fire Chief had requested the Board review the issue of his car. Mr. Downing said he met with Town Mechanic George Cole and agreed that the Chief's car had officially expired. Even though the mileage was low, there were many running miles on the vehicle, probably in excess of 200,000 miles. Mr. Cole had stated the engine was gone, but he could take some of the parts from that vehicle and use them rather than the resell it. Mrs. Allen said we still have the '94 cruiser; the other cruiser went to K-9.

Mr. Brodeur noted the Board needed to rescind their previous vote to get rid of the vehicle. Mrs. Rozanski moved to rescind the Board's previous vote to dispose of the '94 cruiser; Mr. Brodeur seconded; all aye. Mr. Brodeur moved to re-assign the retired cruiser to the Fire Chief; Mrs. Rozanski seconded; all aye.

Mr. Downing said he was concerned about the action being taken before the vote; Mr. Brodeur felt it was a show of comradeship; Mrs. Rozanski said it was a lack of process. Mr. Brodeur said to make sure they strip the old car of the Fire Chief.

- Mr. Downing wished to commend Marjorie Sanford for receiving her certification as a certified MA Municipal Treasurer and Collector.

- Mrs. Rozanski moved to appoint Margaret Kunis effective December 9th as the Town Accountant's financial assistant at a grade 5, step 1; Mr. Brodeur seconded; all aye.

- The Board signed MicroGroup's site plan previously approved on October 6th. Mr. Downing said the Board was in receipt of a letter saying that the bond has been posted for the improvement of Marc Road. It was also noted that the curb cut discussed at the site plan review had been eliminated as requested.  
page 6.

***MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 8, 1997***

- The Board decided to hold off approval of the minutes of November 24th.

- Mrs. Allen stated the Board needed to sign the notifications of the reclassification of the Fire Department. She said these changes had been voted on a long time ago, but the paperwork was not done to complete the process. The Board signed the notifications of: Deputy Chief at a grade 9, step 4 at \$17.20 per hour (previously grade 5, step 4) effective July 1, 1997; Assistant Chief at a grade 8, step 4 at \$15.98 per hour (previously grade 5, step 4) effective July 1, 1997; Captain at a grade 7, step 4 at \$14.54 per hour (previously grade 5, step 4) effective July 1, 1997; Lieutenant at a grade 6, step 4 at \$13.42 per hour (previously grade 5, step 4) effective July 1, 1997.

- With reference to the DEP consent order #PWS ID#2177000, it has already been discussed, but to keep in mind it needs to be reviewed as now there certain dates that have to be adhered to prior to January 1, 1998.

- The Special Town Meeting for December 22, 1997 has been set.

- Mrs. Allen asked Mr. Downing about the request for a Special Town Meeting on January 26, 1998. Mr. Downing said it should only be for administrative issues, or an emergency article. Mrs. Rozanski then moved that the warrant for the STM for January 26th be opened on December 29th and closed on January 5th; for a posting on January 12th; Mr. Brodeur seconded; all aye.

- Mrs. Allen stated that the Treasurer/Collector was looking for the Town to reimburse her for continuing education for \$595 for classes beginning in January. She noted the cost would have to come out of her expense budget. Mrs. Rozanski moved to endorse the Treasurer/Collector's request to attend the educational courses with reimbursement out of her expense budget for \$595; Mr. Brodeur seconded; all aye.

- Mrs. Allen said that Fred Sibley was also looking for an educational reimbursement out of that specific line item for \$315 for classes on maintenance and reconstruction of athletic fields. Mrs. Rozanski asked if it was coming with the recommendation of the Park Commissioners? Mrs. Allen said none was  
page 7.

*MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 8, 1997*

received. Mr. Brodeur moved to approve \$315 for tuition reimbursement for Fred Sibley for classes on athletic fields on February 24 - 26 in New Jersey; Mrs. Rozanski seconded; all aye.

- Mr. Brodeur acknowledged a letter from the Town Clerk noting appreciation for help from Fred Sibley and Jonathan Power on the Holiday Parade. It was requested that a copy of the letter be placed in their personnel folders.

- Mr. Downing noted a letter from the Police Chief to all license holders concerning observing hours for serving alcohol.

- Mr. Downing noted receipt of a letter from the Fire Chief to the Planning Board indicating the bond on Appleton Way may be released.

- Mr. Downing reminded the Board that they still have three evaluations to do: Ruth Allen, Arti Mehta and Bob Speroni. It was suggested that the Board meet with Bob next week at 6:00 p.m., and after that for Ruth time permitting; and then schedule Arti for 6:00 p.m. on December 22nd prior to the STM, and again after that for Ruth if need be and time permitting.

- Mrs. Rozanski said that the JCRB has not met this fiscal year. Mr. Downing said there have been no meetings and no requests. Sam Mushnick is chairman again, and the Secretary is sending out letters on his behalf asking that any requests for merit increases for non-union employees be sent in asap before the budget process begins. Mr. Downing asked that a reminder be sent to their Secretary saying that he is no longer the liaison; Mrs. Rozanski is.

- Mrs. Rozanski asked how long the present audit contract was for, and Mrs. Allen said she would check.

**9:30 p.m.** Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,  
M. J. Fredette  
Secretary  
mj  
page 8.

*Approved  
12/29/97*



TOWN OF MEDWAY  
FISCAL 1998 CLASSIFICATION HEARING  
DECEMBER 8, 1997

BOARD OF ASSESSORS

The Board of Assessors has received from the State the certification on the fiscal year 1998 values of all classes of real property and personal property in the Town of Medway. This includes the approval of the LA-4 (Assessment/Classification Report), and the LA-13 (Tax Base Levy Growth).

Based on the information to be included in these Forms, the Assessors have prepared preliminary statistics for a Classification hearing. The following is a breakdown of the property classes by percentage:

<u>CLASS</u>	<u>PERCENTAGE</u>
RESIDENTIAL	83.9389 %
COMMERCIAL	5.0301 %
INDUSTRIAL	7.2272 %
PERSONAL PROP.	<u>3.8038 %</u>
TOTAL:	100.0000%

The combined percentage for the Commercial, Industrial and Personal Property (CIP) classes is 16.0611 %.

The percentages shown on the above chart represent the share of the Tax Levy to be borne by each class with a single tax rate, called a residential factor of one. The following

describes the result of electing to split the tax rate into residential and CIP rates.

1. The MAXIMUM allowable shift of the Tax Levy to the CIP classes is 150 %. This shift would result in the CIP classes paying 24.0917 % of the Tax levy.
2. As a result, the Minimum Residential Factor becomes 90.4328 %. This means that shifting the Tax Levy to the CIP classes by the legal maximum will result in the Residential class paying 90.4328% of the tax levy burden it would have paid under a single tax rate.
3. For every decline in the residential tax rate of 2 %, there is a corresponding increase in the CIP rate of 10 %.

<u>RESIDENTIAL RATE</u>	<u>CIP RATE</u> (rounded)
98 %	110 %
96 %	120 %
94 %	130 %
92 %	140 %
90.4328 %	150 % (MAXIMUM)

**DEPARTMENT OF REVENUE**  
**BUREAU OF LOCAL ASSESSMENT**  
**MINIMUM RESIDENTIAL FACTOR COMPUTATION**  
**FOR FY98**  
**MEDWAY**

A	B	C	
Class	Full and Fair Cash Valuation	Percentage Share	
1. One - Residential	\$ 599,439,057	83.9389	83.9389
2. Two - Open Space	0	0.0000	R & O
3. Three - Commercial	35,921,893	5.0301	
4. Four - Industrial	51,612,150	7.2272	16.0611
5. Personal Property	27,164,032	3.8038	C + I + P
Totals	714,137,132	100.0000%	

Maximum Share of the Levy for Classes 150% x 16.0611% = 24.0917%  
Three, Four and Personal Property:

3C+4C+5C      Maximum Share

Minimum Share of the Levy for 100% - 24.0917% = 75.9083%  
Classes One and Two:

Maximum Share      Minimum Share

Minimum Residential 75.9083% / 83.9389% = 90.4328%  
Factor (MRF)

Minimum Share      Lines 1C+2C      Minimum Residential Factor

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**MINIMUM RESIDENTIAL FACTOR**

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CHAPTER 58, SECTION 1A MANDATES A MINIMUM RESIDENTIAL FACTOR OF NOT  
LESS THAN 65%

SUMMARY OF FISCAL 1998 TAX RATE CALCULATIONS

1. FY 98 Maximum Allowable Levy \$13,419,669.00

2. FY 98 Tax Levy

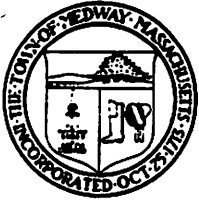
Total Amount to be raised: \$23,789,381.63

Total estimated receipts: - 9,686,951.00

\$14,102,350.63

3. Amount needed to balance: \$ 682,681.63

(rounded) \$ 683,000



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

December 1, 1997

7:00

Open Meeting, Sign Warrants  
Approve minutes of 11/24/97  
meeting.

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF DECEMBER 1, 1997.

1. Sign contract for Senior Center Building with Contracting Ventures, Inc.
2. Sign contract refinishing tables for the addition/renovation of Library with Designer Finishing.
3. Sign contract for cleaning, clearcoating and re-upholstering chairs for the addition/renovation of Library with Classic Furniture Services.
4. Discuss date for a STM??????
5. Discuss letter from Rep. Gardner regarding Route 109 Corridor project.

MINUTES OF THE SELECTMEN'S MEETING - DECEMBER 1, 1997

Present: Douglas Downing, James Brodeur, Raphaela Rozanski

7:12 p.m. Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The Warrant was signed in the amount of \$770,759.36.

7:17 p.m. Marge Sanford was present and announced that she was recently certified as both Treasurer and as Collector by the Massachusetts Municipal Association.

7:18 p.m. Marge questioned the status of changing her position from "elected" to "appointed by the Town Administrator." She discussed possible wording as, "may ... act on a question from any Board, Commission, etc.," and, "shall serve until..." and that this change in services should appear on January special town meeting.

Mr. Downing proposed the date of January 26, 1998 as a Special Town Meeting and added that it should be set up for administrative changes only - no financial issues unless of an emergency nature.

7:40 p.m. Marge Sanford requested appointment of Barbara Walls as Assistant Treasurer. Mrs. Rozanski moved, Mr. Brodeur seconded, to appoint Barbara Walls as Assistant Treasurer; all voted aye.

7:42 p.m. Mr. Downing endorsed the construction Agreement for the Senior Center Building with Contracting Ventures, Inc. previously voted subject to review by Town Counsel, which now bears his initials.

7:52 p.m. Mrs. Rozanski moved, Mr. Brodeur seconded, to approve and award the contract for the refinishing of tables for the Library Addition to Designer Finishing in the amount of \$1439.00; all voted aye.

7:55 p.m. Mrs. Rozanski moved, Mr. Brodeur seconded, to approve and award the contract for to clean, clearcoat and reupholster chairs for the Library Addition to Classic Furniture Services in the amount of \$2850.00; all voted aye.

7:59 p.m. The entire Board signed the reimbursement form for PWED grant in the amount of \$79,950.06, referencing the Memorandum of Agreement G-9707.

8:05 p.m. The Board reviewed the Dec. 1, 1997 memo from the Fire Chief concerning the blown engine in his Chief's car (former police cruiser). Mr. Downing will further investigate the vehicle's condition.

8:12 p.m. The Board reviewed the Nov. 21, 1997 letter from Representative Barbara Gardner on the status of Route 109 Reconstruction takings. Mr. Downing will consult with Town Counsel for the status of the Apollo building removal as well as the other drainage and slope easements required. Mr. Brodeur suggested a possible article for the January STM for takings.



MINUTES OF THE SELECTMEN'S MEETING - DECEMBER 1, 1997

Page 2

8:27 p.m. Mrs. Rozanski asked about what provisions the Board should be making for upcoming contract expiration/renegotiation. She will set up a future meeting of the Board to discuss contract strategy for any future negotiations.

8:39 p.m. Back to possible articles for the January STM: general discussion about potential articles for certain Officials and/or Boards to be under the Town Administrator.

8:45 p.m. Evaluations - Mr. Brodeur submitted to Board members for their consideration a hand-written series of possible questions that may be asked of Pat Sampson's evaluation by the Town Clerk.

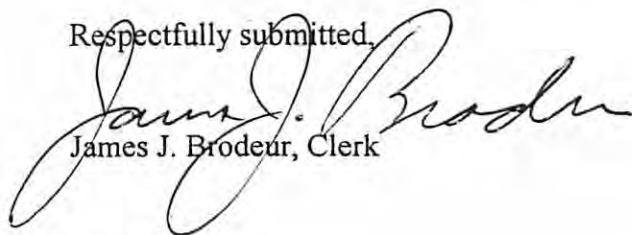
- With respect to Bob Speroni's evaluation, Mr. Downing instructed Board members to score their own sheets and submit to the office for further process.

9:05 p.m. The Board discussed the recent final report of the EMS Study Committee and the fact that nothing has come forth from the Chief for implementation. Mr. Downing will request in writing that the Chief submit his response to the General Recommendations of that report by Dec. 11, 1997, with a presentation on Dec. 15, 1997 to the Board, including a plan for the Immediate Action Recommendations of that report, or any variation thereof.

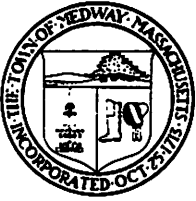
9:20 p.m. The Board had general discussion on the need to create Standard Operating Procedures to move B/S processes along efficiently. This should be in place prior to the implementation of the 5-member Board. It should include self-evaluation of individual Board members, site plan review, employee evaluation procedures, possible new B/S office structure, etc.

9:28 p.m. Raphaela Rozanski moved, James Brodeur seconded, to enter into Executive Session for negotiation strategy for union and non-union personnel, not to return to public session; Mrs. Rozanski: aye, Mr. Brodeur: aye, Mr. Downing: aye.

Respectfully submitted,

  
James J. Brodeur, Clerk

  
1/12/98



## BOARD OF SELECTMEN

185 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

November 24, 1997

- 7:00 Open Meeting, Sign Warrants  
Approve minutes of 11/17/97  
meeting.
- 7:01 Holiday Parade Committee.
- 7:10 Robert Speroni and Wayne Vinton regarding  
evaluations of Shirley Heaton.
- 7:30 Discuss and vote on Town Administrator  
Committee Reports  
Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF NOVEMBER 24, 1997.

1. Norfolk County survey on purchasing of electricity and natural gas????
2. Vote and sign Application for Employer Assisted Education for Sgt. Tingley.
3. Vote on Entertainment License request for Sabina Doyle's for November 26, 1997.
4. Sign amendment to employee agreement for pay of overtime to a Superintendent working outside of his/her department.
5. Vote and sign Change Order #8 for Library renovations.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 24, 1997

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:01 p.m.- Members of the Parade Committee met with the Selectmen to inform them of the Holiday Parade scheduled for November 29th, leaving the High School at 4 p.m. to Choate Park. Honorary co-marshalls of the parade were Fred Tingley and Bob Goode. This year they decided to have fire truck decorating contest, and pictures would be still be taken with Santa at the Park. Maryjane White introduced members of the Committee including Wayne Vinton, Sandy Bennett and Debbie Williams.

7:03 p.m. - Lee Henry introduced two members of the High School Community Service program who assisted in the road inventory program, Colin McCarthy and Peter Garian. Others who could not be here but helped include: Paul Driscoll, John Fasolino, Thomas Gilbert and Chris Reneau. On behalf of the Town, Mr. Henry presented the two students with certificates of appreciation, noting that it took the students only ten days to complete the project of updating the roads per a State request.

7:09 p.m. - Mike Narducci came before the Board to request a second extension on his roadway access permit for Summer and Highland Streets. He noted that they were just not able to complete the work by the end of today as hoped, and asked for at least one day more, if not two. Mrs. Rozanski moved to extend Roadway Access Permit #97-38 through the close of business on November 26th; Mr. Brodeur seconded; all aye.

7:12 p.m. - Bob Speroni and Wayne Vinton came before the Board regarding their evaluations of Shirley Heaton. Mr. Downing said, rather than do the individual employee's 14-step process, this is to get an overview of the employee and how that individual is contributing to the department.

Chief Vinton said he did the 14 steps and gave examples of how Mrs. Heaton goes above and beyond. Mr. Downing asked about an

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 24, 1997

overview of the department? Mr. Brodeur noted that the employee had requested an executive session, but if they don't address the evaluation, they don't need an executive session. Mr. Downing said they are not reviewing the evaluation form.

Mrs. Rozanski asked if Chief Vinton and Mr. Speroni did the evaluations together, because the scores were the same. They said they did not.

Mr. Brodeur explained one of the reasons for this discussion is to compliment people. Mr. Speroni just stated she was doing an excellent job with the department, especially with the increase in growth and building activity, and he had no complaints. Chief Vinton stated she did a great job of interacting between departments. Both said they recommended a merit increase for Mrs. Heaton.

Mr. Downing said if they have exemplary employees, they want to recognize them.

On a side issue, Mr. Brodeur asked both if they knew the status of the building across the street that experienced a fire? Mr. Speroni explained that Mr. Stevens still did not know what course he would take but several options were open to him after a structural analysis was done.

Mrs. Rozanski moved to approve the evaluations of Shirley Heaton with 45 points by Bob Speroni for the Building Department and Chief Wayne Vinton for the Fire Department; Mr. Brodeur seconded; all aye.

Mrs. Rozanski said it was too bad some of this material was not released; it was good, and we discuss only the positive people, not the negative ones. Mr. Downing reminded them some of the material could be included in the annual town report. The Fire Chief noted his car had died and he was using the brush truck.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 24, 1997

- The Chairman signed the grant for the Housing Authority for the comprehensive improvement assistance program previously approved by the Board in the amount of \$255,000.
- With reference to the Metrowest invitation, Mrs. Allen felt it was part of Columbia, so Mr. Downing asked that the invitation be passed on the School Nurse and the Board of Health.
- With reference to the minutes of November 17th, Mr. Downing made a correction, and then Mr. Brodeur moved that the minutes of November 17th be approved as amended; Mrs. Rozanski seconded; all aye.
- At this time, the Town Administrator Search Committee came to meet with the Board, and Paul Wilson quickly quipped he resigned from that Committee; this was unanimous from the other members present including Mary O'Leary, David Consigli and Chris Lorenzen.

Mr. Brodeur stated the Board met on Friday with the Town Administrator Search Committee and interviewed the two finalists for the position of Town Administrator in public session with the press present. This had been narrowed down from five applicants selected for the Board. Mr. Brodeur said, in a three-hour interview and discussion session, they interviewed Rosemary Cashman from Weston, Connecticut and Michael Hartman from Warren, Rhode Island.

Mrs. Rozanski said both candidates were excellent and similar. They both organized the position of Town Administrator in their communities for the first time. They handled personnel and dealt with organizational skills. They had earned their degrees-Rosemary a masters in planning and a BS in business administration; Michael a BA in business administration.. Rosemary had been a Vista volunteer, and Michael had experience in management. She noted their scores were close.

Mr. Downing said, educationally, they were on par and equally were

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 24, 1997

bringing experience to the table. Speaking about Rosemary, her experience as a former Selectman in Amesbury and Chairman of a Search Committee for a Town Administrator, she can relate to superiors, understands the political process and how to set it straight. He was endorsing Rosemary Cashman as a finalist.

Mrs. Rozanski agreed, especially with her experience as a treasurer, elected official and Vista volunteer.

Mr. Brodeur said they both had to start teamwork since there had been no Town Administrator and were beginning from scratch. From the start, Michael had to deal with an antagonistic group. Rosemary had to utilize organizational skills for the departments; had an open door policy for labor relations; and would not leave until the budget was done.

Mrs. Rozanski moved to offer the position of Town Administrator to Rosemary Cashman; Mr. Brodeur seconded; all aye.

Mr. Downing stated that two members of the Search Committee visited the towns of where Rosemary and Michael worked, and the Police Chief had done background checks on both on behalf of the Board.

With reference to Allan Fraser's letter asking for the opportunity to have the Board choose from a slate of eight candidates, Mr. Downing stated that the Screening Committee had been comprised of citizens-at-large and this Board endorsed that Committee putting its trust in that Committee to review all the applications from 104, to 20, to 10, to 5, to 2.

Mrs. Rozanski said all the applications need to be turned over to the Selectmen and they will be kept confidential. Mrs. Allen agreed saying it was a State law. Mr. Downing thanked the Committee on behalf of the Board, and said he would contact Mr. Hartman after getting together with Mr. Wilson.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 24, 1997

7:50 p.m. - COMMITTEE REPORTS.

- Mrs. Rozanski.
- Mrs. Rozanski said the IDC have put together the reimbursement forms for the traffic study.
- Mrs. Rozanski said the trailer is on site for the senior center and will be meeting on Tuesday, December 2nd. She said the contract is not back yet as it went to Town Counsel for corrections.

Mr. Downing noted the letter received from DHCD, and asked Mrs. Rozanski if it was in compliance. She stated it was, and no funds had been expended yet.

- Mr. Brodeur.
- Mr. Brodeur said he would be attending the Planning Board meeting on November 25th to discuss various plans, i.e. the Hatchery, Akin Acres and Ellis Farms.

The Board discussed the intersection of Walnut Lane and Ellis Street. Mr. Brodeur recalled he was on the Board when they talked about reconstructing the intersection. Mr. Downing noted Mr. Henry's comments and suggested Mr. Brodeur talk to Mr. Henry and Mr. Power about the communication from PMP Associates. Mr. Brodeur felt whatever was best for safety should be the way to go.

- It was noted that evaluations need to be done for Ruth Allen, Bob Speroni and Arti Mehta. Mrs. Rozanski asked if they needed to go to the JCRB? Mr. Downing said first they do the evaluations. Mrs. Rozanski asked about doing them in public session. Mr. Downing suggested they first do the evaluations, then review. Mrs. Rozanski asked if they should do them individually? Mr. Downing said yes.

- ACTION ITEMS.



MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 24, 1997

- The Board noted the letter from Norfolk County on the survey for purchasing electricity and natural gas. They said they would be interested in purchasing countywide electricity and natural gas.
- Mr. Brodeur said that most offices would be closed the day after Thanksgiving except the Water/Sewer Department and the Assessors Office. Mrs. Rozanski commented that employees would be either taking a personal or vacation day or comp time.
- The Board acknowledged the application for employer-assisted education for Sgt. Allen Tingley. Mr. Brodeur approved the two courses for Sgt. Tingley for a total of \$1,012; Mrs. Rozanski seconded; all aye.
- An entertainment license for Sabina Doyle's was given to the Board for a duo the evening of November 26th from 8 p.m. to midnight. Mr. Brodeur moved approval of that license expiring that evening at midnight; Mrs. Rozanski seconded; all aye.

For the record, it was acknowledged that there had been no complaints with the previous times the duo had appeared.

- The Board noted that a snow removal problem had not been resolved with the Town Accountant and the Treasurer, although the Selectmen and Union had reached an agreement on the subject. Mrs. Allen said the decision and vote had been reached at the March 31st meeting, but now the Board needed to sign the formal notification to payroll. The letter was to the Town Accountant stating that Fred Sibley would be paid at a grade 6, step 6 at time-and-a-half for over 40 hours per week or 8 hours in one day. Mrs. Rozanski did not sign the agreement as she was not involved in the decision-making process.
- The Board reviewed change order #8 for Library renovations, which had been reviewed and signed by the Clerk of the Works. Mr. Brodeur moved to approve change order #8 dated 11/14/97 to O'Connor for \$4,117; Mrs. Rozanski seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 24, 1997

- The Board signed the reimbursement request for engineering services for Cottage Street in the amount of \$7,272.50. Mrs. Allen noted that the biggest jump was in police details which came to \$22,000 instead of \$3,300 as originally estimated.

Mrs. Rozanski moved approval of change order #6 through October 14, 1997 for Tornare in the amount of \$62,903.73; Mr. Brodeur seconded; all aye.

- Mr. Downing noted the copy of the MAPC traffic calming article and felt it was very informative. This brought into conversation the use of some of the suggested techniques for Route 109, with the Board feeling diagram #5 with street narrowing was an interesting concept.
- Mrs. Rozanski noted she had written to DHCD on behalf of the Technology Committee. The Board will keep a close follow-up on this with hopefully an answer by December 2nd.
- The Board noted receipt of the letter to the Police Chief from the Medway Community Nursery School thanking Officers Mitchell and Boultenhouse and Mr. McGruff for their safety talk.
- At this time, Mr. Downing said he would like to introduce the thought of a special town meeting on either January 26th or February 2nd. As part of the reason for the STM would be to put on the restructuring of the Park Department to Recreation, and possibly Treasurer/Collector to an appointed position. Mr. Downing said with the new legislation approved by the Governor from the April town meeting warrant, a town meeting needs to be held 90 days prior to being placed on the ballot for vote.
- The Board signed warrant #22 for \$519,619.45.

8:50 p.m. - Mr. Downing noted a need for executive session for contract negotiations, not to return to public session. Mrs. Rozanski moved the Board adjourn to executive session for the purpose of

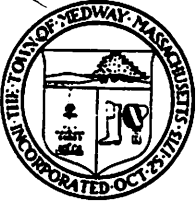
MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 24, 1997

strategy for contract negotiations not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - yes; Mrs. Rozanski - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*[Handwritten signature]*  
12/15/97



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

November 17, 1997

- 7:00 Open Meeting, Sign Warrants  
Approve minutes of 11/10/97  
meeting.
- 7:05 Kathryn Hill regarding appointment  
to the Conservation Commission.
- 7:15 Kelly O'Rourke, Municipal Technology  
Committee
- Committee Reports
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF NOVEMBER 17, 1997.

1. Sign Boston Edison request for pole locations at 72 Oakland Street for Senior Center Building.
2. Approve Board of Health request for use of Town Counsel regarding a property in town.
3. Attendance at Cable Television Division hearing on Time Warner for basic tier rates.
4. Request for Street Light at 28 Maple Street.
5. Approve Estimate #6 from Tonare Construction - Cottage and Evergreen Street drainage project \$62,903.73.
6. Sign Merit Increase form for Highway Mechanic.
7. Sign New Employee Notification for Highway Department.

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 17, 1997**

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Administrative Assistant Ruth Allen.

**7:05 p.m.** - Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Kathryn Hill was present to meet with the Board to discuss her interest in being appointed to the Conservation Commission. Ms. Hill explained her interest in the environment and the Charles River, and now that her children were older, had some time to give to community service. She indicated her background was in social services but was willing to learn.

Mrs. Rozanski moved to appoint Kathryn Hill to the Conservation Commission for the unexpired term of Michael Wiles through June 30, 1999; Mr. Brodeur seconded; all aye.

- Warrant #21 was signed in the amount of \$341,627.66.

**7:15** - Municipal Technology Chairman Kelly O'Rourke, along with member Bob Doherty, and Town Accountant/Computer Systems Manager Arti Mehta, came to speak to the Board about where technology stood at Town Hall.

Ms. O'Rourke said Mrs. Mehta was involved because she was the Town Hall's liaison to the Committee and what they do could affect the computer systems. Mrs. Mehta had provided them with information to make sure the Committee was aware of what was going on. Ms. O'Rourke said a professional will be coming to Town Hall to review the technology, and they were especially concerned about Mrs. Mehta being disrupted with any work that is done.

Mr. Downing inquired as to what their scope for upgrade was? Ms. O'Rourke said they would be meeting with a vendor on Wednesday for just such a purpose; however, she felt everyone should be capable of communicating with one another, i.e. e-mail and printers. She said they had no goals yet, but they need to see what is lacking and do a needs assessment leading inside and outside of the Town Hall, i.e. payroll from the school to Town Hall.



**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 17, 1997**

Mrs. Rozanski asked about a scope of services, and Ms. O'Rourke indicated that would be discussed on Wednesday. Mrs. Rozanski asked about cost, and Ms. O'Rourke said the vendor, Sumaria of Wakefield, estimated around \$18,000. Mrs. Mehta said the vendor has a State contract, therefore the State did all the work process for us already and put them on the State bid list. Mrs. Rozanski added the needs assessment could then be done quicker than going out for an RFP.

Ms. O'Rourke said her Committee was interested in any changes in hardware, growth, what the employees need, developing a plan of action, eliminating duplicate paper processes. Mrs. Rozanski asked about a timeline, and Mrs. Mehta said if they have funding, the assessment could be done in December with a recommendation in time for the Annual Town Meeting. She felt it had to be in place by the year 2000, and that the cost of the needs assessment was an appropriate action to the FinCom. Mrs. Rozanski noted the Technology Committee liaison from the FinCom was Frank Hillery who was also on the Audit Committee.

Mr. Downing had some reservations as he knew some information was already available from Peer to Peer and the MMA Consulting Group. He thought <sup>the use of</sup> Sumaria was similar to <sup>the use of</sup> a public accounting firm <sup>working for the town & doing an audit</sup> and he had a problem taking advice from <sup>an</sup> in-house consultant. Mr. Doherty said they could pre-set review criteria and come up with a revised proposal so it can be independently answered.

Mr. Downing mentioned the Peer to Peer process under a state grant system as an outside consultant at no cost to the Town, which could be done in two weeks. Mrs. Rozanski added that 40 hours of service can be given and then a price on scope of services could be given.

<sup>Doherty</sup>  
Mr. ~~Kach~~ said that everyone has been talked to over the past two years and they know what everyone has and what they need.

Mrs. Rozanski said she and Mr. Downing were familiar with what would be required for DHCD, and a one page document could be drawn up. Mr. Downing asked that they wait at least until next week, and Mrs. Rozanski was given permission by Mr. Downing to write a cover letter request to DHCD.  
page 2.



**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 17, 1997**

With reference to the Town Hall, Mr. Downing noted there would be no technical changes to the telephone system. When the new cable contract is signed, a copy will be given to the Committee. He also said that it was just a personnel move going on in Town Hall, and work would be concentrated on that and painting. Ms. O'Rourke said that Mrs. Mehta was their contact and they were concerned about the relocation of her hardware. Mrs. Mehta said that included her computer, printer, hardware which had to be with her and her assistant.

Mr. Downing noted the Town Administrator will decide on some of these issues. Lee Henry, a member of the Municipal Facilities Study Committee, was present and added that the plan is basically for dividing up existing space, not space utilization, and the Committee is trying to get a scope of the work to be done. He also said to delay further work bothers the Committee as the Sheriff's Department has agreed to help with the painting and construction work, not the electrical and carpeting. Painting would start in two weeks, with construction to begin after January 1st. We need to take advantage of their willingness to help when they are able to give it.

Mr. Downing suggested reviewing the Committee's proposal in two weeks, with Mrs. Rozanski saying if they do not hear from DHCD in two weeks, then the Board could move on the Committee's proposal.

**8:00 -** Mike Narducci was present to request an extension on his roadway access permit for Highland and Summer Streets as they had started this week to do the work and hit ledge halfway Highland Street. He asked for the rest of this week to finish.

Mr. Downing suggested giving Mr. Narducci through the end of the work day on November 24th. Mr. Henry said he had to deny Mr. Narducci the extension as part of the permitting process with permission given by the Selectmen.

Mrs. Rozanski moved to extend roadway access permit #97-38 for Summer and Highland Streets through the end of the work day on November 24th; Mr. Brodeur seconded; all aye.

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 17, 1997**

**8:05 -** Mrs. Rozanski moved approval of the minutes of November 10th; Mr. Brodeur seconded; Mr. Downing had some questions and comments to be made. Some changes were made. At this time, Mr. Brodeur moved to send a letter of support to Rep. Marie Parente concerning the railroad station she was fighting for. Mrs. Rozanski said there were many issues involved and to keep their options open, rather than a blanket endorsement. She said there were assessments involved, and maybe the Medway Business Council can help to distribute more information or even sponsor an information night. Mr. Downing agreed there was interest in continuing the line.

Mr. Downing asked Mrs. Allen if she could draft a letter to Rep. Parente with a cc: to Sen. Magnani and Rep. Gardner, along with others on Route 109 and the Medway Business Council.

The minutes previously noted were approved as amended; all aye.

**- Committee Reports.**

**- Mrs. Rozanski.**

Mrs. Rozanski reported attending the UCC meeting where Treasurer Malone spoke concerning the State's priorities which are education, public safety and economic development.

**- Mr. Downing.**

Mr. Downing said he met with Don Springer, Chairman of the Planning Board, concerning the Secretary's position and other information needed. Mr. Downing suggested Mr. Springer review the criteria he was given with the rest of his Committee and then sit down with Mrs. Allen.

**- Mrs. Rozanski.**

Mrs. Rozanski said she recently spoke to JoAnne O'Leary of Boston Edison and it looks as if a line will be run to the soccer field .

**- Mr. Downing.**

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 17, 1997**

Mr. Downing said on Wednesday he went to the Norfolk County Advisory meeting where budget issues were discussed and an update on the Mass. Respiratory Hospital was given.

Mr. Downing said he met with the Master Plan Committee on Thursday at which time they drafted a mission statement. Final adoption will be on November 24th. He stated they want a citizen survey to go out in December, maybe with the census and returned with the census.

Mr. Downing stated on Saturday morning, he and Mrs. Rozanski met with Rep. Gardner and Sen. Magnani in Framingham for a forum with three panels of guests on a variety of issues. One of which was telecommunications, and the message was passed on to keep it within MAPC for Medway and surrounding communities. Priorities were taken from the group and another meeting will be held.

Mr. Downing said on Saturday afternoon, he and Mrs. Rozanski met with the Town Administrator Search Committee in executive session for an update. Of the five people, it has been narrowed to two finalists. The Committee is making arrangements to meet with the Board on Friday at 4 p.m. at 165 Main Street in executive session with both candidates as they are still employed.

- **Action Items.**

- The Board noted receipt of the request from Boston Edison for approval of two poles at 72 Oakland Street for the senior center. Mr. Brodeur moved approval of the request as submitted; Mrs. Rozanski seconded; all aye.

- Mr. Downing acknowledged that he had authorized the use of Town Counsel by the Board of Health as it was an emergency. He noted, however, that Ron Wilson of the Water/Sewer Board had also asked him verbally for the use of Town Counsel with regard to the possible citing of a new well. Mrs. Rozanski moved to grant the request for the use of Town Counsel by the Water/Sewer Board; Mr. Brodeur seconded; all aye.

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 17, 1997**

- The Board noted receipt of a letter from Cable Television stating a hearing would be held on rates on December 5th in Boston. Mr. Brodeur wondered if anyone would be going, and Mrs. Rozanski said she would mention it to the Cable Advisory Committee.
  - The Board noted the request for a street light to be placed near 28 Maple Street. Mrs. Allen checked the area and agreed it does pose a hazard. Mr. Brodeur moved the Safety Officer review this and advise; Mrs. Rozanski seconded; all aye.
  - The Board was asked to approve estimate #6 from Tonare Construction in the amount of \$62,903.73 for the Cottage and Evergreen Street project. Mr. Downing wanted more information as the numbers seemed to conflict and he wanted a more detailed explanation. It was requested this be held off until next week after Mrs. Allen contacts GCG, since Mr. Brodeur was also concerned about overruns.
  - The Board signed the merit increase for George Cole going from a grade 7, step 5 to a grade 7, step 6.
  - The Board was advised of the recommendation of the Acting Highway Superintendent to hire John Forgione to the position of operator/laborer at a grade 4, step 1 effective November 24th. The notification was signed by the Board, and Mr. Downing commended the Highway Department for the recent handling of the ice/snow storm. He did note that work would begin soon on the resurfacing of Village Street which the storm hampered from starting this week.
  - The Board signed the notification of resignation of Sandra Collum as Data Entry Clerk for the Board of Health.
  - The Board was in receipt of a letter from Metrowest Health inviting the Board to a breakfast with different area communities. Mr. Downing said he could go but requested additional information.
  - The Board was asked to sign the intermunicipal agreement for Animal Control Services with Millis. Mr. Brodeur moved to endorse the agreement for services as submitted from July 1, 1997 through June 30, 1998; Mrs. Rozanski seconded; all aye.
- page 6.

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 17, 1997**

- Mrs. Allen told the Board the FinCom did not sign the emergency transfer for the telephone system because of lack of information. She asked if she could take the cost out of the Town Hall budget which was at \$29,000 at this time? She noted the constant failures and that the system had been in place since 1988, with no replacement parts available. Mr. Downing said he hated taking the money out of that account but would recommend to go ahead and do it and then try and replenish it back from the FinCom. Mrs. Rozanski moved to authorize Mrs. Allen to go ahead with the system; Mr. Brodeur seconded; all aye.

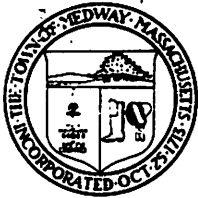
The Board noted there were three openings on the FinCom, and they need one resignation from a member that does not attend meetings.

9:20 - Mr. Downing noted the need for a brief executive session, so Mrs. Rozanski moved they adjourn to executive session for the purpose of strategy for contract negotiations with union and non-union personnel, not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - yes; Mrs. Rozanski - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette, Secretary  
mj

*Approved and  
signed  
11/24/97*



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

November 10, 1997

- 7:00 Open Meeting, Sign Warrants  
Approve minutes of 11/3/97  
meeting.
- 7:15 Robert Power regarding the  
evaluation of George Cole.
- Committee Reports
- Action Items
- 8:00 Mary Jane White regarding the  
evaluation of Patricia Sampson

ACTION ITEMS FOR SELECTMEN'S MEETING OF NOVEMBER 10, 1997.

1. Vote on Emergency Transfer Request for Animal Control Agreement with Millis.
2. Sign Emergency Transfer Request for replacement of the Town Hall telephone system.
3. Sign Notification of Transfer for Barbara Walls to the Treasurer/Collectors office.
4. Selectmen Downing and Selectmen Brodeur - Attendance at MMA annual meeting and trade show????????
5. Sign permit for New England Telephone for pole locations at the site of the Senior Center Building.
6. Sign amendment to lease at Medway Shopping Plaza for the Library.
7. Vote and sign Change Order #7 for the library renovations.
8. Sign proposal/contract with Lorusso Corp for catch basin and man hole adjustments prior to paving.

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 10, 1997**

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Administrative Assistant Ruth Allen.

7:05 p.m. Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Warrant #20 was signed totalling \$866,792.64.
- Mr. Downing asked Mrs. Allen about the status of the West/Granite Street project. Mrs. Allen said it was first on the list with Mr. Henry.
- Mrs. Rozanski moved approval of the minutes of November 3rd; Mr. Brodeur seconded. At this point, Mrs. Rozanski made some comments about the wording of some paragraphs resulting in some changes, as did Mr. Downing; all aye on the amendments.

7:15 - Acting Highway Superintendent Bob Power was present with regard to Mechanic George Cole's evaluation. Mr. Downing said they would not be discussing Mr. Cole's evaluation, but an overview of the department's performance with Mr. Cole and any other comments Mr. Power had.

Mr. Power stated that Mr. Cole, especially, was an excellent employee and asked why the Board was questioning him - did they not trust his judgment? Of all the people he has, he is the most outstanding and way underpaid. In seven years, he has received an additional \$2.19, and now we are asking for \$.60 more an hour. Mr. Power said he should be at the top step 8 of his grade. He has saved the Town thousands of dollars with the work he has done. He said he knew no one was indispensable, but it would be hard to get along without him. He stated that Mr. Cole works hard with everyone; uses his skills in welding, pre-fabricating equipment; pulls sanders off; diagnoses problems with vehicles without any special diagnostic equipment.

Mr. Power said the biggest question he has is if a supervisor passes an employee, what good is the evaluation if the Board doesn't trust his judgment?



**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 10, 1997**

Mr. Downing stated this is public recognition of a job well done. It is a means or avenue to reward exemplary employees. He said if Mr. Power was coming tonight in a defensive or controversial manner, he apologized for that. Mr. Power agreed he was getting the same feedback.

~~Mr. Downing this was not a means of rubber-stamping the rank and file.~~ It was not the Board's intent to change or alter the comments on the evaluation form.

Mrs. Rozanski stated this was a positive experience to praise the employee. If the 42 had not been achieved, you would not be here. This is not a review; it is a presentation.

Mr. Power said he was looking at the step 8; however, Mrs. Rozanski said the Board has to look at the contract language. Mr. Power further elaborated on Mr. Cole saying the Board has received information on the Mechanic having his own department, as he does his own phone calls; goes out for quotes; does his own paperwork.

Mr. Downing commented it is a shame on the supervisor for not having spoken up for him in the past. He said he has asked Mr. Henry to look at the whole department for adjustments at budget time, and to create a presentation to the Board. Mr. Downing said they have to advertise if they create a new position; however, Mr. Power said the first choice is in-house.

Mr. Brodeur said Mr. Power has given the most valid reasons for an evaluation score of 46; therefore, Mr. Brodeur moved to approve the evaluation of George Cole with a score of 46 for a step increase for Mr. Cole executed on September 19th; Mrs. Rozanski seconded; all aye. Mr. Downing added that Mr. Cole be told they appreciate his hard work, and recommended Mr. Power look at the department's budget.

- **Committee Reports.**

***MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 10, 1997***

- Mrs. Rozanski.

Mrs. Rozanski said the IDC had a meeting last week and they are proceeding with the marketing letter.

- Mr. Downing.

Mr. Downing brought up the meeting with the Medway Business Council recently attended. He said it was a good dialogue on the Route 109 traffic flow. He stated he advised the Council to investigate the different options, i.e. traffic lights; reconfiguration of traffic flow to relieve congestion. Mr. Downing said he would meet with Mr. Henry and Chief Lambirth to also put something in motion to investigate further.

- Action Items.

- The Board was given an emergency transfer request for insufficient funds for Animal Control. Mrs. Allen stated that the FinCom had not approve the full appropriation the Board requested.

Mrs. Rozanski moved to send the transfer on to the FinCom in the amount of \$1,231.00; Mr. Brodeur seconded; all aye. It was noted that the joint agreement with Millis cannot be signed until the funds are in place.

- The Board was given an emergency transfer request for the replacement of the Town Hall telephone system. The Administrative Assistant and Secretary told the Board the system was down again today and more often on a regular basis lately. Since the Board had already approved the \$7,744.00 last week, the Board signed the transfer request.
- Mrs. Allen gave the Board the notification of transfer for Barbara Walls from the Town Accountant's office to the Treasurer's office. Since this was a transfer from one department to another, Mr. Brodeur

Admiral I. J. A.

2025 RELEASE UNDER E.O. 14176

The Board was given an emergency request for the equipment of the Town Hall telephone system. The Administrative Assistant and Secretary told the Board the system was down again today and more often on a regular basis. Since the Board had already approved the \$2,441.00 last week, the Board signed the transfer request.

Since the two men had been out together for a long time, it was not surprising that they had become friends. The two men had been out together for a long time, it was not surprising that they had become friends.

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 10, 1997**

moved to endorse the transfer of Barbara Walls effective November 24th to Assistant Treasurer/Collector at a grade 7, step 1 at \$12.93/hr.; Mrs. Rozanski seconded; all aye.

- Mrs. Allen gave the Board the change in status of David Sucharzewski as Water Systems Operator. Mrs. Rozanski moved to endorse and approve the change in status of David Sucharzewski to a grade 7, step 1 at \$12.93/hr. effective November 10th; Mr. Brodeur seconded; all aye.
- With reference to the MMA annual meeting and trade show, Mr. Downing and Mr. Brodeur said they would attend; Mrs. Rozanski had already said she would attend.
- The Board had a permit from New England Telephone for two poles to be located at the senior center building location. Mrs. Allen said they need the owner's permission to be on private property. Mr. Brodeur moved to approve the location of the poles subject to the request and receipt of a corrected copy of the plan and information; Mrs. Rozanski seconded; all aye.
- The Board was in receipt of the amendment to the lease at the Medway Shopping Plaza for the Library. Mrs. Allen stated Town Counsel had approved it after making corrections, and now was being returned to the Board for signing. Mr. Brodeur moved the lease be endorsed as revised and the Chairman be authorized to sign; Mrs. Rozanski seconded; all aye.
- The Board was in receipt of change order #7 for the Library renovations in the amount of \$8,537 dated October 14th. The Board was aware of a list of PCO's already given to them, so Mrs. Rozanski moved approval of change order #7 in the amount of \$8,537 for the Library; Mr. Brodeur seconded; all aye. The Board hoped that Clerk of the Works John Boczanowski had already seen the change order and approved it, and Mrs. Allen confirmed that Philip McNulty has so stated. Mr. Brodeur commented that it would be appreciated to see Mr. Boczanowski's approval somewhere on any future change orders

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 10, 1997**

from the Library. Mr. Downing noted that the Clerk of the Works for the new school was full-time with a computer and a trailer; Mr. Boczanowski is part-time. Mrs. Rozanski agreed, however, that some verification from Mr. Boczanowski would be good.

- The Board was in receipt of a proposal/contract from Lorusso Corp. for the adjustment of catch basins and man holes at \$125.00 each. Mrs. Allen stated that Lorusso has the paving contract so this adjustment is part of their award. The Board requested that the completion date of the contract be changed from 12/31/98 to 6/30/98. Mrs. Allen was also asked to confirm that this was part of the paving contract and did not have to go out to bid.
- The Board signed the Cops Fast grant award.
- The Board noted their copy of the Building Inspector's letter to Walter Swift regarding the waiver of a site plan review being granted for the greenhouse. Mr. Downing said the Board endorses Mr. Speroni's endorsement, but to ask for a copy of the plan attached to Mr. Swift's letter for the Selectmen's site plan files and the Town Clerk's.
- Mrs. Allen stated that Kathryn Hill was asked to meet with the Board on November 17th concerning her request to be appointed to the Conservation Commission.
- The Board noted receipt of a letter from the Norfolk County Engineers stating they had completed its work on the Idylbrook Farm property. Mr. Brodeur read part of their letter and noted they were currently involved in putting together the ground work for the survey and plans for Summer Street.
- 8:15 - Town Clerk Maryjane White was present with regard to the evaluation of her Assistant Patricia Sampson. Mr. Downing said they would not be getting into the specifics of the individual's evaluation. Mrs. White told the Board Mrs. Sampson had asked not to be discussed on TV. Mr. Downing said they had Mrs. White's comments and they would not be addressing them.

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 10, 1997**

Mr. Downing said he stood up at Town Meeting and stated the evaluation form would not be used by the Board as a rubber stamp. He said they were not here to question her performance, but to discuss how she contributes to the department. He thought they had reached a consensus last year, and that until it is revised, they have to live with it and have to work within the parameters of the evaluation form. If there are hurt feelings, he said he hoped they don't last.

Mrs. White stated she was upset at being called unprofessional because of a difference of opinion. She said she had explained her feelings of frustration and to be called unprofessional was unfair. She would not hold Pat hostage as the appropriation was in the budget last year.

Mr. Brodeur wanted to know why they were discussing last year?

Mrs. Rozanski said that tonight was a presentation, and was 56 an appropriate score? Mrs. White said it was, and she would discuss it in executive session, but not on TV.

Mr. Brodeur said he wanted to address Mrs. White's comments; but she said, not on TV. Mr. Brodeur said he wanted to address this without the executive session, and not the wording of the comments, but the lack of examples.

Mr. Downing said if he had concerns with the process, to put in it writing to the supervisor. Mr. Brodeur felt this whole thing was ludicrous, with Mrs. White agreeing. Mr. Brodeur added that the form asked for examples; both parties agreed. Mr. Downing again stated that if the form does not meet with his approval, to send a memo to the supervisor, and if he had questions on certain ones, to site those examples. The 56 stands.

Mrs. Rozanski said they were not asking to change the score; they were only asking how she came to that conclusion; it needs further clarification. Mr. Downing again said to get any concerns to the

**MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 10, 1997**

Office, and it will be passed on for additional information. Mrs. Rozanski said part of this is to commend Pat; but Mrs. White said if she gets a 56, that's being commended. Again, Mr. Downing said to get written comments to the Office for further elaboration, and they can vote on it next week.

- Mr. Downing asked Mrs. Allen to post a meeting for Saturday, November 15th at 2:00 p.m. for a joint meeting with the Town Administrator Search Committee at Chicken Brook.

Mr. Downing said the <sup>Search</sup> Committee did a conference call <sup>on Sat Nov. 8th</sup> with four candidates, ~~and the full Committee already~~, and they will do one more <sup>Nov 15th</sup> this Saturday. They want to know where the Board is going? Before they give the names to the Selectmen, the candidates need to know what <sup>they're</sup> ~~were~~ looking for.

- 8:35 - Mrs. Rozanski moved to adjourn to executive session for the purpose of contract negotiations for union and non-union personnel, and possible litigation, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - yes; Mrs. Rozanski - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette, Secretary  
mj

*original  
for original  
11/17/97*



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02063  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

November 3, 1997

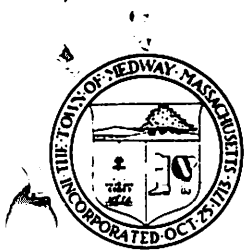
- 7:00 Open Meeting, Sign Warrants  
Approve minutes of 9/29, 10/6,  
10/22 and 10/27 meetings.
- 7:05 James Glich regarding request for  
appointment to the CIPC.
- 7:10 Harry Johnson to discuss the Cape Cod  
Compact.
- 7:30 EMS Study Committee

Committee Reports

Action Items

- 
- 12. DISCUSS ATTENDANCE AT WORKSHOP IN FRAMINGHAM ON 11/15.
  - 13. NOTE TO VIEWING AUDIENCE OF WORK TO BE DONE BY WATER/SEWER  
DEPARTMENT SMOKE-TESTING SEWERS.
  - 14. BOARD'S COMMENTS ON INTERIM DPS ADMINISTRATOR'S MEMO TO  
PLANNING BOARD RE: ELLIS STREET.
  - 15. INTERIM DPS ADMINISTRATOR'S MEMO RE: LETTERS BEING READ INTO  
MINUTES.
  - 16. ACKNOWLEDGE RECEIPT OF MEMO FROM INTERIM DPS ADMINISTRATOR  
RE: ROAD INVENTORY & STUDENT INVOLVEMENT.
  - 17. NOTE TO VIEWING AUDIENCE OF ROAD PAVING SCHEDULE IN NOVEMBER





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

November 3, 1997

- 7:00 Open Meeting, Sign Warrants  
Approve minutes of 9/29, 10/6,  
10/22 and 10/27 meetings.
- 7:05 James Glich regarding request for  
appointment to the CIPC.
- 7:10 Harry Johnson to discuss the Cape Cod  
Compact.
- 7:30 EMS Study Committee

Committee Reports

Action Items

**ACTION ITEMS FOR SELECTMEN'S MEETING OF NOVEMBER 3, 1997:**

1. SET DATE FOR GRIEVANCE HEARING.
2. AWARD CONTRACT FOR NEW SENIOR CENTER BUILDING.
3. DISCUSS LETTER FROM THE BOSTON REGION LOCAL MPO SUBCOMMITTEE REGARDING THE TIP LIST.
4. ACKNOWLEDGE LETTER FROM PAUL WILSON REGARDING THE SALE OF LAND ON LOVERING STREET.
5. EVALUATIONS OF GEORGE COLE AND PATRICIA SAMPSON.
6. VOTE ON REQUEST OF THE PLANNING BOARD FOR USE OF TOWN COUNSEL REGARDING BROAD ACRES ESTATES SUBDIVISION.
7. DECISION OF THE BOARD CONCERNING CIDER MILL IV INQUIRY.
8. REVIEW OF SPERONI ACRES DEFINITIVE PLAN & ANY COMMENTS.
9. VOTE ON REQUEST OF THE LIONS CLUB FOR THE ANNUAL CHRISTMAS TREE SALE PERMIT.
10. SIGN LIBRARY CONTRACTS FOR F.F. & E.
11. DISCUSS LETTER FROM MMA CONCERNING RELEASE OF CONSUMPTION DATA.
12. DISCUSS ATTENDANCE AT WORKSHOP IN FRAMINGHAM ON 11/15.
13. NOTE TO VIEWING AUDIENCE OF WORK TO BE DONE BY WATER/SEWER DEPARTMENT SMOKE-TESTING SEWERS.
14. BOARD'S COMMENTS ON INTERIM DPS ADMINISTRATOR'S MEMO TO PLANNING BOARD RE: ELLIS STREET.
15. INTERIM DPS ADMINISTRATOR'S MEMO RE: LETTERS BEING READ INTO MINUTES.
16. ACKNOWLEDGE RECEIPT OF MEMO FROM INTERIM DPS ADMINISTRATOR RE: ROAD INVENTORY & STUDENT INVOLVEMENT.
17. NOTE TO VIEWING AUDIENCE OF ROAD PAVING SCHEDULE IN NOVEMBER.

**AGENDA - 11/3/97**  
**PAGE 2.**

- 18. APPROVE INTERIM DPS ADMINISTRATOR'S RFP FOR ENGINEERING SERVICES FOR SUMMER AND VILLAGE STREETS.**
- 19. SIGN CHAPTER 90 PROJECT REQUEST FOR \$193,555.00 FOR PAVING OF GRANITE AND VILLAGE STREETS.**
- 20. ACKNOWLEDGE RECEIPT OF GRANT AWARDS FOR COMMUNITY POLICING AND D.A.R.E. PROGRAM.**

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 3, 1997

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Administrative Assistant Ruth Allen.

- **7:06 p.m.** Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrant #19 was signed in the amount of \$342,565.69.

- Mrs. Rozanski moved approval of the minutes of September 29th, October 6th and October 22nd; Mr. Brodeur seconded; all aye.

Mr. Brodeur moved approval of the minutes of October 27th; Mr. Downing seconded; Mrs. Rozanski abstained; all aye.

- **7:15 p.m.** James Klich came before the Board to request appointment to the CIPC. Mr. Downing stated his only reservation was his involvement with the Fire Department. He noted the CIPC's 5 year plan was delineated in the most recent FinCom book. Mr. Klich said he was on the Fire Department until this past June. Mr. Downing said he just wanted to make sure the issue was addressed.

Mrs. Rozanski moved to appoint James Klich to the CIPC for the unexpired term of Robert Ciavarra through June 30, 2000; Mr. Brodeur seconded; all aye.

- **7:23 p.m.** Harry Johnson, Chairman of the Board of Assessors, came to meet with the Board to discuss the Cape Cod Compact dealing with de-regulation of utilities.

Mr. Johnson said the Town needed to <sup>monitor</sup> ~~start~~ de-regulating utilities by January 1998. Taxes would be impacted, but there is an effort in the legislature to ensure the companies are not eligible for a manufacturer's exemption which means they would not be taxed. He said Medway might be interested in being an aggregate community so we would have the option of different users and the savings of competition.

Mr. Downing said it sounded like the Board of Assessors would like to see a sub-committee formed, and he agreed with them. He said a committee could be formed of the Chair, and then the committee would not have to post meetings. Mr. Downing said he was aware of a meeting in December on the subject, and gave

MINUTES OF THE SELECTMEN'S MEETING  
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that communication to Mr. Johnson. Mr. Johnson asked if the Selectmen would entertain the idea of forming that committee? Mr. Downing said the County had expressed an interest as well, but would rather they just continue to say they are investigating the issue.

Mr. Johnson said he had received a call from Environmental Futures and they would be running several experiments. He stated they were testing for generation, transportation, and distribution, and Medway has all three. We are a peak facility, especially being one of the best sites for transportation.

Mr. Downing said he did not want Medway to be known by its smokestacks, but he would talk to the County. Mr. Johnson said this would have an impact on the community; DPU has guaranteed stranded costs; and distribution and transmission will not be de-regulated.

Mr. Downing suggested getting together as Chairmen and try to set up a committee.

- **7:50 p.m.** Members of the EMS Study Committee met with the Board. Present were; Donald Grimes, Tim Choate, Rick Potter and Fred Sanford.

Mr. Grimes noted they had a short tape on the cadet program and would like to show it to the Board if time permitted. He asked the Board if they had any questions about the report?

Mr. Downing said he had no specific questions, but would accept it as the official presentation to the Board, not the input of others. He did not want to be quoted out of context, but he was a little resentful of how the press handled this. He had wanted to keep this professional.

Mr. Grimes stated certain recommendations were not considered, i.e. having EMS back under the Police; the EMS as a separate entity; privatizing; regionalization; and full-time EMT's or firefighters. They did this last one as a minority report.

Mr. Grimes said they recommended ending the stipend of \$300 per year, and increasing the salary for those working during the trouble time of 7 a.m. to 5

MINUTES OF THE SELECTMEN'S MEETING  
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p.m.; varied hours on the weekends, with a base of 14-15 EMT's. EMT's are presently getting \$12.41/hr. with a 2 hr. minimum and \$300/yr. stipend.

Mr. Grimes noted they researched current response times, and police (as first responders) were there in 1-2 minutes; dispatchers to advise EMT's to the scene in 2-5 minutes; and EMT's to the scene in 9-10 minutes, with mutual aid being 10-20 minutes.

Mr. Grimes stated there was no job description for EMS, and they were running under the old police guidelines with no SOP's; their paging system was at a max; maybe the EMS operating budget should be an alternate budget; there was nothing on evaluations in the field; they felt EMS lacked real recruitment aggressiveness. Mr. Sanford noted the Town Clerk has all records from their Committee on file.

Mr. Grimes said their general recommendations were to implement a structure indicating a chain of command; EMS rules and regs; SOP's; job description; initiating EMT classes (i.e. cadet program). Mr. Sanford indicated he has spoken with Mr. Driscoll and the Superintendent with regard to the cadet program, and has volunteered to follow through with them on this, with Alan and Charlene, without any formal committee. Mr. Downing noted that the School Committee endorses the idea of the program. Mr. Sanford said that the cadet program had been in Darien, CT for 20 years; in Bolton for 10 years; and just started up at Harvard. Mr. Grimes also noted that 3/4 of the Medway Police were Medway H. S. graduates indicating the young adults' interest in serving the Town, as shown by Andy Mahan and Amanda Reding who have completed the EMT course.

Mr. Grimes stated that the current stipend should be re-structured with an additional \$1.00-\$3.00 for on-call, added to the two-hour minimum. He noted that \$16,500 has been appropriated each year for the new ambulance, and could that money continue to be appropriated but now for the EMT's? He said that the \$300 annual stipend originally was intended for re-certification, gas, an incentive, etc.

Mr. Downing felt that the Board should continue the discussion with the Chief and figure out how to implement all this. Mr. Grimes added they did not feel they should dictate dollar figures to the Board. He said a back-up plan is to add

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part-time EMT's, but that the part-time position does not lead into a full-time position. He also said that a future thought would be to set up a fund for defibs in cruisers.

Mr. Brodeur asked if there was a by-law that established the EMS service? Mr. Grimes said the only by-law was section 3.2 (a) which states there cannot be less than 40, nor more than 60 firefighters which are Medway residents, not EMT's. He said he feels they can go outside the Town, but Town Counsel should be asked. He finally noted the report was signed by six members-himself, Fred, Steve, Tim, Mike and Rick, but thanked and noted the contribution of Alan and Charlene. Mr. Grimes gave an original signed copy to the Chairman.

Mr. Downing inquired how many different job descriptions are needed? Mr. Sanford said the original structure, but different from the Fire Department, i.e. Lieutenant., Captain, etc. Mr. Grimes said the Fire Chief told him he was advised by Town Counsel to operate under the old Police SOP. Mrs. Rozanski said that can be changed.

Mr. Downing read part of a draft of a letter he was composing which had not been reviewed by the other Board members yet commenting on the Board's appreciation for the efforts by the Committee. He also noted that the original intent of the Board was to invite the EMS Coordinator to be a part of the Committee for the information that could be provided; and that Alan was chosen by the other EMT's to represent them on the Committee as the Board had requested they do.

Mr. Grimes also stated that there is a serious personnel problem with the EMT's during the day which should be discussed with the Chief and the Board. Mr. Brodeur clarified if this was a previous problem that still exists and before the Committee was formed? Mr. Sanford said it was a larger problem. Mr. Grimes said if it is handled, they will no longer have a problem with daytime coverage. Mr. Sanford said it was really a more intense problem, and added his thanks to the Chairman for his leadership on the Committee.

Mr. Downing acknowledged a letter received this evening concerning an additional meeting being held on November 6th on EMS involving area towns.

Mrs. Rozanski asked what should the Board do next? Mr. Downing said

MINUTES OF THE SELECTMEN'S MEETING  
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they should get together with the Chief and maybe a Saturday workshop with the EMT's. Mrs. Rozanski suggested bringing it to the public for their comments, but Mr. Grimes said they already had an open forum, but no one showed up. Mr. Brodeur added that their workshop would be open to the public.

Mrs. Rozanski suggested making the recommendation available to the public after the Board discusses it. Mr. Downing said they could make the report available with three copies for the Libraries, Town Clerk, Selectmen's Office. Mr. Grimes provided a copy to the Board for the Fire Chief. Mrs. Rozanski asked that a record be kept of who asks to see the report. Mr. Sanford said he would give a signed copy to the Town Clerk so she has a complete file.

Mr. Downing gave his draft letter to Mrs. Allen to place on Selectmen's letterhead, as well as a copy to the other Board members for their review and any comments.

- 8:55 p.m. Committee Reports.

- Mrs. Rozanski.

Mrs. Rozanski said there was the ground-breaking ceremony this morning for the senior center, and she, Rep. Gardner and Sen. Magnani were there with their gold shovels.

Mrs. Rozanski asked Mrs. Allen if she had heard from Boston Edison with regard to electrical service at Oakland Park? Mrs. Allen said she had spoken to JoAnn O'Leary today and was given the name of someone to call, but it looked good. Mrs. Allen was asked to keep Mr. O'Brien informed as to what was going on.

- Mr. Brodeur.

Mr. Brodeur, as a firefighter, brought up the fire across from the Town Hall over the weekend and the appreciation of all who helped with feeding them and taking care of the tenants, including the Red Cross, Dunkin Donuts, etc. Mr. Downing asked if they should send thank you's, but Mrs. Allen said the Chief usually does.

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regarding the TIP list, the Secretary told the Board Mr. Henry was working on it and would provide a list to the Board. Mrs. Rozanski wondered if the intersection of Route 109 and Holliston Street should be added as well. Mr. Downing asked that Mr. Henry be reminded of the November 14th deadline, and to pick up on Mrs. Rozanski's suggestion.

- The Board acknowledged the letter from Paul Wilson concerning his property for sale. Mrs. Allen said it was 120 days from October 27th, and only lots 1D and 1E were involved as lot 1C would still remain in 61A. Mrs. Rozanski asked if Open Space had received a copy of this document, and Mrs. Allen said they received a copy of the first letter, and she would send them a copy of this one as well. Mr. Downing asked that a copy also go to the Chairman of the Master Plan Committee.

- The evaluations of George Cole and Patricia Sampson were brought up. Mr. Downing noted no department heads were present, so he asked what was the Board's pleasure?

With reference to Patricia Sampson, Mr. Downing noted receipt of the Town Clerk's letter of comments, and Mrs. Rozanski said the comments were not related to the evaluation of Pat.

Mr. Brodeur asked if the evaluation was filled out correctly? Mrs. Rozanski said there were no comments with the perfect score.

Mr. Downing ~~stated that was not part of the review process last year.~~ He felt this evaluation was not reflective of a management approach, and was disappointed with it. He said the Town Clerk did not agree with us last year and did not endorse the change in the score. It was early in the process then. Mr. Downing said it was hard to believe anyone could max out in all 14 categories. This was a new process and they were all on a learning curve. This should not be taken lightly. Maybe the arbitrator said the Board of Selectmen did not have the authority to change the score after the fact. But we are trying to move in a positive vein and should have comments attached as others did. Mr. Downing stated he wouldn't say if he would refuse it, but they are supposed to have examples, and again said he was disappointed with it.

MINUTES OF THE SELECTMEN'S MEETING  
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Mrs. Rozanski said, rather than rejecting it, why not give it back and ask that it be done correctly? Mr. Brodeur agreed they shouldn't accept it. Mrs. Rozanski noted it would be retroactive to the anniversary date. Mr. Brodeur said it needed to be done in conjunction with the department head in public. Mrs. Rozanski felt it was not a valid evaluation to approve. Mr. Downing asked Mrs. Allen to return the evaluation to the Town Clerk, and that she be placed on the agenda for November 10th at 8:15 p.m. to present the evaluation.

With reference to George Cole's evaluation, Mrs. Rozanski felt it was O.K. the way it was filled out, but asked if Bob Power should present it?

Mr. Downing said he did not see the need to take it out of the public process as it had nothing to do with his character, just his performance, and not an appropriate use of executive session.

Mr. Brodeur asked if they had a problem with the score? Mrs. Rozanski asked if they were valid reasons to appropriate those funds? Mr. Downing stated that until the process was altered, it was incumbent upon the Board to decide. These evaluations could be done during the day, and then passed on to the Board of Selectmen.

Mrs. Rozanski noted how the reviews done by the JCRB were done in public meetings. Mr. Downing said they could be done by the Town Administrator or the Board's designee; it could be Mrs. Allen. Mr. Brodeur noted they review those over 42.

Mrs. Rozanski asked that a public presentation be done with Bob Power for November 10th at 8:30 p.m.

- Mrs. Rozanski moved the request of the Planning Board for the use of Town Counsel regarding Broad Acres Estates subdivision; Mr. Brodeur seconded; all aye.

- The Board brought up the Cider Mill IV subdivision, and the letter from residents asking their letter be sent to Town Counsel. Mr. Brodeur stated no further action was required by the Board as Town Counsel will be getting involved in the litigation anyway. Mrs. Rozanski moved that the letter be sent to Town Counsel as part of the appeal process, but Mr. Downing said a motion was not needed, so she withdrew her motion. Mrs. Allen was just asked to forward the page 8.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 3, 1997

letter to him for his information.

- The Board reviewed the Speroni Acres definitive plan. They observed that they would be going through the parking lot and were concerned about turns in and out of that parking lot, with still one egress. Mr. Brodeur said he would bring the Board's concerns back to the Planning Board.
- The Board acknowledged the memo from the Lions Club requesting their annual Christmas tree permit for selling trees at the Shopping Center from November 28th to around December 19th; Mr. Brodeur moved to grant the permit; Mr. Downing seconded; Mrs. Rozanski abstained; aye.
- The Library had contracts to be signed for furniture, fixtures and equipment which had already been signed by Town Counsel and the Town Accountant. Mr. Brodeur moved the Chairman be authorized to sign the contracts; Mrs. Rozanski seconded; all aye.
- The Board noted the letter from MMA asking for energy information; Mrs. Allen will send it on.
- The Board acknowledged the notice on the regional workshop being held in Framingham on November 15th. Mr. Downing and Mrs. Rozanski said they would attend.
- The Board reminded the viewing audience of the smoke-testing of sewers that would be conducted by the Water/Sewer Department in the next couple of weeks.
- The Board acknowledged receipt of the Interim DPS Administrator's memo concerning Ellis Street and a change in design. Mr. Downing had a problem with the design being changed for the convenience of new residents and not for those who have lived in the area. Mr. Brodeur said, however, the safety of the intersection is what is important. It was noted that Mr. Henry will review the revised plan.
- Mr. Downing noted receipt of the Interim DPS Administrator's memo to have two letters read into the minutes. He said he did not believe he had made it an issue so he would not ask that the letters be read into the minutes. He did say, page 9.

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however, that Pastor MacKenzie and Mr. Henry exchanged letters and the issue has been resolved. The project was moving along, the Bay State Gas permit was issued, and the work has been accomplished. Mrs. Rozanski agreed they were basically personal letters.

- The Board acknowledged the memo from the Interim DPS Administrator wherein he noted the assistance of six Medway High School students in contributing to the completion of the road inventory file. Those students were: Chris Reneau, Colin McCarthy, Paul Driscoll, Tom Gilbert, Pete Garland and John Fasolino. Copies of his road inventory, as submitted to the State, were also attached to his memo. This will, hopefully, bring \$18,000 more per year to Medway in State aid.
- The Board acknowledged the memo from the Interim DPS Administrator outlining the paving schedule to be accomplished in November. The streets include: the Granite and West Streets intersection; Center Street; and Village Street.
- The Board noted the request from the Interim DPS Administrator for approval of the RFP for engineering services for Summer and Village Streets. Mrs. Allen said she believed the consultant helped Mr. Henry with the RFP so he could go out for designs. Mr. Brodeur noted the mention of metric, and asked Mrs. Allen to check and make sure that was correct.

Mrs. Rozanski moved the approval and advertising of the RFP for reconstruction of Summer Street and Main Street as presented; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved the approval and advertising of the RFP for reconstruction of Village Street as presented; Mr. Brodeur seconded; all aye.

- The Board noted the memo from the Interim DPS Administrator asking that the Chapter 90 funding request for paving of the Granite and West Street intersection and Village Street be signed.

Mr. Brodeur then noted the thickness of asphalt to be laid on Village Street and thought it was too much. At this point, Mr. Downing said they would not sign if Mr. Brodeur had concerns about the information in the documentation. After page 10.

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NOVEMBER 3, 1997

some discussion, Mr. Brodeur said he would go along with the request.

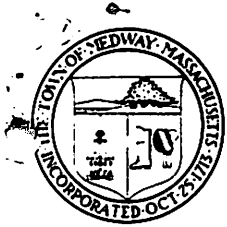
Mrs. Rozanski moved to sign the Chapter 90 request for funding in the amount of \$193,555 for Granite and West Street intersection and Village Street; Mr. Brodeur seconded; all aye.

- The reimbursement request for \$16,770 was signed by the Board for the streets that were paved near the new school.
  - The Board acknowledged a memo from Chief Lambirth wherein he advised the Board that the Town had received a \$23,000 community policing grant award and a \$12,900 DARE program grant award.
  - Mrs. Allen asked the Board to consider an emergency transfer for a software package for the telephone system. She noted how often the telephones get disconnected and malfunction. She stated she had a quote for \$7,744 which was even less than the cost of the equipment in house now when it was originally purchased.
- Mr. Brodeur moved to authorize Mrs. Allen to complete an emergency transfer form to update the phone system; Mrs. Rozanski seconded; all aye.
- Mr. Brodeur noted that the tower sub-committee of the Planning Board was meeting on November 5th.
  - **10:38 p.m.** Mrs. Rozanski moved that the Board adjourn to executive session for the purpose of discussing negotiations with union and non-union personnel, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - yes; Mrs. Rozanski - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved as amended  
11/10/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **ACTION ITEMS FOR SELECTMEN'S MEETING OF OCTOBER 27, 1997.**

1. Sign notification of new employee, William Scherer.
2. Sign notification of promotion for Jason Beksha.
3. Sign notification of upgrade for Kim Shorey.
4. Vote on recommendation of the SCBC.
5. Approve change order #6 for the library renovations.
6. Set hearing date for grievance filed with the Board on October 21, 1997.

***MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 27, 1997***

Present: Douglas Downing, James Brodeur, Administrative Assistant Ruth Allen. Raphaela Rozanski was absent due to a previous commitment.

- Mr. Downing called the meeting to order at 6:30 p.m. in Room 111 of Medway High School prior to the Special Town Meeting.
- The Board acknowledged receipt of a letter from Raphaela Rozanski, Chairman of the Senior Center Building Committee concerning additional funding they will be requesting at the Special Town Meeting for \$30,000 to cover the deducts.

Mr. Brodeur made a motion not to recommend support for Article #3 of the warrant dealing with the senior center; Mr. Downing seconded and commented that this should not be treated any different than other projects as the Committee had alternate bids for this project if the bids came in too high; all aye.

- The Board signed warrant #18 totalling \$1,004,398.07.
- The Board signed the notification of new employee for William Scherer as Operator/Laborer for the Highway Department at a grade 4, step 1 at \$10.23/hour effective October 27th.
- The Board signed the notification of promotion for Jason Beksha as Heavy Equipment Operator for the Highway Department at a grade 6, step 1 at \$11.94/hour effective October 21st.
- The Board signed the notification of upgrade for Kim Shorey in the Treasurer/Collector's Office from grade 4, step 1 to grade 4, step 2 effective October 23rd.
- The Board reviewed Change Order #6 submitted by Library Director Philip McNulty for the Library Renovation Committee.

**MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 27, 1997**

Mr. Downing commented that when the project is near completion, a review of change orders submitted should be done.

Mr. Brodeur moved approval of Change Order #6 for \$17,749 ;  
Mr. Downing seconded; all aye.

- The Board said they would discuss the grievance filed by Medway Municipal Employees as Action Item #1 on next week's agenda.
- The Board noted receipt of a letter from Cable Advisory Committee Chairman Charlie Myers requesting the Board appoint Special Counsel for negotiations for the Cable contract.

Mr. Brodeur moved to appoint Bill Hewig of Kopelman & Page as Special Counsel for the Cable Advisory Committee through execution of contract; Mr. Downing seconded; all aye.

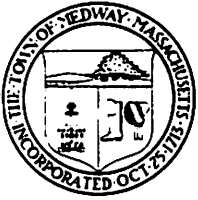
- It was noted that all three Board members would be attending the Medway Business Counsel meeting on November 4th.
- At 6:50 p.m., Mr. Brodeur moved the Board adjourn to the Special Town Meeting; Mr. Downing seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

approved  
11/3/97





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

October 20, 1997

- 7:00 Open Meeting, Sign Warrants  
Approve minutes of 9/22/97 meeting
  - 7:15 Open General Bids for Senior Center  
Building
  - 7:45 St. Joseph's Church, Father MacKenzie  
regarding Street Opening Permit for  
Bay State Gas Co.
  - 8:00 Robert Power - review of evaluation of  
George Cole
  - 8:15 Marjorie Sanford - review of evaluation  
of Kim Shorey
- Committee Reports
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF OCTOBER 20, 1997.

1. Discuss Town Hall "Retro" Specs.
2. Acknowledge letter from Town Accountant and Treasurer/Collector regarding Sewer Account.
3. Acknowledge letter from Medway Co-Operative Bank regarding the sale of the bank building.
4. Comments on letter from Board of Assessors regarding Cape Light Compact
5. Discuss Hiring/Re-assignment guidelines.
6. Comments on Draft Ice/Snow Removal Agreement on Unaccepted Streets.
7. Sign Notification of New Employee for Finance Committee Secretary.
8. Discuss and vote on request from Town of Millis regarding M&M street sweeper.
9. Comments on letter from DPS Administrator regarding Village Street trenches etc.
10. Comments on letter from DPS Administrator regarding West/Granite Streets intersection proposal.
11. Comments on letter from DPS Administrator regarding completion of Center Street.
12. Sign Notification of Resignation for Dorella Robbins and David Giarla
13. Sign Chapter 90 Project Reimbursement Request forms
14. Sign contract for installation of burglar alarm and security monitoring system for the Library.
15. Sign contracts for FFE for the new elementary school.

*MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 22, 1997*

**Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.**

- **Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall at 7:02 p.m.**
- **For the record, warrant #16 was signed by the Board last week totalling \$681,682.12. This week, the Board signed warrant #17 totalling \$677,765.94.**
- **The Board discussed the minutes of September 22nd. Mr. Brodeur commented that he was not in attendance that evening as the minutes indicated, and asked that the minutes be amended in that regard. Mrs. Rozanski moved approval of the minutes as amended; Mr. Downing seconded; Mr. Brodeur abstained. For discussion, Mrs. Rozanski noted nothing in the minutes concerning the sweeping design discussion for the intersection at Alder and Trotter, but then the Board felt the minutes were O.K. as they were.**
- **Committee Reports.**
  - **Mrs. Rozanski.**
    - **Mrs. Rozanski said she went to the recent SWAP meeting where planning and growth and cellular towers were discussed. She noted they have modeled a by-law and map to be given to wireless companies asking for desirable areas that could be located. She said Mary Ellen Lavenberg and Paul Yorkis were not there, so she picked up material to be passed on to the Master Plan Committee who were having a meeting on Thursday night. Mr. Downing said that Chairman David Kaeli had access to a copier and would run off additional copies of the material Mrs. Rozanski had.**
    - **As it was 7:15 p.m., committee reports were held over until later, and Mr. Brodeur read the ad that appeared in the contract documents for general contractor bids for the new senior center. Fourteen bids were received and included:**
      - Colantoni of Holliston - \$755,000**
      - Ryan of Walpole - \$655,000**
      - M. O'Connor of West Roxbury - \$578,5898**
      - BBC of Hyde Park - \$569,000**

*MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 22, 1997*

**Antonelli of Worcester - \$583,193  
New England Design of Worcester - \$621,300  
Soucy Iron of Lowell - \$584,500  
Shah of Wakefield - \$772,500  
JDA of Chelmsford - \$588,900  
A. P. Whitaker - \$696,300  
Colucciello of Tewksbury - \$666,800  
GVW of East Boston - \$608,700  
J. S. Luiz of North Dartmouth - \$658,000  
Contracting Ventures of Essex - \$556,725**

**(Secretary's note: The above figures do not represent final info including bid bonds, addendums, certificate of eligibility, alternates, etc.)**

**Mr. Brodeur moved to turn the general bids over to the Senior Center Building Committee for their review and recommendation; Mrs. Rozanski seconded; all aye.**

- At 7:45 p.m., Father William MacKenzie, Pastor of St. Joseph Church, came to meet with the Board concerning a roadway access permit for the new social center/CCD Building on Holliston Street. He was accompanied by about 20 parishioners.**

**Father read a statement concerning the amount of taxes the Parish has paid to the Town; the good citizens they have been; and their desire to connect to Bay State Gas. He stated the application has been at Town Hall three weeks, but Thursday, he was told the application was not here even though it was file four weeks ago today. He wanted the Board of Selectmen to intervene and not hold them hostage, and wanted permission for Bay State Gas to hook them up.**

**Mrs. Rozanski did not feel they had a basis for not granting the permit. Looking at the information at hand, she felt there were two issues.**

**Mr. Downing stated those were Father's comments, and Mr. Henry was not here to comment. The process rests with the three members of the Board of Selectmen on this issue.**

*MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 22, 1997*

**Mr. Downing said he fully understood his frustrations and possible lack of courtesy by Mr. Henry; however, the trench on Village Street affects everyone. He stated they have been addressing the safety issue of the sub-contractor with Bay State Gas by having numerous meetings with them to no satisfaction. Mr. Downing said they have to consider this issue on a broader scale, and if it takes holding up permits, he supports it. This project was no less important than any other.**

**Mr. Downing further stated he had looked at the facility over the weekend and it was still open, and unsure as to when it would be tight to accept heat. He recommended going back and applying the pressure to Bay State Gas by those present this evening. He stated he needed the opportunity to review the application with Mr. Henry and then he could meet with Father tomorrow. Mr. Downing said he would move the application if all was in order and if he received the cooperation required.**

**Father stated that proper communication would have helped; the application has been here 3-1/2 weeks. He stated the line has been run; they just need to dig up the street and hook it up. They need seven weeks of heat by December 15th. If someone had called and explained, he could have applied pressure. The Town has put them up against time constraints.**

**Mrs. Rozanski said she spoke to Mr. Henry and he did not feel there was a problem with the application; it was just the Village Street situation. The Board could grant an exemption for continuing beyond November 15th, and she would defer to the Chairman if there are unknown circumstances.**

**Mr. Brodeur said he spoke to Mr. Henry as well, and it seems the sub-contractor is doing some work, but Mr. Henry is in negotiations to correct the Village Street problem, and he needs the leverage against Bay State Gas. Mr. Brodeur questioned Father if the general contractor was under any requirement for providing temporary heat?**

**However, Mr. Downing stated that the issue before the Board was the December 15th cut-off date, and would the roadway access permit be issued or not, and if so, under what conditions? The November 15th deadline for opening streets in Medway was coming up, and the asphalt plants would be shutting down. He stated that a motion can be there subject to certain conditions.**

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Several of the parishioners were recognized. Bernie Cornelia asked if the Town had contacted the DPU with regard to Village Street? Peter Young said he had a concern about the asphalt being put down on Holliston Street before winter. Dottie Robinson said she spoke to Mr. Henry and he did state that Bay State Gas had started some work that day, so she asked when Father would get his permit? Mike Narducci said the problem was with the Gas Company; not Father. Another parishioner asked how the application got routed, and the Secretary explained she stamped in all applications, and then routed them to the Water/Sewer Superintendent, the DPS Administrator, the Police Chief, and then finally the Administrative Assistant. Another parishioner asked where Mr. Henry was?

Mr. Downing said he was not privy to any communication, other than what appeared on the Selectmen's agenda, which was "Father MacKenzie regarding street opening permit for Bay State Gas".

Mrs. Rozanski said the Chairman was correct. She moved to grant the street opening permit to Bay State Gas subject to review of the application for errors or admissions by the Chairman; Mr. Brodeur seconded; all aye.

Mr. Downing said he would be back in Town the next day around 1:30 p.m., and would get together with Father and Mr. Henry at that time.

- At 8:15 p.m., since Robert Power was not present to meet with the Board concerning a review of the evaluation of George Cole, Treasurer/Collector Marge Sanford came to meet with the Board concerning a review of the evaluation of Kim Shorey.

Mr. Downing acknowledged the memo from Ms. Shorey asking for her evaluation to be discussed in closed session; however, after reviewing the rules under which an executive session can be held, he could see no reason to do so. He further stated that discussing professional performance or competence does not warrant the executive session. Mrs. Sanford noted that the Selectmen's Office had called Ms. Shorey offering the choices, and she chose the closed session, but Ms. Shorey was not present this evening.

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**Mr. Downing said to Mrs. Rozanski that it was her thought to bring the supervisor in, so he turned any questions over to her. Mrs. Rozanski did say that Mrs. Sanford was obviously proud of Ms. Shorey, and asked if she would like to comment further where she had given her 4's? Mrs. Sanford gave her additional comments to the Board.**

**Mrs. Rozanski moved to approve the evaluation for merit increase for Kim Shorey effective October 23rd, her anniversary date; Mr. Brodeur seconded; all aye.**

- **Committee Reports. (continued)**

- **Mrs. Rozanski.**

- **Since Mrs. Sanford was present, Mrs. Rozanski brought up the two DOR assessments copied to the Board. Mrs. Rozanski explained that on one bill, ADP made an error and charged all clients an extra week's withholdings. On the other, it was a meals tax, and Mrs. Sanford had been given the name of someone who will handle it, and hopefully, will be taken care of within two weeks. With reference to the penalty amount, Mrs. Sanford hoped it would be erased. Mr. Downing asked that the Bill Number be referenced on any communication.**

- **Mr. Downing acknowledged that Assistant Treasurer/Collector Dorella Robbins was leaving the Town's employ. He asked Mrs. Sanford if anyone in her office wanted to apply for it, and she said no. She said she posted the vacancy on Monday and placed the advertisement in the paper.**

- **On a follow-up, Mrs. Rozanski asked if Mrs. Allen if she had any luck with Boston Edison with reference to the Oakland soccer field? Mrs. Allen said Jo Anne O'Leary was on vacation, and would try again.**

- **Mr. Downing.**

- **Mr. Downing said the Board met last week with Town Counsel and members of the EMS Study Committee to discuss a possible conflict of interest for two members of the Committee.**

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- **Mr. Downing stated that on October 14th, he met with Joseph Giovinazzo of GCG Associates, the Interim DPS Administrator, the Town Accountant and Mrs. Allen going over the engineering costs for the Cottage Street drainage project.**
- **Mr. Downing said that on October 15th, he went to the open house of the new bank, as well as going to the Norfolk Agricultural School for the presentation of a donation to the Medway Food Pantry accepted by Mary O'Leary of the Housing Authority.**
- **Mr. Downing stated that on October 17th, the School Building Committee, the Town Accountant and Mrs. Allen met concerning memos circulating with reference to outstanding invoices for the new school. He said that the Town Accountant and Mrs. Allen were still in the process of reviewing them.**
- **Mr. Downing brought up the memo from Don Springer concerning a workshop on Tuesday night on rules and regulations and what PMP has proposed. He asked that Board members review the documentation so all who attend the workshop can discuss it.**
- **Mr. Downing brought up the memo from Medway Country Manor and asked Mrs. Allen if anything further was known about the signs? She stated that she hadn't had a chance to speak to Millis yet. Mr. Downing knew that the merchants were basically renting space, and the Manor should really talk to the Medway Business Council. He asked when info was obtained from Millis, to let the Manor know.**
- **Action Items.**
- **The Board noted receipt of the documentation prepared by Mr. Henry, as a member of the Municipal Facilities Study Committee, for Town Hall "retro" specs. Mrs. Allen said the Town will have to go out to bid and get sub-bids and general contractor bids.**

**Mr. Brodeur suggested deleting some of the work outlined by doing it in house. Mrs. Allen said the work has not been advertised yet.**

**Mr. Downing brought up getting the prisoners from the Norfolk County Sheriff's office to help out again, and asked that this be pursued further to see**



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**what they could do. He thought possibly the project could be scaled down, but he stated it would not be back-burnered.**

**Mrs. Rozanski asked if the prevailing wage law would still be followed, and Mrs. Allen said yes. She remembered seeing a breakdown of estimates, and asked if another copy could be obtained. Mr. Downing asked that the Sheriff's Department be called to see if they could meet with him, Mrs. Allen and Mr. Henry during the week.**

- **The Board discussed the joint letter from the Town Accountant and the Treasurer/Collector regarding converting the sewer service to a special revenue account.**

**Mr. Downing suggested sending a memo to the Water/Sewer Department letting them know the Selectmen were walking away from this as he felt they were only asked for assistance in coordination and he believed this had been done. He also felt the Board could include permission to use Town Counsel in their recommendation if needed.**

**Mrs. Rozanski moved to advise the Water/Sewer Commissioners that the Board of Selectmen were out of this process, and now rested with their Board, along with permission to consult with Town Counsel if they cared to pursue this; Mr. Brodeur seconded; all aye.**

**Mrs. Rozanski also moved to offer support to the Water/Sewer Commissioners' effort if they wanted to proceed; Mr. Brodeur seconded; all aye.**

- **Mr. Downing acknowledged a letter from the Medway Co-Operative Bank noting they had sold the bank for \$365,000 along with five free years rent of the ATM. He wished them well.**

- **The Board noted a letter from the Board of Assessors requesting a committee be formed to pursue the Cape Light Compact dealing with some of the wording in proposed utility deregulation legislation that could jeopardize efforts of municipalities to negotiate electricity franchises.**

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**Mr. Downing suggested inviting Chairman Harry Johnson in to talk to the Board so others can be informed of this at the same time. He felt the idea of forming a committee was a good one, but they can't fill all the committees they have now, and this would be another. Mr. Downing felt the issue had been discussed by many at different meetings, but he didn't know if they could get anyone to serve on such a committee who wouldn't be in a conflict of interest.**

**Mrs. Rozanski said someone might be willing to just gather information and bring it back to the Board of Selectmen. Mr. Downing gave the web site code to the viewing audience.**

- **Mr. Brodeur moved to approve and adopt the Town of Medway's personnel policy hiring/re-assignment guidelines as dated October 20, 1997; Mrs. Rozanski seconded; all aye. Mrs. Rozanski asked if a public hearing was required, but Mrs. Allen said as long as they were just guidelines, she believed no hearing was required.**

- **The Board noted receipt of Interim DPS Administrator Lee Henry's draft on the ice/snow removal agreement on unaccepted streets. Mrs. Rozanski said she agreed with the concept, but didn't know if by-laws were in place to do this. Mr. Downing said it was a contract for services, and if need be, the Town would bill the developer/contractor.**

**Mrs. Allen said, in the past, the Town has obtained releases from those developers/contractors who had unaccepted streets that needed to be plowed; however, no fees were ever charged to them for the labor or material the Town used.**

**Mr. Downing suggested the addition of the words, "and as such to be determined by said plan to be XXX feet in length", so there was no room for the questioning of the length of the road later on.**

**Mrs. Rozanski asked what if the developer does not go along with the agreement? Mr. Downing then felt it would revert back to the Planning Board to take action on the bond. He further added he would like to see 100% participation because then all the streets in Medway would be taken care of. Mr. Brodeur agreed all residents deserve the same services.**

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**Mrs. Rozanski said she would like the words, "approved by Town Counsel" not just "approved as to form by Town Counsel" included. She then moved to approve the ice/snow agreement subject to review and approval by Town Counsel along with Mr. Downing's additional comment; Mr. Brodeur seconded including the words, approval as to form and legality; all aye.**

- **The Board noted receipt of a memo from Carla Cataldo, FinCom Clerk, indicating their hiring of Joyce Hood as FinCom Secretary, at a grade 3, step 1, \$9.46 per hour. Mrs. Allen said the Board just needed to sign the notification of hire sheet.**
- **The Board acknowledged a memo from DPW Assistant Director Irving Priest asking to advertise through auction the old street sweeper that was jointly owned by the two Towns.**

**Mrs. Rozanski moved to authorize the Town of Millis to sell the street sweeper and give Medway their 50% share subject to the advice of Town Counsel; Mr. Brodeur seconded; all aye. Mr. Brodeur questioned if they had to go to Town Meeting as the usual verbiage was to "keep, sell or trade", but Mrs. Allen felt this was fine.**

- **The Board noted a memo from Lee Henry concerning the Village Street trenches, wherein he indicated that the most practical short-term solution to repair the road was to cold plane the edge of each lane from Franklin Street to the Millis town line.**

**Mr. Brodeur said he met with Mr. Henry this morning and showed him a site similar to Village Street that he had worked on, and felt he could show him a proposal where the work's cost might be between \$70,000 and \$80,000, instead of Mr. Henry's projected cost of \$245,000. After the meeting, Mr. Henry said he would contact LaRusso and come back to the Board with a further recommendation.**

**Mr. Brodeur agreed it would be foolish to spend all that money, and then have to dig the street up again. He noted they still have the \$25,000 from Bay State Gas they can use; however, the former DPS Administrator had told Bay**

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**State Gas only a temporary patch was needed since the road was going to be resurfaced in a few years; now it looks like it will have to last longer than that. He said something has to be done to both sides this year.**

**Mr. Downing asked Mr. Brodeur to stay on top of this with Mr. Henry, with Mr. Brodeur agreeing they do not want to delay a solution.**

**With reference to stone and seal, Mr. Downing noted that the former DPS Administrator had said no other towns would use stone and seal, and that the last time it was done in Medway was on Causeway Street. Since he was aware of Needham using stone and seal, Mr. Downing asked Mr. Brodeur to check with the Town of Needham to ask them how they did it, why they did it, and what was the life expectancy?**

**While on the subject of Village Street, and also in conjunction with Summer Street, Mr. Downing read a letter from the Norfolk County Commissioners stating they would assist the Town in developing engineering plans for both streets. Mrs. Allen said they had already been in touch.**

- **The Board noted the memo from Lee Henry concerning the West/Granite Streets intersection proposal. Mr. Brodeur moved acceptance of the design proposal of the two streets as submitted by Mr. Henry at a total projected cost of \$6,319.42; Mrs. Rozanski seconded; all aye.**
- **The Board noted a further memo from Lee Henry concerning the remaining work that needed to be completed on Center Street and the cost of \$3,944.16 to complete the project. Mr. Brodeur moved approval of all the proposals as stated in the Interim DPS Administrator's memo of October 14th; Mrs. Rozanski seconded; all aye.**

**The Board brought up the subject of the removal of stumps which were deposited on the Town's right of way. It was noted that this has been discussed with family members in the past, but the Board agreed it is not a large cost to just move them if need be to complete the street and finish the project.**

- **The Board signed the notification of resignation for Dorella Robbins as Assistant Treasurer/Collector and David Giarla as Heavy Equipment Operator.**

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**The Board also signed the notification of new employee Laurie Brownell as Library Assistant at a grade 3, step 1 of \$9.46 per hour.**

- **The Board signed Chapter 90 project request reimbursement forms.**
- **The contract for installation of burglar alarm and security monitoring system for the Library needed to be signed by the Board. The Town Accountant and Town Counsel had already signed it.**

**Mrs. Rozanski moved to award the contract to Independent Security Systems Inc. for the installation of burglar alarm and security monitoring system for the Library for \$3,225; Mr. Brodeur seconded; all aye.**

**On another Library matter, Philip McNulty, the Library Director, had requested on behalf of the Trustees and approved at their October 7th meeting, to request the Board approve a three month extension of their lease at the Shopping Center. Mrs. Rozanski moved the amendment be signed by the Board; Mr. Brodeur seconded; all aye. It was then noted that the contract did not have an area for the Board to sign, so Mrs. Rozanski withdrew her motion. Her new motion was to authorize the Chairman to sign the lease extension for the Library subject to review and advice by Town Counsel; Mr. Brodeur seconded; all aye.**

- **It was agreed that the contracts for the FFE for the new elementary school would be signed off-camera at the end of the meeting.**
- **Mr. Downing noted receipt of a letter from Dr. Bettencourt, School Superintendent, requesting the Board appoint a member of the School Committee to the Master Plan Committee. Mr. Downing stated that it was the vote of Town Meeting to have the makeup of the Master Plan Committee to be as it is. He did say, however, that the Board could appoint a School Committee member as secondary alternate since they already have a primary alternate for citizen-at-large. He also said that the alternate can fill it for an absent member as long as the Chairman is notified and aware of it.**

**Mrs. Rozanski suggested speaking to the Master Plan Committee and letting them know what the Board wants to do. Mr. Downing recommending**

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**letting the School Committee be aware of the Board's idea, and copying the Master Plan Committee with that memo.**

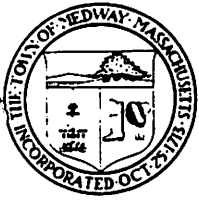
**Mr. Brodeur moved to create a secondary alternate position within the four citizens-at-large for the Master Plan Committee to be a member of the School Committee at the School Committee's choice; Mrs. Rozanski seconded; all aye. It was then requested that Mrs. Allen send a separate letter to the Master Plan Committee advising them of the secondary alternate position, and one to Dr. Bettencourt advising him to contact the Committee and the Board with the name of the chosen School Committee member.**

- **Mr. Downing acknowledged a letter from the Medway Housing Authority notifying the Board of the award of \$255,000 to replace carpeting and vinyl flooring at the complex as part of the comprehensive improvement assistance program.**
- **Mr. Brodeur brought up Cottage Street and his concern with any overruns. Mrs. Allen stated they did not go over on construction, but Mr. Brodeur asked if we had an amended engineering contract? Mr. Downing explained that the scope of the project had changed necessitating a different cost, and Arthur Darley of Mass Highway had already reviewed everything. Mr. Downing elaborated further that the original idea was just to put the pipe down Cottage Street, then Chicken Brook (USM) came into the picture. Construction costs did not change, just the engineering that needed to be redone. Mr. Brodeur asked if GCG went beyond the deadline for construction, and Mr. Downing and Mrs. Allen confirmed he did not. Mr. Brodeur then stated they were not negligent. Mr. Downing said he had documentation he could show Mr. Brodeur of the breakdown of work and cost.**
- **Mr. Brodeur noted that the Town had received a letter from Mr. and Mrs. Paul Wilson of a notice of intent to sell real estate. Mrs. Allen said they need more information still such as what offer has been made before they can exercise the right of first refusal.**
- **At 10:15 p.m., Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.**

**Respectfully submitted,  
M. J. Fredette, Secretary**

**mj**

*approved  
11/3/97*



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### REVISED AGENDA

October 6, 1997

7:00	Open Meeting, Sign Warrants
7:15	Open Sub-bids for Senior Center building
7:45	Site Plan for Micro Group, Inc. addition to 7 Industrial Park Road
	Committee Reports
	Action Items
8:30	Donald Grimes, regarding EMS Study Committee

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF OCTOBER 6, 1997.

1. Discuss memo from Interim DPS Administrator regarding Snow Removal Operations on unaccepted streets.
2. Vote on application for Employer Assisted Education for Officer William Kingsbury.
3. Discuss letter received from Bonnie Tetrault regarding Village Street traffic.
4. Performance evaluations for George Cole and Kim Shorey.
5. Sign Chapter 90 Project Reimbursement Requests.
6. Sign October 27th Town Meeting Warrant.
7. Approve Emergency Transfer Request for expenses for Town Administrator Search Committee.
8. Sign notification of upgrading for David Malmberg to fill vacancy on Highway Department.
9. Appoint James Klich to CIPC to fill vacancy created by Robert Ciavarra's resignation.



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**Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.**

- **Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall at 7:00 p.m.**

- **Committee Reports.**

**Mrs. Rozanski.**

- **With reference to the IDC, Mrs. Rozanski stated they were proceeding with the 75% plan, and then they would come back to the Board.**

- **Mrs. Rozanski noted that the Cable Advisory Committee would be meeting Tuesday night.**

- **Mrs. Rozanski said she attended the Memorial School dedication, and that the first room had been dedicated to Christina Wilson.**

**Mr. Brodeur.**

- **Mr. Brodeur stated that on Saturday, the Board of Selectmen met with members of the Town Administrator Search Committee, which included Chris Lorenzen, Dave Consigli and Paul Wilson, to discuss funding for out-of-state candidates for that position. He stated they voted to request an emergency transfer request from the FinCom for \$1,000 for travel at an estimated rate of \$200 x 5 individuals. Members of the Committee requested the amount be changed to \$3,500 to reflect additional trips by candidates if necessary, and to transfer that amount to the expense budget of the Selectmen.**

**Mrs. Rozanski said she spoke to the Town Accountant and this was an appropriate means for the request. However, Mrs. Rozanski said the question was if they could spend public money for this regard, in other words, she was not sure if it was an appropriate use. The emergency transfer request was signed by the Board. It was noted that interviews will be held soon.**

- **Mr. Brodeur stated that the Board of Health would be having a hearing on October 8th at 8:00 p.m. concerning the condemnation of the property at 311**

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**Village Street. The presence of the public is welcome, but call the Board of Health for more information.**

- **The warrants were signed totalling \$627,499.23.**
- **Mr. Brodeur read the ad that appeared in the contract documents for sub-bidders for the new senior center project. Mrs. Rozanski knew it had been advertised in the newspapers and other journals, but there was no ad available at this time.**

**The first sub-bids were for plumbing and included:**

**Cirrone of Natick - \$38,700  
Riverdale of Norfolk - \$39,843  
Norfolk Mechanical of Weymouth - \$37,440  
Worcester County Rfg. of Worcester - \$41,342  
Farrell of Rockland - \$56,000  
Robert W. Irvine of Lynn - \$34,444  
Anania of Brockton - \$47,000  
Donald Marsh of Chelmsford - \$23,310  
C. Perry of Cochituate - \$34,240**

**(Secretary's note: The above figures do not represent final info including bid bonds, addendums, exclusions, etc.)**

**The second set of sub-bids were for HVAC and included:**

**McLaughlin of Rochester - \$61,718  
Superior of Holbrook - \$70,000  
Farrell of Rockland - \$85,000  
Air Technologies of Saugus - \$95,860  
Worcester County Rfg. of Worcester - \$82,130  
Anania of Brockton - \$82,425  
General Mechanical of Auburn - \$66,300  
Statewide Mechanical - \$73,866**

**(Secretary's note: The above figures do not represent final info including bid bonds, addendums, exclusions, alternates, etc.)**

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**The third set of sub-bids were electrical and included:**

**Bianchi of Mendon - \$85,000  
Mello of Fall River - \$77,500  
Fall River Electrical - \$98,900  
Stilian Electrical of Georgetown - \$82,000  
G. H. Electrical of Foxboro - \$67,300  
L. J. Grace of Auburn - \$83,100  
Noreast Electrical of Weymouth - \$59,000  
Tom Renaud of Sutton - \$65,850  
Ralco Electric of Westport - \$90,800**

**(Secretary's note: The above figures do not represent final info including bid bonds, addendums, exclusions, alternates, etc.)**

**Mr. Brodeur moved to turn the sub-bids over to the Senior Center Building Committee for their review and recommendation; Mrs. Rozanski seconded; all aye.**

**• A site plan review for an addition to the MicroGroup building in the Industrial park Road area near the Millis line was next on the agenda. Owner of MicroGroup Bill Hulbig was present; along with John Younas, the general contractor; and property owner Huna Rosenfeld.**

**Mr. Hulbig noted they have already been to the Conservation Commission, filed a determination of applicability, and are getting a notice of intent.**

**Mr. Brodeur had a problem with the Board approving any further development in that area without Jon and Marc Roads being brought up to standard. He said both are not Town-accepted streets. but the area was being exploited as new development when it was clear use of a private road being used without being paved with sidewalks and berms. Mr. Brodeur further stated that Jon Road was never built although approved by the Planning Board. He said the Board can approve the site plan contingent upon full construction; this was the time to finish the road. There was no leverage until now because the Planning Board holds no bond.**

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**Mr. Downing was concerned about the western corner of the proposed construction with site distance, and suggested the Fire Chief and Safety Officer take a look at it.**

**Mrs. Rozanski noted they could proceed to ConCom without the Board's approval.**

**Mr. Rosenfeld asked if they could get site plan approval tonight, and fix the road later to Marc Road, even if he has to bond it. Moving entrances if need be and eliminating a second cut and parking spaces was also mentioned in order to receive site plan approval this evening.**

**Mr. Brodeur moved to approve the site plan #96-36-34 dated 6/16/97 with the one curb change, subject to the assessment of a bond for Jon Road from Industrial Park Road to the westerly side of Marc Road to the satisfaction of the Planning Board; Mrs. Rozanski seconded; all aye.**

**At 7:22 p.m., members of the EMS Study Committee, including Donald Grimes, Alan Cornoni, Charlene Tingley, Rick Potter, Tim Choate, Fred Sanford, came to meet with the Board to discuss a potential problem.**

**Mr. Grimes stated the Committee had had a meeting this evening, and one of their members was concerned about a conflict of interest. This particular member had come to the Selectmen's Office, and he was told he could consult with Town Counsel. In speaking with Town Counsel, this member was told that it appeared there were two members who may be in conflict. Mr. Grimes said he next went to the Town Clerk and she spoke to the Ethics Commission informally, who agreed that the two individual should not be on the Committee. Mr. Grimes said they were down to eight members, and if this is the case, they would be down to six. This was all very disheartening to him, and he was at a loss for words as to where this put the Committee. What anything the Committee did legal? was anything binding? what about any motions?**

**Mrs. Rozanski suggested asking Town Counsel for a written ruling before the Board proceeded any further. Mr. Grimes said the Committee wanted to propose three options to the Board; at this point, the Committee is divided on**

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how to improve response time since two out of the three options have been endorsed by an informal vote.

Mr. Downing stated if all three options are given to the Board, then the decision rests with the Selectmen. Just vote to give to the Board what you have studied, compiled, and presented - with no endorsement, as they did want long and short term goals. Mr. Downing then suggested asking Town Counsel to meet with the Board and the Committee in a joint meeting.

Mrs. Rozanski again suggested getting a written ruling from Town Counsel first, and then sending that ruling to the Ethics Commission. Mr. Sanford agreed with getting a ruling from Town Counsel. Mr. Downing recommended a meeting on Tuesday at 7:00 p.m. at the Police Station subject to Town Counsel's availability and his agreeing to the meeting, and then Mr. Grimes will be advised.

- **Action Items.**

- The Board acknowledged a memo from the Interim DPS Administrator concerning snow removal operations on unaccepted streets. Mr. Brodeur felt that the Planning Board has funds in their budget to pay for such expenses in their bonding by billing the Planning Board through their bond. Mrs. Allen said she was aware of such billing in Stoughton, and the Town Accountant, who used to work in Stoughton, should know how to do this. Mrs. Allen was asked, therefore, to ask Mrs. Mehta how to bill for the plowing services, but then Mrs. Rozanski said she would check into this and put it back on the agenda for October 20th. Mr. Downing said he would like a draft of the policy, and Mrs. Allen said she would check into that.

- The Board noted the employer-assisted education form for Officer William Kingsbury for \$1484.75. Mrs. Rozanski moved approval of the application for reimbursement; Mr. Brodeur seconded; all aye. Mrs. Rozanski inquired if this was budgeted; Mrs. Allen said it was part of the contract.

- The Board further discussed Ms. Tetrault's request for no through trucking on Village Street. At this time, Mrs. Allen went over with the Board the information she had gathered on truck exclusions as provided by the State's

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**Department of Public Works back in 1986. She stated to change this would require a comprehensive engineering study. In addition, when they begin to work on the reconstruction of Route 109, what detour would then be used?**

**Mrs. Rozanski felt an effective alternate route would be Route 109, but requested Mrs. Allen get a copy of the Department Standard Operating Procedures reference in the State's exclusion ruling.**

**Mr. Downing suggested Mrs. Allen advise Millis that Medway was investigating this option. He also noted that the Board needed an update on the Route 109 corridor project as Village Street would be the alternate route for Route 109.**

**Mrs. Rozanski asked that Ms. Tetrault be copied with whatever documentation is sent or received.**

**• Performance evaluations for George Cole and Kim Shorey were reviewed by the Board.**

**Mrs. Rozanski thought, with the exception of approving an evaluation if a score over 42 is given, part of the process was to go over the evaluation with the supervisor.**

**Mr. Downing asked if she would like Bob Power and Marge Sanford to come in and go over the evaluations; Mrs. Rozanski said yes.**

**Mr. Brodeur asked if it wasn't too late? He stated these evaluations were no different than the others as the supervisor has already made the decision, and we can't effect that decision.**

**Mrs. Rozanski felt that, when a supervisor wanted to do an evaluation, they should notify the Board and they all do it together. Mr. Brodeur said that was not in the contract; you need to do it with the supervisor in definition-not after.**

**Mr. Downing said we need to let them know what our expectations are; the 42 is concrete, and the merit increase is approved by the Board of Selectmen and the supervisor.**

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**Mr. Brodeur said we need more communication or a session with the evaluators soon. Mr. Downing felt the only gain would be that it was on camera; they would still say what they wrote down on paper. The Board would have to move it if over 42, and the only thing that would be added to the process is that the supervisors would be saying publicly what they mean.**

**Mr. Brodeur said the form asks for examples; some supervisors just give us reasons. He wanted to know what the employee did this year.**

**Mr. Downing said it cannot effect change, but Mrs. Rozanski said to do the evaluation publicly was good as it gives ownership. Mr. Downing said the Board could give the supervisors more written directions that haven't already been given. He suggested Mr. Brodeur write down his thoughts, and they can draft a guidance memo. Mrs. Allen noted that the step increase, not the evaluation, is reviewed by the Selectmen. Mr. Downing requested Mrs. Allen ask Bob Power and Marge Sanford to meet with the Board on October 20th. The Board felt this was a new start; the next phase in the process.**

- The Board signed Chapter 90 Project Reimbursement Requests in the amounts of \$18,188.37, \$93,607.75, \$19,833.28, \$123,417.87, \$5,999.00.**

- Mr. Downing asked Mrs. Allen if she had any further information on checking with Millis for sign placement. Mrs. Allen stated that the businesses did the signs, but she still needed to speak to Millis' Administrative Assistant to get more details. She did note that the businesses get permission from the Town, and they are charged so much money which is put in a revolving account.**

- The Board signed the Special Town Meeting warrant for October 27th.**

- The Board signed the notification form that David Malmberg had been transferred from within the Highway Department to fill the vacancy of John Clark at a grade 6, step 4.**

- The Board acknowledged the request of James Klich to be appointed to the CIPC as the Selectmen's rep to fill the vacancy of Robert Ciavarra. Mr. Downing asked that he be invited in to meet with the Board.**

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OCTOBER 6, 1997*

- **Mrs. Rozanski asked Mr. Downing if the Master Plan Committee had met yet? Mr. Downing said he would try and coordinate it the next day, but also mentioned that a representative from the Board needed to be on the Committee as well and he would be willing to do it. Mr. Brodeur moved to appoint Doug Downing to the Master Plan Committee from the Board of Selectmen; Mrs. Rozanski seconded; all aye.**

- **The Board acknowledged a letter from James O'Brien of Medway Youth Soccer requesting assistance from the Board on insufficient electrical service at Oakland Park which is not allowing them to use the new well and irrigation system recently installed.**

**Mr. Downing said he could draft a letter to Boston Edison, but Mr. Brodeur suggested talking to our Boston Edison rep. Mrs. Allen said she would follow through on it.**

- **Mrs. Rozanski said she would check with the Treasurer on copies of DOR letters recently received.**

- **Warrant #15 was signed totalling \$627,499.23.**

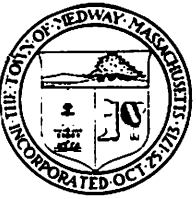
- **At 9:30 p.m., Mr. Brodeur moved that the meeting be adjourned; Mrs. Rozanski seconded; all aye.**

**Respectfully submitted,**

**M. J. Fredette  
Secretary  
mj**

*approved  
11/3/97*





## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

September 29, 1997

6:30 Employee Evaluation - Fred Sibley  
7:00 Open Meeting, Sign Warrants and  
Approve minutes of 9/15/97 meeting.

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF SEPTEMBER 29, 1997.

1. Discuss letter from Dr. Bettencourt regarding FY'99 school department budget.
2. Discuss memo from Interim DPS Administrator regarding purchase of containerized storage.
3. Discuss memo from Interim DPS Administrator regarding Hoist Engineers License Requirement.
4. Discuss memo from Interim DPS Administrator regarding Stop signs at Cottage/Evergreen intersection.
5. Approval of employee evaluation for Philip Smith.
6. Acknowledge letter from Karen Nowicki.
7. Sign agreement for the Community Septic Management Program.
8. Vote on a Common Victuallers License transfer for Donut Depot.
9. Appoint Master Plan Committee.
10. Discuss request of Medway Country Manor for signs.
11. Discuss Hiring/Reassignment Policy.
12. Review Articles for October 27th Special Town Meeting.
13. Vote on Change Order #5 for the Library Renovations.
14. Discuss memo from Acting Highway Superintendent regarding Town Mechanic position.

*MINUTES OF THE SELECTMEN'S MEETING  
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**The meeting was begun around 6:30 p.m. with members of the Board and Fred Sibley, Park Superintendent to go over his personnel evaluation. This portion of the meeting concluded around 7:35 p.m. when the regularly-scheduled portion of the meeting began.**

**Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Administrative Assistant Ruth Allen. Mr. Downing called the meeting to order in Room 2 of Town Hall.**

**Mrs. Rozanski moved approval of the minutes of September 15th; Mr. Brodeur seconded; all aye.**

**Mrs. Rozanski moved approval of the minutes of September 8th as amended; Mr. Brodeur seconded; all aye.**

**Warrants were signed in the amount of \$9,992,473.48.**

**The Board went on to Committee Reports.**

**Mrs. Rozanski:**

**Mrs. Rozanski noted the next Cable Advisory Meeting would be tomorrow evening.**

**Mrs. Rozanski reported that the Municipal Technology Committee had met and they were putting together information for the Board and others to review. No RFP or advertising had been done yet, and she suggested the Board just review the information. Mrs. Rozanski said the Committee had re-organized, and Kelly O'Rourke was elected Chairman. Mrs. Rozanski gave the Board a list of towns that use the Munis system.**

**Mrs. Rozanski said that she had attended the Selectmen's workshop on Saturday and one of the items discussed was evaluations, i.e. management rights to do evaluations and when it comes time to do salary increases, they have to abide by the criteria.**

*MINUTES OF THE SELECTMEN'S MEETING  
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**Mr. Downing:**

**Mr. Downing said the panels at the Selectmen's workshop were interesting and diverse. He showed the Board a brochure he picked up from the Chairman of the Town of Westford which was a permitting guide for residents. Since it was a useful step-by-step process, he said he would try and pursue this for Medway.**

**Mr. Brodeur agreed it could be helpful to the public and different Board members. Mr. Downing added that he also had a copy of a community newsletter to which the employees contribute articles, and then put it together a couple of times a year.**

**Mr. Brodeur commented that he had been contacted by area landowners around the Town landfill who were wondering if there would be any swapping of land as was discussed back in the '80's. Mr. Downing felt it was being worked on, but questions raised included: what would we be swapping; what would the Town be getting; what would the Town be giving up?**

**Mr. Downing said he would be meeting with Don Springer this week to carry forward an initial conversation on planning services and come up with a potential budget.**

**Mr. Downing said he met with the FinCom last week and gave them an idea of what to expect as articles on the Town Meeting warrant.**

**Mr. Downing said he went on then to meet with the School Building Committee, going over the remaining items to finish the project.**

**Mr. Downing said Center Street should be paved this week, and the School knows they will get invoice from the Town for materials.**

**As Glenn Trindade of the FinCom was present, Mr. Downing asked him who would be the FinCom rep to the Master Plan Committee? Mr. Trindade said it would be Carla Cataldo. Mr. Downing then proceed to take Action Item #9 out of order to discuss the Master Plan Committee appointments.**

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**Mrs. Rozanski moved the names on the list as members of the Master Plan Committee; Mr. Brodeur seconded; all aye. Mrs. Rozanski gave her four choices as being: Paul Clark, James Wieler, David Kaeli and Ted Gay. Mr. Brodeur seconded for discussion, but said he was at a loss as he was not here for the initial interviews.**

**Mr. Downing said they had held off making any appointments until Mr. Brodeur could be present, but proceeded to give his four choices as being: Ted Gay, Paul Yorkis, Cheryl Harvey and David Kaeli. So far, Ted Gay and David Kaeli had two votes each.**

**Mr. Brodeur gave his four choices as being: Ted Gay, Paul Yorkis, David Kaeli and James Wieler. This resulted in the top vote-getters being Ted Gay with three votes; David Kaeli with three votes; James Wieler with two votes; and Paul Yorkis with two votes.**

**Mrs. Rozanski moved that Paul Clark be first alternate; Mr. Downing seconded, but then the motion was cancelled and Mrs. Rozanski moved that the four individuals (Ted Gay, David Kaeli, James Wieler and Paul Yorkis) be the four citizens-at-large; Mr. Brodeur seconded; all aye. Mrs. Rozanski then moved Paul Clark be first alternate; Mr. Brodeur seconded; all aye.**

**Mrs. Rozanski stated that only the four can vote, but others can come to the meeting and provide input. Mr. Kaeli asked Mr. Downing if he could call the first meeting. Mr. Downing said he would try to find a common time for all.**

**Mrs. Rozanski said she did not like the term as being "through completion". She asked where was the Committee going, and there should be some policy in place.**

**Paul Wilson stopped in to update the Board quickly on how the Town Administrator Search Committee was progressing. He said there were at least four finalists that would be travelling a long distance, and wondered if there would be any provision for out-of-state transportation? He felt this was something the Board should discuss and get back to the Committee by next Monday. He noted that one or more persons might have to come back more**

*MINUTES OF THE SELECTMEN'S MEETING*  
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than one time. Mr. Wilson said these four individuals were four finalists out of twenty, which had been narrowed down from 103. The other finalists were from MA, NJ, PA, RI and CT.

Mr. Downing suggested the Committee meet with the Board the following week in a joint meeting, but Mr. Wilson felt it would be better if the Board went to their meeting on Monday, October 6th. It was then decided to have a special joint session on Saturday, October 4th at 9 a.m. at 165 Main Street. The meeting will have to be posted.

Mr. Downing agreed it was good to get together and discuss any questions that may arise so answers would be known ahead of time.

The Board then took Action Item #12 out of order and discussed the Town Meeting articles.

Mr. Brodeur moved to not place Article #22 as presented on the draft copy of the warrant on the official town meeting warrant for October 27th; Mrs. Rozanski seconded; all aye.

The Board then proceeded to the rest of the action items.

The Board discussed Dr. Bettencourt's letter to the Board and the FinCom suggesting several budget meetings in preparation for FY'99. Mr. Downing asked Mrs. Allen to send a letter to Dr. Bettencourt asking him to coordinate a date with the FinCom, possibly at one of their meetings, and then advise the Board of the date.

The Board acknowledged a memo from Interim DPS Administrator Lee Henry concerning the need to purchase several storage container trailers. Mr. Henry was present at this time, and stated they are trying to clean up the inside of the Highway Barn to free space for equipment and vehicles. The storage containers being discussed were about 10-12' wide x 40' long. Mr. Henry said the funds are available, and three quotes were obtained, with \$5,400 being the lowest of the three quotes. Mr. Brodeur moved to authorize the purchase of the two trailer units at a cost of \$5,400; Mrs. Rozanski seconded; all aye.

The Board noted receipt of another memo from Mr. Henry concerning a clarification needed from the Board. He needed to know if a hoist engineer's

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SEPTEMBER 29, 1997*

**license was a requirement for the position of Equipment Operator/Laborer; he knew it was a requirement for the position of Heavy Equipment Operator.**

**Mr. Downing knew it was a federal mandate for a CDL for both. Mr. Brodeur noted a hoist engineer's license was not required on the job description, and therefore, the Board did not have to require it. He also felt having several employees in both positions was better for the budget than everyone in the Heavy Equipment Operator position. Mr. Downing agreed both levels should be maintained.**

**Mr. Henry noted the second vacancy for David Giarla, and that the position had been advertised. He said there was a requirement for a posting of 20 days for a vacancy, and to this regard, Mr. Downing said a letter could be sent to the Association asking for a waiver of the 20 days since there was an employee in-house ready to fill the position.**

**The Board next discussed Mr. Henry's memo regarding Officer Watson's proposed stop signs at Evergreen and Cottage Streets. Mr. Henry disagreed with Officer Watson's suggestion, but stated they were just his thoughts and wanted to relay that info to the Board.**

**Mrs. Rozanski recommended sending a copy of Mr. Henry's comments to Officer Watson for his review and input.**

**At this time, the Board took Action Item #14 out of order which was the personnel evaluation of George Cole from Acting Highway Superintendent Bob Power, along with a letter concerning a reclassification for Mr. Cole.**

**It was felt that the reclassification should be discussed further down the line near budget time. The Board did acknowledge the evaluation which they agreed should be handled. Mr. Downing suggested reviewing it on October 6th.**

**The Board also needed to approve the evaluation of Philip Smith. Mrs. Rozanski asked the question is the Board required to sit with Mr. Smith and Bob Power; if not, then the Board should approve it as is. She did feel it was part of our management right to sit down and discuss goals, etc.**

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**Mr. Brodeur said he wanted to discuss the arbitrator's decision in that regard. He asked, what if every department head gave a 42 to everyone? Mrs. Rozanski said it is part of our management right to use the evaluation as a tool. Mr. Downing said the supervisors know what the Board's expectations are. Mrs. Rozanski stated she just did not want to go along with the score just because the department head gave that score. Mr. Brodeur felt they had the right to deny it, but Mrs. Rozanski said they cannot deny it if the employee meets the criteria.**

**Mr. Downing asked the Board if they wanted Bob Power to come in to say the same as he wrote on the evaluation form or ask for further clarification. Mrs. Rozanski moved to approve the evaluation of Philip Smith; Mr. Brodeur seconded; all aye.**

**Mr. Downing said they could possibly have a Saturday workshop with the supervisors and put a strategy together so the process can be cleaned up. Mr. Brodeur said it would be good to point out to supervisors where they have been wrong or the Board has disagreed in their examples and evaluations.**

**Mr. Henry, who was still in attendance, said Center Street is all ready and they will be paving tomorrow. They are preparing cost estimates for time and materials. The paving itself is directly under the School. Mr. Brodeur asked that some driveways be looked at for replacement of bumps.**

**Mr. Henry said that he would be meeting with Bay State Gas concerning the trenches on Village Street the next day, and meeting with Peter Donahue as well concerning the TIP list schedule for Village Street. He also noted that they need to have design and engineering plans approved by the State. Mr. Henry also inquired if \$330,000 had been earmarked for this project for those plans, and Mrs. Rozanski said it was done and all that is required is to put the request in.**

**Mr. Henry added that there were about 25 roadways not on the State list of Medway streets, which puts a negative impact on State funds. He said he would try and get that information to the State and see if there is a different process for inputting that data. Mr. Downing suggested calling Arthur Darley of Mass. Highway in this regard, but Mr. Henry explained that he only gets involved in Chapter 90 matters. Mr. Downing inquired about the proper**



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SEPTEMBER 29, 1997*

**procedure for identifying the streets, and Mr. Henry said it was between the Planning Board and the Highway Department and he would be working on it.**

**Mr. Henry also requested that the DPS Department be included on the list of those departments who receive a copy of approved/endorsed plans. Upon receipt of those plans, a form would get filled out which would ensure that the Town was indicating new accepted streets from the list of unaccepted streets, and the formula would be put in place.**

**The Board acknowledged a letter from Karen Nowicki, and asked Mrs. Allen to get further information from the Police Department on this matter.**

**The agreement for Community Septic Management Program was signed by the Board.**

**With reference to a common victualler license for Donut Depot, Mrs. Rozanski moved approval of the license; Mr. Brodeur seconded; all aye.**

**The subject of a request for signs for Medway Country Manor was brought up, and Mrs. Rozanski said she could not get involved in any discussion as she has a contract with the Manor. Mr. Downing thought the Medway Business Council could possibly assist the Manor, but he was aware of such signs in Millis and possibly they could advise the Board as to how they handled such signs. It was decided to defer any action until Mrs. Allen spoke to Millis personnel. Mr. Brodeur was concerned that viewing not be restricted, and certain parameters be set down. Mr. Downing felt the Board could designate certain areas to the Medway Business Council for such use, if apropos. For the time being, he asked that their letter be acknowledged and would be looked at further.**

**With reference to the hiring/re-assignment policy, Mr. Downing said this was still in the discussion stage. As he had only put some thoughts down, he would re-draft it and look it over with Mrs. Allen.**

**The Board noted receipt of Change Order #5 for Library renovations. Mr. Brodeur said these were cost changes that the Clerk of the Works and the Building Inspector caught in their inspections. Mr. Brodeur moved approval of change order #5; Mrs. Rozanski seconded; all aye.**

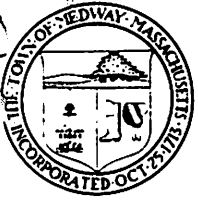
*MINUTES OF THE SELECTMEN'S MEETING  
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**At 10:20 p.m., Mr. Brodeur moved the meeting be adjourned; Mrs. Rozanski seconded; all aye.**

**Respectfully submitted,**

**M. J. Fredette, Secretary  
mj**

approved  
11/3/97



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

SEPTEMBER 22, 1997

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of September 8th meeting.
- 7:01 - David Verdolino and Arti Mehta regarding FFE for new school.
- 7:05 - Appointments for citizen-at-large to the Master Plan Committee.
- 7:30 - Paul DeSimone, IDC; Police Chief David Lambirth; Fire Chief Wayne Vinton; Interim DPS Administrator Lee Henry to discuss plan for Trotter Drive.
- 7:45 - Boston Edison and Nynex for pole petition for Evergreen Street.
- - Committee Reports.
- - Action Items.

ACTION ITEMS

1. Appoint Bruce Hamblin to Medway Cultural Council.
2. Approve Common Victualler's license for Peg & Carole's Silver Skillet.
3. Sign agreement with DesLauriers & Associates, Inc. for Title 5 Septic Management Plan Administration.
4. Attendance at Norfolk County Selectmen's Association dinner meeting on Wednesday, October 22, 1997.
5. Discuss request from United Way of Tri-County to place a "goal thermometer" in front of Town Hall.
6. Approve Auctioneer's license for Peter Kane.

*MINUTES OF THE SELECTMEN'S MEETING  
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**At 6:30 p.m., there was not a majority of the Board present to meet with Fred Sibley to discuss his evaluation. The meeting was rescheduled to September 29th at 6:30 p.m. Members of the Park Commission were present this evening as well.**

**Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall at 7:00 p.m. Present were: Douglas Downing, Raphaela Rozanski, ~~James Brodeur~~ and Administrative Assistant Ruth Allen.**

**Technology Director Dave Verdolino and Town Accountant Arti Mehta came to speak to the Board concerning the furnishings, fixtures and equipment for the new school. Mr. Verdolino acknowledged Town Counsel's letter was self-explanatory and that he would proceed with the steps he had outlined to correct the Town Accountant's concerns. Mrs. Mehta, in turn, looked to Mrs. Allen for assistance as she is the Chief Procurement Officer. Mrs. Allen stated the paperwork was not a problem other than the CPO delegating authority to the School Building Committee Clerk.**

**Mr. Verdolino stated he did not realize any problems had occurred and thought he had done everything he was supposed to do. Mrs. Mehta said the appropriate documentation, including RFP's, bid review, etc., was not attached to the contract paperwork, therefore, she had to assume it was not available. She said as long as Mrs. Allen was handling everything, there should be no problem.**

**Mr. Verdolino understood the process that needed to be followed, but vendors were waiting, and there was a long turn-around time. Mrs. Rozanski suggested he call the Inspector General to see if there was any way around the situation. Mr. Downing asked Mrs. Allen to make some phone calls to assist Mr. Verdolino. Mr. Downing noted that Mr. Verdolino has a copy of Town Counsel's letter.**

**Several residents came to meet with the Board to discuss their interest in being appointed to the Master Plan Committee as citizens-at-large. They included: Ted Gay, Paul Yorkis, Cheryl Harvey, Paul Clark, David Kaeli, Daniel Padien, and James Wieler.**

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**Mr. Downing thanked all for coming, and asked if they would like to make a statement.**

**Mr. Gay began with saying he was interested in the committee as he wanted to see growth controlled for the Town. He also wanted the Town to look at sub-divisions and water/sewer issues and the directions of various roads. He had a background in civil engineering.**

**Paul Yorkis met with the Board stating he had been on the Conservation Commission, Planning Board, Zoning By-law Revision Committee, rep to SWAP, chairman of the economic development commission in Maryland. He said he was concerned about the future of Medway and the management of growth. He would like it looked at in a comprehensive manner and the use of resources such as MAPC and other agencies to debate the issues among different committees.**

**Mrs. Rozanski asked that each candidate tell the Board what they think is the goal of the Master Plan Committee as part of their statement.**

**Cheryl Harvey spoke next stating she was vice-chairman of the School Committee and wanted to be on this Committee to help find a balance between growth and resources. She felt this would be a learning experience and did not want it to be an anti-growth committee, but rather an effective balance in planning.**

**Paul Clark said he was one of the original people who wanted to get this issue on the warrant. It was unfunded at town meeting, but there needs to be a vision of Medway and this Committee would help make that vision.**

**David Kaeli said he was a professor in electrical engineering, and also was on the Planning & Growth Committee with Paul Clark. He stated he did research and found some of what the original master plan called for hadn't been done. Since he is a writer, he can be of some help with the document being written as well as implemented.**

**Daniel Padien said he had been on the Conservation Commission for two years and was an environmental scientist who had worked with other committees that**

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SEPTEMBER 22, 1997*

now have master plans and some that don't. He felt the role of the Committee was to have a measured and controlled way to the future. He felt it was important how Medway presents itself in the future, and we should compare ourselves to other Towns.

James Wieler said he was a systems engineer. He felt it was necessary to pull together the issues in order to produce a product maybe in a year. He, too, was a member of the Planning & Growth Committee.

Mr. Downing stated that those who are not chosen can be a sub-committee of the Chair. or of the Master Planning Committee, rather than the Board of Selectmen. He said he was willing to volunteer his services as well, and for continuity, would be willing to be designated on behalf of the Board. Mr. Downing said this was their charge but everyone's concern, and hopefully, this meeting will keep the process going. Since Mr. Brodeur was not here this evening, he recommended they vote on this next week, and if he was not there, closure would still be next week.

Mrs. Rozanski said this was a commitment of time and asked that a timeline be set. She said that other names were chosen by their boards in addition to the citizens-at-large.

Mr. Downing added he would be happy to chair the first meeting that is called together until they get a chairman.

At 7:35 p.m., a discussion concerning Trotter Drive was held, which included Paul DeSimone, Chairman of the Industrial Development Commission; Fire Chief Wayne Vinton; Police Chief David Lambirth; Interim DPS Administrator Lee Henry; and Acting Highway Superintendent Bob Power. Residents from the Alder Street area were also in attendance, as well as IDC members Jim Mucci and Richard Parrella Jr. Mr. DeSimone gave a quick overview to all present concerning the closing off of Alder Street except for a gate which could be used for an emergency by Police and Fire. However, the Police Chief, the Fire Chief and the DPS still did not want Alder Street blocked off. Mr. DeSimone said it had been agreed that no decision would be made until the traffic study was done, and that was done on August 5th. Plans were then submitted to all concerned.

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**Mr. DeSimone further stated that looking at the plan where Alder Street comes into Trotter Drive - the emergency drive with gate- the gate does not have to be there, and signs can say emergency vehicles only; the buffer is there, and the better design was the sweeping design. Based on the traffic study and the speed limit of 30 mph, it makes more sense with an island separating the two traveled ways.**

**Mrs. Rozanski noted this was just the 25% plan, but Mr. DeSimone said the IDC can't wait any longer; they need a decision tonight with the PWED grant. He noted a year has gone by already, and it didn't matter which way they go; but the Board has to decide. Mrs. Rozanski said the Board had already decided on September 8th to go with the sweeping version. Mr. DeSimone had thought it had been contingent upon what the Fire Chief said. Mrs. Rozanski said it still seemed as if all three (Police, Fire and DPS) didn't want the road blocked off. Mr. Downing said he had abstained at that time because he wasn't ready to vote until he heard all the options.**

**Mr. Downing noted the width of the pass-through was eleven feet with no gate. He still had some concerns, and some answers were still needed. Mr. DeSimone asked about snow easements. But Mr. Power said they were getting ahead of themselves. Mr. Downing still wanted to hear the pros and cons; it was a great cost to the Town; who benefits; what about the excavating cost; where does Lost Hills go? Mr. DeSimone said they would use the Industrial Road for access and egress.**

**Mr. Power added that when you are looking at the protection of the residents, you need to be able to look at the suitability for police, fire, highway and ambulances. Mr. DeSimone stated that the width of the road can handle the plows; the Town isn't paying to build the road. He further said that the traffic study was given to the Selectmen in August, and at that time, the Selectmen had said they would not decide to close the road until the traffic study was done.**

**Mr. Downing said the main purpose for tonight's meeting is to determine how the traffic will flow into the area. Mr. DeSimone said they need to come up with the 75% design.**



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**Mr. Henry asked to refocus the discussion. He said the DPS was responsible to provide a safe, unobstructed and uncomplicated network of roadways to efficiently and effectively move vehicular traffic in and around and through the Town. Money is invested with DPS to perform that responsibility. Dead-ending the road does not help, and it really is counter-productive. How does dead-ending the road benefit Medway?**

**Karen Alves of Alder Street said she wanted everyone to consider that this was a neighborhood of over 100 kids. They were still getting commuter traffic with signs still in place. Janet Riera of Fox Run Road said the people who live in this area will be impacted and have to bear the brunt for the Town of near 4000 cars. Peter Badger of Blue Ribbon Lane said there was enough traffic now, and now was the time to block off the road.**

**Mrs. Rozanski said they were just looking at the issue of design, not the blocking of the road, and one design (#2) being better than the other. She didn't feel they had made a decision on the design, but had received letters from the safety people indicating they did not want the street blocked.**

**Mr. DeSimone felt there would only be one land-taking. The property line would change from the easements which could be placed near the land-taking.**

**Sandra Shaw of Fox Run Road stated they have tried to discourage trucks from going up Alder Street with signs but it doesn't work. She felt that most of the traffic was between 6:30 and 7:30 in the morning, and 3:30 and 4 in the afternoon.**

**Chief Lambirth said his only opposition is to the pass-through gate, but the sweeping design was better. They have tried to discourage traffic, but his Officers don't see all this traffic that the residents in the area of Alder street are talking about.**

**Mrs. Alves said her husband follows the vehicles and finds that they go to the Industrial Park.**

**Mr. Downing said they could proceed to the 75% plan. He suggested holding off any further discussion on the closing off of the intersection until after the**

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**75% plan is in, and asked that they highlight that area for now and show it as an emergency drive. Mrs. Rozanski asked about when they would have to have a public hearing? Mr. DeSimone said he would let the Board know, but hoped the 75% plan would be available in November.**

**Mr. Downing asked Chief Vinton to take the lead on this from a management standpoint with the IDC.**

**Mr. Power asked about the traffic count from Norfolk County, and Mrs. Allen said Mr. Henry has the files on traffic counts.**

**Mr. Downing suggested Chief Lambirth place patrols in shifts in the Alder Street area, and Mrs. Alves recommended the corner of Fox Run Road and Alder Street as being the worst.**

**At 8:33 p.m., Mrs. Rozanski read the ad that appeared in the local paper for a public hearing for the placing of a pole on Evergreen Street for Nynex and Boston Edison. As there was no one present in opposition, Mrs. Rozanski moved that the petition be granted; Mr. Downing seconded; all aye.**

**At 8:35 p.m., we heard Committee Reports.**

**Mrs. Rozanski had no reports.**

**Mr. Downing said that on Thursday, he, Lee Henry, Bob Power, John Boczanowski, Linda Reynolds, John Kabitza, and P. J. tella met on Center Street and finally closed the issue. He further noted that Center Street would be paved by the end of the week and this would complete all of the new paving projects near the new school.**

**Mr. Downing stated he met with Joseph Giovinazzo of GCG Associates and they discussed the placing of the fence around Cottage to Evergreen Street, and the two driveways on Cottage Street. Mr. Giovinazzo said they would be rectified when the top coat was put in this week, and Cottage Street should be done by the end of the week. The fence area will be discussed later on when they**

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continue the four-way stop sign discussion since the Board would have to decide if the fence is to be changed.

Mr. Downing said that Don Springer and Paul Yorkis went to the legislation breakfast also attended by Mrs. Rozanski and himself last Friday. The main theme seemed to be to regionalize as much as possible.

The Board next discussed the action items. They first took item #6 out of order which was an auctioneer's license for Peter Kane, being taken out by James Menize of As Time Goes By consignment shop. It was noted the auctions would be on a regular schedule, probably held around 6:30 p.m. and over by 10 p.m.

Mrs. Rozanski moved to grant the auctioneer's license to Peter Kane, auctioneer at 114D Main Street; Mr. Downing seconded; all aye.

The Board moved on to item #1 which was the request of the Medway Cultural Council to appoint Bruce Hamblin to that Council. Mrs. Rozanski moved to appoint Bruce Hamblin to the Medway Cultural Council through 9/22/99 on the Chairman's recommendation; Mr. Downing seconded; all aye.

Item #2 was approval of a common victualler's license for Peg & Carole's Silver Skillet at 154 Village Street. Mrs. Rozanski moved to grant the common victualler's license to that establishment; Mr. Downing seconded; all aye.

Item #3 was a verbal request from the Board of Health to sign the agreement with DesLauriers & Associates for Title V Septic management plan administration. Mrs. Rozanski began to move that the Chairman sign the agreement, but then it was felt they should wait for a confirming letter from the Board of Health to this effect. At this time, Mr. Downing asked that the Board of Health also include an area on the signing page for Town Counsel to approve as to form, and for the Town Accountant to sign as to available funds, with the Board signing the agreement next week.

Item #4 was to find out who would be attending the Norfolk County Selectmen's Association meeting on October 22nd. Both Mr. Downing and Mrs. Rozanski said they would attend.

*MINUTES OF THE SELECTMEN'S MEETING  
SEPTEMBER 22, 1997*

**Item #5 was a request from the United Way of Tri-County to place a "goal thermometer" in front of Town Hall. Mr. Downing felt such a thermometer might be better located near Choate Park, but he was unsure if it should be done if it had't been done before. Mrs. Rozanski agreed noting that there would be others who would want to make a similar request, and felt it should be denied.**

**Mrs. Rozanski moved to deny the request of the United Way to place the sign in front of Town Hall; Mr. Downing seconded; all aye.**

**With reference to the new school bills, Mr. Downing said he was aware of all of them except two items, and felt comfortable approving them.**

**Mrs. Rozanski moved to approve change order #9 dated 8/22/97 for \$14,415.00; Mr. Downing seconded; all aye.**

**Mrs. Rozanski moved to authorize for payment requisition #18 for the period ending 9/11/97, which included change order #9, for \$311,345.42; Mr. Downing seconded; all aye.**

**The Board acknowledged a memo from Charlie Myers, Chairman of the Cable Advisory Committee, requesting the Board place an article on the warrant to cover funding for special counsel for contract renewal for cable. Mr. Downing recommended an increase to the Selectmen's budget to cover this funding on the article warrant.**

**The Board acknowledged receipt of a letter from the Medway Municipal Employee Association noting that certain department heads had either failed to evaluate their employees or did not submit evaluation forms for FY'97. It was requested that Mrs. Allen check into who those individuals were.**

**Mr. Downing acknowledged a memo from Richard Kahn of Lewis Drive and thanked him for sharing his concerns, which have been referred to the Building Inspector and the Assessors as well. He said if Mr. Kahn needs any further help, to let the Office know. Mr. Downing elaborated that the letter was in reference to lot A on Ryan Road and a decision rendered 3/9/89 recently resolved.**

*MINUTES OF THE SELECTMEN'S MEETING  
SEPTEMBER 22, 1997*

Mr. Downing was following up on a memo dated August 8th from the Planning Board looking for direction from the Selectmen on 3 acres of open space, and the deeding of same to the Town of Medway. He thought Mr. Brodeur was going to be the liaison on this issue, and since Mr. Brodeur was not here this evening, did not know the resolution.

Mr. Downing also stated that, at the recent SWAP meeting, he had spoken to Mr. Springer about the Planning Board sending a letter to the Norfolk Commissioners in support of the land bank. Mr. Downing also said he spoke to David Hoag, and it was his feeling that Acting Governor Cellucci does not want any land banks, so it would be good for the Town to send letters of support. Mrs. Rozanski added that individual support was also welcomed.

On a follow-up, Mr. Downing asked that John Cicciu be reminded about the emergency management info deadline for October.

It was noted that the Library had gone out to bid for voice and data wiring, and that bids had come in between \$4,000 and \$14,000. They chose MetTel, and it has been signed and approved by the Town Accountant and Town Counsel with Mr. McNulty's recommendation.

Mrs. Rozanski moved approval of the contract with MetTel for voice and data wiring for \$4,117 for the Library; Mr. Downing seconded; all aye.

The Board signed the site plan for the Senior Center, already approved at a previous meeting.

Warrants were signed totalling \$478,245.07.

Mrs. Rozanski and Mr. Downing said they went to Mary O'Leary's retirement party.

At 9:22 p.m., Mrs. Rozanski moved to adjourn to executive session for the purpose of contract negotiations and possible litigation, not to return to public session; Mr. Downing seconded; all aye. The vote: Mrs. Rozanski - yes; Mr. Downing - yes.

Respectfully submitted,  
M. J. Fredette, Secretary

*Monica J. Fredette*  
*10/20/97* mj



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

September 15, 1997

- 7:00 Open Meeting, Sign Warrants
  - 7:01 Arti Mehta and David Verdolino  
regarding FFE for new school
  - 7:05 Joseph Giovinazzo, GCG update  
on Cottage/Evergreen Drainage  
Payment of Estimate #5
  - 7:20 Rodney Hill, Site Plan, 150 Village  
Street
  - 7:25 Jeff Intinarelli, Site Plan, 154 Village  
Street
  - 7:35 Solicitor's Permit for Gregory Grady
  - 7:45 Narte Inc., Site Plan 167 Village Street
- Committee Reports
- Action Items

File

ACTION ITEMS FOR SELECTMEN'S MEETING - SEPTEMBER 15, 1997

1. Decision on waiver of permit fees for Senior Center building.
2. Vote to appoint Cheryl Goodspeed and Barbara Trufant as Special Crossing Guards.
3. Request for Board's assent for time off for K-9 officer per Police Chief's letter of September 2, 1997.
4. Chairman's signature on Request for Payment (reimbursement) from COPS FAST Grant.
5. Attendance at meeting at Medway Country Manor on September 17th at 6:00 p.m.
6. Attendance at Annual Fall Workshop for Selectmen.
7. Vote on Application for Employer Assisted Education for William Boultenhouse and Allen Tingley.
8. Review and approve Monthly Estimate #5 from Tonare Construction in the amount of \$61,783.81.
9. Fred Sibley's evaluation, WHEN???
10. Approval of evaluations for Marie Penza, Katherine Buday, Martha Caccamise, Martha Wingate, Jonathan Power and Shirley Heaton.

Present: Doug Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

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

7:01 - Dave Verdolino came in to speak to the Board about the  
furniture, fixtures and equipment for the new school.  
He did not know Town Accountant Arti Mehta would not be  
in attendance since Mr. Downing had suggested she  
contact Town Counsel in this regard. The Board will  
wait to hear what Town Counsel says and then notify Mr.  
Verdolino. Mr. Verdolino had a copy of Mrs. Mehta's  
letter to Town Counsel dated September 10th, and was  
placed on the agenda with her at 7:01 p.m. next week if  
warranted.

Mr. Verdolino brought in change order #9 for the new  
elementary school dated August 28 in the amount of  
\$14,415 which he had received this day. He stated that  
Mr. Poinelli had indicated the change order was  
reflected in the latest requisition for payment  
received. He also noted that payment is due 15 days  
after presentation as per the contract. Mr. Downing  
suggested they review it first and then place it for  
approval next week.

7:10 - Joseph Giovinazzo of GCG Associates came in to speak to  
the Board about the near completion of the Cottage  
Street drainage project. He felt that at the end of  
next week or beginning of next, they would begin final  
paving. He noted the berm was almost all in place,  
fencing along the cemetery going up, loaming and  
seeding, and then paving.

Mr. Giovinazzo was asked about changing the fencing, and  
he suggested if the Board wanted something to be done,  
to let him coordinate it. Mr. Downing made arrangements  
to meet with him on Thursday at 1:00 p.m. on Cottage St.

Mr. and Mrs. Gary Coates of 2 Cottage Street asked Mr.  
Giovinazzo and the Board to take a look at their  
driveway where they were bottoming out. Their neighbors  
at 4 Cottage Street also had the same problem. Mr.  
Giovinazzo said he could make an adjustment to their  
driveway, but to remember the final paving had not been  
done yet. He said he would check it out himself on  
Thursday, but his field engineer had not told him there  
were any problems.

With regard to phase two, Mr. Giovinazzo said he had  
nothing to report. Mr. Brodeur questioned whether there



should be an article placed on the upcoming Special Town Meeting warrant in case this needs to be addressed? Mr. Giovinazzo said he would give it some thought, but they could negotiate an easement or take the property by eminent domain. Mr. Downing asked when he referred to the property in any communication, that he is specific, i.e. map and parcel.

The Board reviewed estimate #5 from Tornare. Mr. Brodeur moved approval of estimate #5 for \$61,783.81 to Tornare Construction for work through August 9th; Mrs. Rozanski seconded; all aye.

- 7:32 - Rodney Hill of 150 Village Street came before the Board to receive approval of a site plan for his antique store at that location. His store will be called Annie's Odds and Ends, with probable hours of 10a.m. - 6 p.m. opening seven days a week.

Mrs. Rozanski made a motion to approve a site plan for Annie's Odds and Ends at 150 Village Street; Mr. Brodeur seconded; all aye.

- 7:37 - Kevin Kellogg and Jeff Intinarelli of 154 Village Street came before the Board to receive approval of a site plan for their restaurant at that location. They said the restaurant would be called Peg & Carole's Silver Skillet with hours of operation being from 5:30 a.m. to 5:00 p.m. Possibly, down the line, they would think about extending their hours for dinner.

Mrs. Rozanski made a motion to approve a site plan for Peg & Carole's Silver Skillet at 154 Village Street; Mr. Brodeur seconded; all aye. They hoped to open this weekend.

- 7:41 - A solicitor's permit for selling furniture off of two trucks was requested by Gregory Grady and Michael Welch from North Carolina. Mr. Grady said they have worked in other towns, i.e. Medfield, and just sell off the trucks, unless those people buying needed extra pieces which could be ordered. The trucks were a 35 ft. and a 45 ft. containing namebrand furniture from Piedmont.

Mr. Brodeur moved approval of the solicitor's request for both gentlemen subject to a phone call to Medfield verifying; Mrs. Rozanski seconded; all aye. Mr. Downing suggested they let the Police Department be aware of which area of town they are in.

- 8:00 - John Holmberg of 167 Village Street came before the Board to receive approval of a site plan for his

business at that location. The business is called NARTE, which is a non-profit business for certifying engineers by administering tests, i.e. colleges, for certification for those who want FCC licenses. They have four employees.

Mr. Brodeur made a motion to approve the site plan for NARTE of 167 Village Street; Mrs. Rozanski seconded; all aye.

8:06 - Warrant #12 was signed by the Board in the amount of \$1,150,160.41, minus the bill for requisition #19 for the new school building in the amount of \$311,345.

- Committee Reports.

- Mr. Downing.

- Mr. Downing reported that the Norfolk County Advisory Board passed two resolutions, one of which was to support the land bank. He was asking the Board to write a letter of support, and he was going to request the Planning Board, Conservation Commission and Open Space to do the same.

Mrs. Rozanski moved the Board write the letter of support; Mr. Brodeur seconded; all aye.

The second issue was that they have entered into an agreement with Olympus Health Care Group for the sale of the Norfolk County Hospital in Braintree, not Columbia. They first have to see if the Town of Braintree is interested, but the State is not. He felt they would be out of the hospital business by the end of the year.

- Mr. Downing said he spoke to John Boczanowski, Chairman of the School Building Committee, who has stated they will have a need for Town Counsel, which will eventually be put in writing, to go over the conditions of the school building contract.

Mrs. Rozanski made a motion to authorize the School Building Committee to review the conditions of the contract as it pertains to closure with Town Counsel; Mr. Brodeur seconded; all aye.

- Mrs. Rozanski.

- Mrs. Rozanski said that the Cable Advisory Committee was meeting tonight and they were hoping to pick Special Counsel by the end of September.

- Mrs. Rozanski said the Technology Committee was meeting on September 25th and she was planning on attending.
- Mr. Brodeur.
  - Mr. Brodeur said he went to the Finance Committee meeting last Wednesday but there was no quorum. He stated the Secretary had resigned and it has to be advertised. Mrs. Allen said she would again send them a copy of the personnel policy.
- Action Items.
- Mrs. Rozanski brought up the request of the Senior Center Building Committee to waive permit fees. She stated that they met on October 4th and they are ready to go and advertise, but need a Board decision as to the waiving of fees to include with the contract documents. Mrs. Rozanski said she felt the school was different as it was a "raise and appropriate" and 69% reimbursable.

Mrs. Rozanski said there was \$563,000 left in the grant, and the estimated cost was \$530,000. There was no "raise and appropriate" for this project so they felt the Board of Selectmen should consider waiving fees.

Mr. Brodeur felt it was best not to waive the fees and leave it in the contract for now.

Bernie Cornelia, who was present, asked if they should put an article on the warrant to cover the fees? Mr. Brodeur said they will probably be having change orders.

Mrs. Rozanski made a motion to waive the fees; there was no second.

Mr. Brodeur moved to include the fees in the cost of the contract; Mr. Downing seconded; Mrs. Rozanski opposed; 2-1-0.

Members of the Senior Center Building Committee gave the Board an article for the warrant to include a sum of money.

- 8:40 - Special Crossing Guards were recommended by Chief Lambirth to be appointed.

Mr. Rozanski moved that Cheryl Goodspeed and Barbara Trufant be appointed Special Crossing Guards; Mr. Brodeur seconded; all aye.

- The Board discussed the Police Chief's request for time off for Officer McSweeney to travel to Germany with K-9 Blesk for a training conference and field trials competition.  
  
Mrs. Rozanski moved to have the time away be paid as training time; there was no second.  
  
Mr. Brodeur moved to have 50% of the time away (the equivalent of one week) be paid as training time, and leave the other 50% of the time to be Officer McSweeney's choice; Mrs. Rozanski seconded; all aye.
- The Chairman's signature was required on the reimbursement request for payment from the COPS FAST Grant. Mrs. Rozanski moved that the Chairman sign the request for payment; Mr. Brodeur seconded; all aye.
- Mrs. Allen asked the Board if they would be attending the meeting at Medway Country Manor on September 17th at 6 p.m - Mr. Downing and Mrs. Rozanski - yes; Mr. Brodeur - no.
- Mrs. Allen asked the Board if they would be attending the MMA annual fall workshop for Selectmen on September 27th in Westborough - Mr. Downing and Mrs. Rozanski - yes; Mr. Brodeur - no.
- The Board noted the employer-assisted education reimbursement requests for William Boultenhouse for \$920 and Allen Tingley for \$1,012 approved by Sgt. Saleski and the Chief. Mr. Brodeur moved approval of both requests; Mrs. Rozanski seconded; all aye.
- Mr. Downing noted four, if not five, had passed the Police Sergeant's exam.
- Fred Sibley's evaluation was brought up. Mrs. Rozanski said they should do it in conjunction with the Park Commissioners. Mrs. Allen said no, the Board of Selectmen has to do all department heads, i.e. Fred, Paul Keefe, Bob Speroni, Mark Flaherty, Arti Mehta, and her. It was suggested they meet on Monday, September 22nd at 6:30 p.m., and to ask Mr. Sibley to come in. The meeting needs an earlier posting notice. Mrs. Rozanski asked Mrs. Allen to let the Park Commissioners know that the evaluation will be done that evening.
- Board approval was needed on merit increases for those employees that received a 42 or above by their dept. heads. Mr. Brodeur moved approval of merit increases for Marie Penza, Katherine Buday, Martha Caccamise,

Martha Wingate, Jonathan Power, Shirley Heaton; Mrs. Rozanski seconded; all aye.

- Mrs. Allen told the Board the Medway Municipal Employee Association had agreed to meet with them on October 15th at 7:00 p.m.
- Mrs. Allen said the Finance Committee was meeting on September 24th, and would like whatever articles have been submitted.
- Mrs. Allen acknowledged the Fire Chief's letter with regard to closing off Alder Street, which he was not in favor of.

Mr. Downing suggested a joint meeting with the IDC at 7:30 p.m. to finalize the design.

- Mr. Downing said he was in the process of drafting a hiring policy and when the Board members received it, he asked that they give their comments to Mrs. Allen.
- Mrs. Rozanski said 50 bid documents would be available for bidders on Wednesday for the Senior Center.

- 9:20 - Mrs. Rozanski moved to go into executive session for the purpose of discussion of negotiations, the arbitrator's decision, Town Counsel's comments on that decision, and possible subsequent impact on any future negotiations, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mrs. Rozanski - yes; Mr. Brodeur - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette, Secretary

mj

*approved*  
*9/29/97*



## BOARD OF SELECTMEN

166 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

September 8, 1997

- 7:00 Open Meeting, Sign Warrants, approve minutes of August 4th and August 18th meetings.
- 7:05 Senior Center Building Committee update the Board
- 7:15 Joint meeting of Park Commissioners and Conservation Commission regarding Idylbrook land
- 7:45 Medway Cooperative Bank regarding sign permit denial
- 8:00 Library Trustees - to update the Board and change order application
- 8:15 Lee Henry regarding MOU for Interium DPS Administrator
- 8:30 Treasurer Marjorie Sanford - sign Bond Issue

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF SEPTEMBER 8, 1997.

1. Library Trustees request for use of Town Counsel.
2. Park Commissioners request for partitioning Norfolk County Engineers for Idylbrook Property.
3. Request of Water/Sewer Commissioners for an October Special Town Meeting.
4. Award Highway and other bids.
5. Discuss request for signs from Safety Officer Watson.
6. Discuss signing of Historical Commission Contract.
7. Discuss Building Inspector mileage.
8. Sign employee notification forms for Sandra Collum, Marion Cole, and Neil Coakley.
9. Sign Employee Assistance Program Agreement.
10. Discuss letter on Massachusetts Summit to be held on October 26th.
11. Discuss letter dated August 23rd from MMEA - request for meeting date.
12. Discuss memo from Gary Marini regarding damage to his vehicle.
13. Sign Nynex Centrex Plus Service Agreement.
14. Acknowledge decision from American Arbitration Association.
15. Acknowledge reminder of SWAP Legislative Breakfast in Sherborn on September 19, 1997.
16. Acknowledge letter from Murphy's, 99 Village Street.

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF SEPTEMBER 8, 1997.

1. Library Trustees request for use of Town Counsel.
2. Park Commissioners request for partitioning Norfolk County Engineers for Idylbrook Property.
3. Request of Water/Sewer Commissioners for an October Special Town Meeting.
4. Award Highway and other bids.
5. Discuss request for signs from Safety Officer Watson.
6. Discuss signing of Historical Commission Contract.
7. Discuss Building Inspector mileage.
8. Sign employee notification forms for Sandra Collum, Marion Cole, Neil Coakley and Lynda Pastore.
9. Sign Employee Assistance Program Agreement.
10. Discuss letter on Massachusetts Summit to be held on October 26th.
11. Discuss letter dated August 23rd from MMEA - request for meeting date.
12. Discuss memo from Gary Marini regarding damage to his vehicle.
13. Sign Nynex Centrex Plus Service Agreement.
14. Acknowledge decision from American Arbitration Association. (Ted Scripsack would like meeting with the Board as soon as possible).
15. Acknowledge reminder of SWAP Legislative Breakfast in Sherborn on September 19, 1997.
16. Acknowledge letter from Murphy's, 99 Village Street.
17. Vote and sign Chapter 90 request form for DPS Roller.
18. Sign Septage Treatment Agreement with Town of Dover.



page 2. Action Items 9/8/97

19. Discuss draft letter regarding Apollo Building.
20. Discuss letter from SBC regarding the purchasing of equipment for new elementary school.

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

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

- Treasurer Marjorie Sanford and Town Clerk Maryjane White were taken out of order in the agenda to have bond issues signed by the Board. The total was \$11,890,000 at 4.9952%; the lower percentage of which was obtained because of upgrading of our rating from A to A1.

Mrs. Rozanski moved that the sale of \$11,890,000 for 1997 bonds dated 9/15/97 to Roosevelt & Cross Inc. at a price of 100.0082% and accrued interest payable as stated; Mr. Downing seconded; all aye. Nineteen bonds totalling \$635,000 will be signed later on in the evening.

7:07 - Neil Dixon of Dixon-Salo Architects came to meet with the Board and go over plans prepared for the new Senior Center. Dick Gildea, Walter Sampson, Ellen Gove and Bernie Cornelia of the Senior Center Building Committee were also present. Mr. Dixon indicated the Center would be a one-story building off of Lovejoy Avenue next to 70 Oakland Street with 31 parking spaces. They had received a negative determination of applicability from the Conservation Commission. The building would house at least a multi-purpose room, meeting room and activity room. Documents for bidding would be available as of next Wednesday with filed sub-bids due 10/6, and general bids due 10/20. They hope to pick the contractor by the end of October and break ground in November with a completion date at the beginning of July.

Mr. Downing asked that they consider oil and stone instead of asphalt on the path in to the center. He also asked that they use a sub-soil for a more solid fill and minimize the use of loam. He also recommended the importance of signs. Mr. Brodeur's concerns were with kids using the paved area for their use, although not wanting to place any restrictions as he felt asphalt would be better. Mrs. Gove did not have a problem with kids skateboarding there.

Mr. Dixon indicated there would be six alternates in the bidding which would include site lights (about \$12,000), vestibule (about \$15,000), canopy (about \$7,500), cabinets, patio (about \$1,800), and paving (about \$15,000) totalling about \$30,000-\$40,000 for all six alternates.

It was noted that the nearest sewer line is near Oakland Circle. Their plan is to put a stub on the side of the property to minimize work in the street for tying in. It was also noted that volunteers were clearing the area at no cost to the Town.

At the public hearing held on September 4th, 15-20 people were present.

Mr. Brodeur moved approval of the site plan for the Senior Center subject to receipt of comments from Highway and the Safety Officer; Mrs. Rozanski seconded; all aye.

Mrs. Rozanski wrote a letter on behalf of the Senior Center Building Committee requesting that the building permit fees be waived. Mr. Downing asked that a copy of the letter be forwarded to the Building Inspector, and the Board could discuss it again next week.

Mrs. Rozanski noted they got a letter from DHCD saying Walter Sampson could be appointed to their Committee.

7:45 - Park Commissioners Ellen Gove and Al Magliaro and Conservation Commission member Daniel Padien came before the Board to discuss the Idylbrook property.

Mrs. Rozanski first brought up their request to utilize the services of the Norfolk County Engineers to engineer the project. Mrs. Rozanski moved to petition the Norfolk County Engineers to do a topo on behalf of the Park Commissioners at the Idylbrook property; it was recommended that vegetation flagging be included, so Mrs. Rozanski amended her motion to include the flagging; Mr. Brodeur seconded; all aye. Mr. Downing requested Mrs. Allen do the memo and he would hand-deliver it to the Norfolk County Engineers on Wednesday.

7:55 - Medway Co-operative Bank President Bob Stratton accompanied by Jack Pratt came before the Board to discuss an additional sign they would like to place at the bank location at 70 Main Street.

Mr. Stratton indicated that they would like a second sign, a "V" sign to be placed facing Main Street, and the first original sign to be placed on the corner at Holliston Street. They needed the Board's approval for the second sign as only one sign is allowed for the premises. It was recommended that directional signs to the drive-up be indicated on the signs, but they are opting to place them elsewhere.

Mr. Stratton brought up the entrance leading into the bank from Main Street, noting the Chief and Highway had felt the entrance was O.K. after the radius was increased from 15 feet to 20 feet, and that the Chief had requested the center island.

Mr. Brodeur moved to permit the placement of a two-sided sign on Main Street as presented this evening with an additional side entrance notation panel underneath the sign if desired; Mrs. Rozanski seconded; all aye.

They hoped the bank could be opened the end of October.

8:15 - Library Director Philip McNulty and Library Trustee Wendy Rowe met with the Board to receive approval of change order #4 in the amount of \$22,854 for the Library renovations. Mr. McNulty noted that two of the items included on the change order were for upgrades of roof shingles and masonry which will be a cost saving and a preventative measure for the future. Ms. Rowe added that the Clerk of the Works agreed the items in the change order should be done.

Mr. Downing, noting the jump in PCO numbers, suggested they list all their PCO's and the status of each so they don't lose sight of them. Mr. McNulty felt there was about \$31,000 in potential items not approved yet and about 7% contingency remaining. He said many of these items are covered by the grant so possibly \$700,000 could be recovered as reimbursable.

Mr. Brodeur moved to approve change order #4 for Library renovations in the amount of \$22,854; Mrs. Rozanski seconded; all aye.

8:30 - Lee Henry came before the Board to discuss the MOU for position of Interim DPS Administrator. He asked the Board if it was ready to be signed as he was an appointee without an agreement.

Mr. Downing stated he had just received comments from Town Counsel today, and passed on a copy of those comments to Mr. Henry at this time.

Mr. Henry did not quite understand the items Town Counsel felt shouldn't be included in the MOU, i.e. if there was no Town Administrator, the Selectmen could re-negotiate a contract. In addition, the evaluation of the work he would be performing was something Mr. Henry wanted included for himself. He understood that the contract ended after the agreed-upon period of time, but the Town Administrator would then be able to decide the

next course of action.

Mrs. Rozanski noted her concerns concurring with Town Counsel's comments, and that she felt DPS could be reviewed, not just the Interim DPS Administrator. She questioned the increase in salary, and Mr. Henry stated the 7.65% is the other portion of social security and medical he had to pay for self-employment tax. He assumed fee for service for six months is what goes with the position. He further stated he was not trying to clutter the contract, but wanted an evaluation done on his performance, whether it was the Town Administrator or the Selectmen.

Mrs. Rozanski said the Board could provide a letter of reference, but Mr. Henry said he did not want that - he wanted a performance evaluation of his work which did not put any liability on the Town. Mr. Downing suggested changing the word "will" to "may" in that reference; all agreed.

Mr. Downing moved to enter into an agreement with Mr. Henry, but then asked about the motion made at a previous Selectmen's meeting appointing Mr. Henry subject to Town Counsel's review of the contract. Mr. Downing said that the motion died because of lack of action by the Board; now they were entering into a contract for services.

Mr. Brodeur asked from which budget would his salary come from? Mr. Downing said there were some funds in the DPS expense account, but then they would have to transfer the rest of the monies for the duration of the contract from the DPS salary account to the DPS expense account at a Town Meeting. Mrs. Rozanski said the offer was \$17.25; was the Board going to amend that amount?

Mr. Brodeur moved to approve and endorse the MOU for Interim DPS Administrator dated today between Lee Henry and the Town for \$746.00 per week, which is an increase of 7.65% from the original offer, and includes a revision of section 3D to delete the word "will", and insert therefore "may", subject to funding, and endorsement by Town Counsel and the Town Accountant; Mrs. Rozanski seconded; all aye.

Mr. Henry said he was available to start immediately, and would like to set up a base of operations at the Town Hall tomorrow. Mr. Downing asked that Mr. Henry not bring in any personal effects until the agreement is signed. He would work on processing the paperwork tomorrow.

Mrs. Rozanski asked Mr. Henry what if Town Counsel wants the paragraph about the performance evaluation deleted? Mr. Henry said he would then prefer to discuss the reasons why; he would need more information. Mrs. Rozanski said the start date may change depending on when signatures are obtained.

Mr. Henry said one of his first objectives is to do a proposed plan of the DPS for the next six months, and to finish what has been started. He noted he wanted to know the status of Village and Summer Streets; where is the \$25,000 from Bay State Gas; and that he wanted to be sure Bay State Gas completed their responsibility to the Town. A letter from the Murphys of 99 Village Street was referred to Mr. Henry for follow-up when officially on board.

- Warrant #9 totalling \$486,065.17 was signed by the Board two weeks ago. Warrant #10 totalling \$483,510.42 was signed by the Board last week. The Board was signing this week warrant #11 totalling \$267,765.53.
- Mrs. Rozanski moved approval of the minutes of August 4th; Mr. Brodeur seconded; all aye.
- Mrs. Rozanski moved approval of the minutes of August 18th; Mr. Brodeur seconded; all aye.
- Mrs. Allen said she checked and found out that Mrs. Stanion could be an advisory member to the Technology Committee.
- Committee Reports.
- **Mrs. Rozanski.**
  - With reference to the Cable Advisory Committee, Mrs. Rozanski said they have not made a recommendation for special counsel yet. Mr. Downing commented that he had just received a communication indicating it had been done.
  - Mrs. Rozanski stated that there will be a SWAP legislative breakfast on September 19th. She noticed that SWAP representative Paul Yorkis' name was not on the mailing list but has been restored. She noted he had not been to the last three meetings. Mr. Downing stated he was aware he had been out of town on business and on vacation.
  - Mrs. Rozanski said that the IDC is waiting for a decision from the Board as to ~~whether they would be~~ *which of the*

~~willing to block off Alder Street with either of~~  
the alternate two plans submitted." She said they cannot proceed without a decision.

- Mrs. Rozanski asked Mr. Downing if he was aware that the Senior Center Building Committee would like to use the chipper? He said he was aware of the request and Bob Power would coordinate its use.
  - **Mr. Brodeur.**
  - Mr. Brodeur said he had received a special request to attend the Planning Board the next evening, the 9th, to provide background information on a certain project.
  - **Mr. Downing.**
  - Mr. Downing reported on the last School Building Committee meeting, noting that the new Memorial School has opened and they are all anxious for the open house. He stated the rest of the school buildings are in good shape according to Building Inspector Bob Speroni and Fire Chief Wayne Vinton.
  - The nineteen bonds for the Treasurer/Collector were signed at this time.
  - Action Items.
  - A request to use Town Counsel by the Library Trustees was brought up. Mrs. Rozanski moved to endorse the Trustees' use of Town Counsel; Mr. Brodeur seconded; all aye.
  - The Board noted the Water/Sewer Commissioners' request to hold a Special Town Meeting in October as funding is needed for the mandated corrosion control program. This is all water-related, not sewer. Superintendent Mark Flaherty joined the meeting to say the approximate cost was \$770,000, and that a DEP directive would soon be coming stating it has to be done by January 1, 1998. He also noted that approximately \$450,000 - \$550,000 would be needed to paint the tank. Mr. Flaherty said that October is the latest the STM could be held and they have specs and a scope of services to issue, with probably three articles to place on the STM warrant.
- Mrs. Allen proposed October 27th at 7 p.m. for the STM. Mr. Brodeur moved to schedule a STM for October 27th; to also open the warrant this evening, and to close the warrant on September 26th at the close of business; Mrs. Rozanski seconded; all aye.

- With regard to the highway, catch basin cleaning, traffic markings and fuel bids, Mrs. Rozanski moved to award the bids as presented this evening and attached to these minutes; Mr. Brodeur seconded; all aye.
- Mrs. Rozanski moved to send a memo to the Town of Medfield accepting the joint salt bid to Eastern Salt as the low bidder at \$28.15; Mr. Brodeur seconded; all aye.
- The Board discussed a memo from Safety Officer Jeff Watson concerning his recommendation of installing two additional signs on Cottage Street to make the intersection with Evergreen and Elm Streets a four-way stop.

Mrs. Rozanski moved to install four-way stop signs at the corner of Cottage and Evergreen Streets. Mr. Brodeur stated he had a problem in doing this without a police report or anything to substantiate the need for them. He felt the Town has been too flagrant in just installing signs and wanted more backup. Bob Reding, who was present, did indicate there was a site distance problem at that corner with a fence. Mr. Downing suggested Officer Watson be invited in to discuss this further next Monday.

Mr. Brodeur also wanted more backup on Officer Watson's second recommendation concerning blind driveway and slow children signs being installed on Fisher Street. Maybe the speed limit could be reduced. He stated speed limit signs can be enforced; blind driveway signs can't.

Mr. Downing gave the Board members a homework assignment to go out and observe both areas in preparation for discussion next week.

- The Board noted receipt of the Historical Commission's contract for Claire Dempsey's surveying and planning work. Mr. Rozanski moved to authorize the Chairman to sign the Historical Commission's contract between the Town and Claire Dempsey; Mr. Brodeur seconded; all aye. Mrs. Allen will also get Town Counsel's signature before passing it on to Historical Commission Chairman Gwen Hendry.
- The Board discussed calculations prepared by Building Inspector Bob Speroni on mileage used on his vehicle for performing inspections which will be a reimbursable cost to him. Mr. Downing stated this was precipitated by a conversation during budget discussions last year, and what would be the likelihood of using the old police vehicles for the DPS Administrator and the Building



Inspector. At that time, he said there were no guarantees and asked him to build it into his budget. Mr. Brodeur said that possibly the inspection fee doesn't cover this for the Building Inspector and the fees need to be re-evaluated. Mr. Downing suggested the Building Inspector find out what other nearby towns are charging for fees. Mr. Brodeur indicated that many factors go into that fee, i.e. vehicle usage, secretarial help, accounts payable.

Mr. Downing requested Mrs. Allen send a memo to Mr. Speroni asking him to continue to record his mileage and survey similar area communities. Mr. Brodeur asked about the two surplus vehicles? Mr. Downing said one was being retrofitted for K-9, and the other vehicle plus the old K-9 would be disposed of.

- Employee notification forms needed to be signed by the Board. Mrs. Rozanski moved to approve the appointment of Lynda Pastore as Collection/Accounting Assistant in the Treasurer/Collector's office at grade 4-step 1 effective September 8th; Mr. Brodeur seconded; all aye. The request was again made that new employees do not start work until the notification has been signed by the Board.

Mrs. Rozanski moved to approve the appointment of Neil Coakley as Dispatcher for Police/Fire Communications at grade 6-step 1 effective August 17th; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to approve the appointment of Marion Cole as part-time night Secretary for the Industrial Development Commission at grade 3-step 1 effective September 8th; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to approve the appointment of Sandra Collum as part-time solid waste data entry clerk for the Board of Health at grade 4-step 1 subject to receipt of a written opinion from Town Counsel that this does not violate the Ethics Commission; Mr. Brodeur seconded; all aye.

- Mrs. Allen asked the Board to approve MIIA's employee assistance plan which will provide various health-related services, such as counseling, to the employees. Mr. Brodeur moved to authorize the Chairman to agree and accept the EAP for MIIA; Mrs. Rozanski seconded; all aye.
- The Board discussed a letter received from the Mass. Summit noting a conference to be held on October 26th

at Northeastern University in Boston. Members of the Medway community were urged to contact the Office for more information if interested.

- Mr. Downing noted receipt of a letter from MEMA dated August 14th with reference to appointing a local emergency planning committee (LEPC). He noted a closing date of October 5th and asked Mrs. Allen to see if Emergency Management Director John Cicciu had reviewed this.
  - The Board was in receipt of a letter from MMEA requesting meeting dates. The Board agreed that October 1st or 15th would be alright. Mrs. Rozanski noted the meeting could be to discuss how to proceed with evaluation forms, discussion of the arbitration decision, and hiring procedures. Mr. Downing said he was drafting a hiring policy at this time for them to review. Mrs. Rozanski stated they should get legal counsel on some of these issues.
  - Mr. Brodeur agreed to attend the Finance Committee meeting on September 17th for Mr. Downing.
  - The Board discussed receipt of another letter from Gary Marini asking that the matter of damage to his vehicle on Village Street be reviewed again. The Board requested Mrs. Allen write him another letter stating specifically that "our insurance company requires the Town to check with the Police Department, and since they have no record of the incident, the Town cannot pay the damage claim".
  - Mrs. Allen brought up the Nynex Centrex Plus Service Agreement to be approved and signed by the Chairman. She said we have Centrex now, and she and David Verdolino met with our Nynex rep (CTC), recommending we go with this plan which could save \$15,000 over seven years. She noted the cost would be on the number of unlimited calls made rather than a flat monthly fee for mileage or measured service. Mrs. Allen stated they do look at the phone bills to determine what would be best for the Town.
- Mrs. Rozanski moved to authorize the Chairman to sign the service agreement of Nynex Digital Centrex Plus Service; Mr. Brodeur seconded; all aye.
- The Board acknowledged the letter from the American Arbitration Association's Mr. Canavan and his accompanying decision. Mr. Downing said there would be no action tonight, unless the Board chose not to include

the decision in the AAB's publication. Board members felt that anything that came out of good faith bargaining should not be published.

Mrs. Rozanski felt they should formally object to the decision being published in the AAB's publication. Mr. Brodeur moved to advise the American Arbitration Association that the Selectmen object to this case being reported in their publication; Mrs. Rozanski amended the motion to include that the Board objected to the contents as stated in their letter of September 4th, with Mrs. Allen writing the letter over Mr. Downing's signature; Mr. Brodeur seconded; all aye.

Mr. Downing said something needs to be decided as this involves FY'97 and an article may have to be on the STM. Mrs. Rozanski questioned if there was an appeals process? Mr. Brodeur stated the arbitrator's opinion is only for two people. It was decided that further review should be done and then discussed next week.

- With reference to the SWAP legislative breakfast on September 19th, Mr. Downing and Mrs. Rozanski will attend.
  - The Chapter 90 project request form for reimbursement for the DPS roller was submitted for signing. Mrs. Rozanski moved that the reimbursement request form for the pavement roller for \$5,999 be signed by the Board; Mr. Brodeur seconded; all aye.
  - The septage treatment agreement with the Town of Dover was signed by the Board.
  - Mr. Downing asked Mr. Brodeur to relay some consideration to the FinCom of an increase to possibly 3% on CIPC projects.
  - The Board discussed Town Counsel's draft letter to Apollo. It was noted that the owner of the land may not be the owner of the building. Mrs. Allen was asked to advise Town Counsel of the owner's name so he could get a copy of the letter.
- Mrs. Rozanski moved to authorize Town Counsel to send the letter as drafted in his September 4th letter and represent the Board in this matter; Mr. Brodeur seconded; all aye.
- The Board discussed the School Building Committee's memo regarding the purchasing of equipment for the new elementary school. Mr. Downing noted the Board needs to

come up with a policy as he stated he was present for most of the meetings, but was aware they did not write to the Board to award bids. Mr. Brodeur agreed they need to see documentation before voting, and possibly the backup could be included in their packets for this weekend.

Mr. Downing suggested Mrs. Allen send a copy of this memo to the Town Accountant and ask her what the next move should be. He also requested that she contact Dave Verdolino and Arti Mehta and ask them to save some time to be available at next Monday night's meeting.

- The Board acknowledged the Planning Board's memo on their secretary. Mrs. Rozanski asked Mr. Brodeur if Mr. Springer was clear on what he wanted, for example, administrative assistant? Mr. Brodeur didn't think he was. Mr. Downing questioned Mr. Brodeur if Mr. Springer had been asked what the Planning Board's plans were? Mr. Brodeur said things have changed and been expanded because of the lack of experience of Board members.

Mr. Downing also asked about the status of a part-time planner, but Mr. Brodeur felt they were not ready yes to make that commitment. Mr. Downing strongly recommended those services be further discussed before Spring. He could not authorize an expansion of a position without knowing if a plan was in place before budget season.

A reference was made to the Town Administrator coming on board, but Mr. Brodeur did not feel the Town Administrator needed to get involved with the Planning Board. Mrs. Rozanski thought he might if it really was a re-organization or formation of a Planning Department.

- The Board acknowledged John Clark's resignation from the Highway Department effective October 1st after 30 years. Mrs. Rozanski moved to accept Mr. Clark's resignation with regret; Mr. Brodeur seconded; all aye.
- Mr. Downing stated that Cable Advisory Committee Chairman Charlie Myers dropped off a draft of a letter that needed to be sent to Time-Warner noting that the Town of Medway had closed the formal ascertainment process and would soon be starting informal negotiations with T-W, hoping to conclude those negotiations by October 31st. Since T-W has submitted a draft proposal, the Committee will go directly into negotiations rather than issue an RFP.

Mrs. Rozanski moved to authorize the Selectmen's Chairman to send a letter to Time-Warner; Mr. Brodeur

seconded; all aye.

- On a follow-up, Mr. Downing brought up a letter from the Managing Editor of the Country Gazette looking for a copy of the minutes of an August 11th executive session and asked Mr. Brodeur if he had prepared those minutes? Mr. Brodeur passed on those minutes to the Board for review prior to acceptance.
- The Board acknowledged memos from Acting Superintendent Bob Power and Police Chief David Lambirth both opposed to blocking off Alder Street with a cul-de-sac. Mrs. Allen noted she was still waiting for a letter from the Fire Chief.

Mr. Downing said if they redesign the road, they won't need a cul-de-sac; however, Mr. Brodeur and Mrs. Rozanski preferred alternate #2.

Mrs. Rozanski made a motion to move ahead with eliminating the emergency drivegate and using the "sweeping intersection 300 foot radius version"; Mr. Brodeur seconded; Mr. Downing abstained; 2-0-1.

- The Board noted the performance evaluation form of Marie Penza, and asked that it be held over until next week when they discussed the arbitrator's decision next week.
- With reference to a letter sent by Mr. Downing to SWAP dated August 29th, Mrs. Rozanski said that the error in not including Mr. Yorkis' name on the membership list had been corrected back in June. Mr. Downing said he had not seen the minutes, and Mary Ellen Lavenberg had called him today too.

12:00- Mrs. Rozanski moved to go into executive session for reason #3, to discuss strategy with respect to collective bargaining and litigation, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mrs. Rozanski - yes; Mr. Brodeur - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved as amended*  
*9/29/97*

9/8/97

TOWN OF MEDWAY

APPARENT LOW BIDDERS FOR HIGHWAY MATERIALS:

<u>Item</u>	<u>Company</u>	<u>Amount</u>
traffic lines	Markings Inc.	\$.0215 center/edge
thermoplastic for crosswalks	Markings Inc.	\$.30/lin. ft. white \$.31/lin. ft. yellow \$1.10/sq. ft.
catch basin cleaning	Lloyd Truax & Co.	\$6.75/each
propane gas	Medway Oil	\$1.10/gal.
#2 heating oil	Holliston Oil	\$.7125/gal.
excavator w/operator	Kingstown Corp.	\$175.00/hr. 8 hr. min.
grind, fine grade and roll	New England Reclamation	\$1.40/sq. yd.
10-wheeler w/operator	Kimball Sand	\$52.00/hr.
trailer dump w/operator	Kimball Sand	\$65.00/hr.
cold patch	Lorusso Corp.	\$26.75/ton at plant \$28.75/ton delivered
berm mix	Murray Paving & Reclamation	\$2.50/lin. ft. installed
bituminous concrete	Lorusso Corp.	\$24.00/ton at plant \$27.39/ton in place \$28.42/ton with tack
catchbasin and manhole structures	LeBaron Foundry	\$133.00 6"x24" frame/cover \$146.00 8"x24" frame/cover \$180.00 6"x26" frame/cover \$196.00 8"x26" frame/cover \$164.00 6"x24" frame/grate \$186.00 8"x24" frame/grate
screened loam	Hood Construction	\$10.98/yd. at plant \$11.98/yd. delivered
park soil	Kimball Sand	\$9.97/yd. at plant \$11.97/yd. delivered
bank gravel	Hood Construction	\$4.89/ton delivered

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TOWN OF MEDWAY

<u>Item</u>	<u>Company</u>	<u>Amount</u>
crushed gravel	Hood Construction	\$5.70/ton at plant \$6.70/ton delivered
dense graded base gravel	Hood Construction	\$5.70/ton at plant \$6.70/ton delivered
3/4" washed stone	Hood Construction	\$6.38/ton at plant \$7.38/ton delivered
6" minus stone	Kimball Sand	\$6.67/ton at plant \$7.47/ton delivered
certified washed sand	Hood Construction	\$5.81/ton delivered \$7.50/yd. delivered
recycled concrete	Lorusso Corp.	\$4.75/ton at plant \$6.75/ton delivered
grader w/operator	Murray Paving & Reclamation	\$90.00/hr.
5-ton roller w/operator	Murray Paving & Reclamation	\$65.00/hr.
paver machine w/ operator	Murray Paving & Reclamation	\$120.00/hr.
2 yd. loader w/operator	Murray Paving & Reclamation	\$85.00/hr.
cracksealing	Sealcoating Inc.	\$3.69/gal.
hot in-place asphalt recycling	Sealcoating Inc.	\$2.15/sq. yd.
micro-surfacing	Sealcoating Inc.	\$2.27/sq. yd. \$2.48/sq. yd. w/fiber
reinforced concrete pipe	Independent Concrete	\$4.68/ft. 12" \$5.75/ft. 15" \$7.60/ft. 18" \$11.60/ft. 24" \$16.75/ft. 30" \$23.61/ft. 36"
cold planing	New England Reclamation	\$2.00/sq. yd. including structure adjustment and removal of excess materials

## TOWN OF MEDWAY

<u>Item</u>	<u>Company</u>	<u>Amount</u>
aluminum pipe	Penn Culvert	\$2.70/ft. 6" 18 gauge delivered \$3.58/ft. 8" 18 gauge delivered \$6.39/ft. 12" 16 gauge delivered \$7.98/ft. 15" 16 gauge delivered \$15.82/ft. 24" 14 gauge delivered \$23.73/ft. 36" 14 gauge delivered \$43.06/ft. 48" 12 gauge delivered
coated and paved pipe	Penn Culvert	\$6.54/ft. 12" delivered \$8.11/ft. 15" delivered \$13.75/ft. 24" delivered \$19.67/ft. 36" delivered
guard rail	Steidler Const.	\$48.00/each steel posts in place \$50.00/each wood post sections in place \$125.00/each rails in place
concrete	Tresca Brothers	\$57.00/cu. yd. strength of 2000 delivered \$58.50/cu. yd. strength of 2500 delivered \$60.00/cu. yd. strength of 3000 delivered \$61.50/cu. yd. strength of 3500 delivered \$63.00/cu. yd. strength of 4000 delivered \$2.50 extra/cu. yd. for heated concrete delivered \$2.00/cu. yd. peastone
3/8" treated stone seal	All States Asphalt	\$1.29/sq. yd. delivered
sand sealcoat	All States Asphalt	\$1.05/sq. yd. delivered





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

August 18, 1997

- 7:00 Open Meeting, Sign Warrants, approve minutes of August 4th meeting.
  - 7:05 Open Highway Bids
  - 8:00 Pole Petition N.E. Telephone and Boston Edison on Holliston Street
  - 8:05 Charles Myers, Chairman of the Cable Advisory Committee - update
- Committee Reports
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF AUGUST 18, 1997.

1. Discuss appointment of Walter Sampson to SCBC.
2. Discuss hiring policy update.
3. Discuss letter from Medway Municipal Employee Association regarding two dates for a meeting.
4. Discuss letter from the Community Newspaper Company requesting minutes of August 11th meeting.
5. Vote on Construction Requisition #17 for new elementary school.
6. Discuss letter from Richard Kahn regarding the sidewalk on Lewis Drive.
7. Discuss letter from EMS Study Committee requesting meeting with Selectmen on September 8th.
8. Discuss letter from Treasurer/Collector regarding presentation to Rating Agency.
9. Discuss letter from Planning Board regarding open space/conservation land.
10. Discuss letter from IDC regarding part time night secretary and the traffic mitigation on Alder Street plans.
11. Discuss appointment of John Ryan to the Technology Committee.
12. Discuss the letter received from Jeffrey Nutting regarding the Medway Cooperative Bank building.
13. Discuss letter from Medway Municipal Employee Association regarding a request for a meeting with the Board.

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:05 p.m.-Mr. Downing called the meeting to order in the  
Selectmen's Meeting Room 2 of Town Hall.

- Mr. Downing read one of the ads that appeared in local papers for highway materials, fuel, catch basin cleaning and traffic line markings. The results, as recorded by the Secretary, are attached to these minutes.

At the conclusion of the opening of the bids, Mr. Brodeur moved that the bids be turned over to the administration of DPS for their review and recommendation; Mrs. Rozanski seconded; all aye.

7:54 - Charlie Myers, accompanied by Vice-Chairman Carl Pride, came to meet with the Board and update them on their progress of reviewing the cable contract as the present one expires in February of 1998.

Mr. Myers noted that they are operating under state and federal mandates and therefore, have certain time lines to follow. Recently the State Cable Commission met with them and gave a presentation. They stated to the Committee they may not take action if they are not in total agreement with who the Committee chooses. Mr. Myers said they have had one public hearing and will hold another while surveying the Town, with negotiations being started the first week in October, with hopefully conclusion reached by mid-November. December and January would be the time for last reviews so a contract could be signed by February.

Mr. Myers noted that the Committee was advised to get legal assistance prior to negotiations, and then to utilize that counsel again in the drafting of a contract. He indicated there was a list of specialists in the legal field familiar with FCC rulings that other Towns have utilized and from which they could choose from, but they have no budget. Mr. Myers said that the range could be from \$7,500 to \$20,000, although they were hoping to spend no more than \$5,000. He stated that they need some time to interview that person could be on board in September.

Mr. Downing asked where they were on the issues? Mr. Myers said they were still in the fact-finding stage and needed to still complete ascertainment. He said that a recommendation for the Operator would come from the Committee to the Board in September.

Mr. Downing asked if any Towns had gone through the process with favorable contracts that the Committee could review as samples? Mr. Myers noted that Acushnet and Fairhaven have, and Time-Warner also has a minimal contract the Committee can look at. He also stated that the State has a list of names of Counsels the Committee can utilize, the closest of which were in Marlboro and Boston.

Mrs. Rozanski said the Town had only received \$8,000 in subscriber fees over the life of the contract. Mr. Myers stated that Cable Access receives its own funds for the services they provide.

Mr. Myers brought up the monies needed for a Counsel, and Mrs. Rozanski said they would probably have to go to the Finance Committee for that. Mr. Downing did not feel the funding would be a problem since they need the expertise and the Town was already aware of that. He suggested the Committee continue the process and get the sample contracts and network with the community.

8:10 - Kathy Craig representing Nynex came before the Board for a pole petition on the placing of a new pole on Holliston Street near Sun Valley Drive. She noted it was a pole connecting overhead services from the pole across the street to the new parish center being built. As there was no one present in favor or opposed, Mr. Brodeur moved that the hearing be closed; Mr. Downing seconded; aye. Mrs. Rozanski moved that the Board approve pole petition #97-03 of New England Telephone Company and Boston Edison; Mr. Brodeur seconded; all aye.

8:15 - Mr. Downing stated that he made a field decision for a pole that was required on Evergreen Street for a new house lot. He approved the location and signed the plan as it was in the public way and underground, and they wanted to have the pole put in before the topcoat was put down. Mrs. Rozanski noted she saw the location as well, and asked if there still needed to be a public hearing; Mrs. Allen said yes.

- Committee Reports.

- **Mrs. Rozanski.**

- Mrs. Rozanski noted that Mr. Myers just reported on the recent CATV meeting.

- Mrs. Rozanski reminded the Board the SCBC would be meeting with them on September 8th, with a

public hearing on September 4th, anticipating bid documents being ready mid-September.

- **Mr. Brodeur.**

- Mr. Brodeur said he went to the recent Planning Board meeting and noted a memo was sent by them to the Board concerning The Meadows subdivision which would not be requiring a paper street for future development.
- Mr. Brodeur told the viewing audience about the Deputy Animal Control position vacancy.

- **Mr. Downing.**

- Mr. Downing read an announcement on behalf of the Board of Health concerning the betterment program.
- Mr. Downing said the new elementary school was progressing nicely; teachers were in there setting up this week with no delays anticipated; an open house was scheduled for a Sunday in October for the official passing of the key of ownership from the School Building and Site Selection Committee to the School Committee.

- Mr. Brodeur took an action item out of order and moved that the Board approve construction requisition #17 for the new school for \$203,593.55; Mrs. Rozanski seconded; all aye. They are at 97% of completion.

Mr. Brodeur stated he looked at the drainage on Center Street and it seemed to be draining very well. He said the berms were in and the adjustments made should ensure the rainwater would go into the catch basins. He did note a puddle at the wheelchair ramp at the front of the school that should be looked at. Mr. Downing said the unofficial way to tell if a puddle was too deep was to drop a quarter in it.

- **Action Items.**

- The Board discussed the appointment of Walter Sampson to the Senior Center Building Committee. Mrs. Rozanski said that Harold Bemis has been under a doctor's care but still wants to be on the Committee. She said she talked to the grant people and they didn't feel it was a problem, but she asked Gino Carlucci to follow up.

Mr. Brodeur moved the appointment as citizen-at-large be effective as of September 1st subject to a letter from  
*the state saying it could be done & approved*

<sup>by the Committee</sup>  
~~Committee~~; Mrs. Rozanski seconded; all aye.

- Mr. Downing discussed a hiring policy with the Board, especially in light of the IDC wishing to hire someone as a part-time secretary who already works 40 hours for the Town.

Jumping ahead to another action item, Mr. Brodeur asked how someone could be hired at a grade 5, step 5 as well? He asked how they could have come to that decision of placing that individual at that step? He also asked who determines where an employee starts, and can a board choose where they want that employee to go? Mr. Downing said that the Board approved this individual last week, and the By-law states it is up to the hiring authority. He said the Board could ask Mrs. Allen to send a memo to this elected board for more clarification, but we could be faced with a similar situation in the future, and we need to outline a mechanism for all boards and commissions.

Mrs. Rozanski noted that the individual had already started working when the Board signed the notification of new employee sheet, and that part should be corrected so that the individual does not start until the Selectmen approve. She said this Board should be prepared to defend the criteria for hiring at 5-5. Mr. Downing said he compared credentials and this individual's credentials were much better. Mrs. Rozanski asked if Town Counsel should be consulted? Mr. Brodeur asked if it said in the contract that they have to get Selectmen's approval? Mrs. Rozanski said no.

Mrs. Rozanski agreed the Board could adopt a policy, but they need to be careful of a procedure. Mr. Downing wondered if they were opening up the floodgates, or should they review this on an individual basis. With reference to working over 40 hours, he noted that some individuals already working for the Town receive comp time for over 40 hours, not remuneration. Mrs. Allen stated the law was anyone working over 40 hours receives time-and-a-half pay. Mr. Downing noted that someone who is working for comp time now might like to have remuneration instead of time off. He said that he would work on this policy and draft something for the Board.

Mrs. Rozanski said the different boards may not understand the hiring procedure. Mr. Downing asked that Mrs. Allen send a memo to the Town Accountant asking her to check with the Office if she receives any W-4's to see if they are legal hires. Mrs. Rozanski added, before services are rendered. Mr. Downing said when

they get a memo back from the Assessors, they can answer the letter from the Medway Municipal Employee Association.

With reference to the IDC, Mrs. Rozanski said they may have another candidate that would not be in conflict; she would check.

Mr. Downing said he would draft the policy, and the Board members can get back to the Office with any corrections. Mrs. Rozanski noted it was the Board's responsibility to resolve the issues.

- Mr. Downing brought up Richard Kahn's letter concerning repairing the sidewalk on Lewis Drive. He stated he and Bob Speroni took a look at the area where Bernie Lewis' foundation had been removed. He felt if the sidewalk was a minor repair, the Highway Department could do it. He would look at it with Bob Power.
- The Board noted receipt of a letter from the EMS Study Committee requesting to meet with the Board on September 8th at 8:00 p.m.
- Mr. Downing noted that Town reps from the Selectmen, School Committee, Library and bank reps were meeting with reps from Moody's so we could obtain an upgrade from A to A1.
- The Board noted receipt of a letter from the Planning Board on open space/conservation land. It was felt more info was needed, and Mr. Downing preferred putting the issue on the back burner for now anyway until the master plan was done. Mr. Downing requested Mr. Brodeur contact Mr. Springer and ask him if he could indicate where the three acres were. Mr. Brodeur felt that a cluster zoning by-law is the only way we could get good land, but would try and get a pencil sketch of the area. Mr. Downing did ask Mr. Brodeur to tell Mr. Springer that the Board would be interested in accepting the land.
- Mr. Downing noticed that the Planning Board's letter had a different ~~seal~~ <sup>seal</sup> than the IDC's, as the letters followed one another in sequence. Mrs. Rozanski said it was a computer scan. This prompted Mr. Brodeur to remember he had drawn an original town seal, and the Town Clerk has original seals for copying.
- With reference to a letter from the Medway Municipal Employee Association requesting two dates to meet with the Board, Mr. Downing said they could have work

sessions, and see what the proposals would be. Mr. Brodeur did not believe the Association would ratify anything that would reduce an increase, maybe for the next contract. Mr. Downing said they could go through the discussions, but they really did not know how to proceed until they had the hearing results. However, since the date for a hearing decision was September 5th, Mr. Downing suggested September 18th and 25th to pass on to the Association.

- Mr. Downing brought up a letter from the Community Newspaper Company requesting minutes of the August 11th meeting. Mr. Brodeur acknowledged he had the minutes and would give them to the Office. Mr. Downing said the minutes, therefore, have not been voted on or released, but would be available at the Board's next meeting on September 9th. Mrs. Allen was asked to send Mr. Pronovost a memo stating this.
- Mr. Downing said that reference to the IDC's hiring of a part-time night board secretary is part of the policy revision, and they would revisit this issue.

With regard to Alder Street, the Board discussed the plans submitted, and Mr. Downing said he had not yet reached the parties that reside on the westerly side of Trotter Drive to find out how they feel about closing Alder Street. The Board did not know who all the various plans were for, and Paul DeSimone called and said one set was for the Fire Chief, one for the Police Chief, and one for the Highway Department.

The Board also noted from the IDC's letter that they requested Jim Mucci be appointed to the Master Plan Committee.

- Mr. Downing noted receipt of Jack Ryan's request to be appointed to the Technology Committee, and also his request the name be changed to the Medway Technology Study Committee. Mr. Downing thought this would be too confusing as others have already been sworn into the Technology Committee, but to separate the two by referring to this one as the Municipal Technology Committee. The Board also noted two others interested in joining, Joseph Russo and Norma-Jean Stanion. Mrs. Allen did not know if Ms. Stanion could be appointed as she was a non-resident.

Mrs. Rozanski moved to appoint John G. Ryan to the Technology Committee; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to appoint Joseph Russo to the



Technology Committee; Mr. Brodeur seconded; all aye.

Mr. Downing said that the Committee would not be expending funds, just making a recommendation, and to ask the Town Clerk about non-residents.

Mr. Downing said he fully supports the Committee, and to note it will not go away. He did not want to put a person in conflict, so Mrs. Rozanski said she would discuss this with Jack further, and possibly Ms. Stanion.

- The Board acknowledged a letter from Jeff Nutting who encouraged the Board to reconsider the purchase of the bank building next to Town Hall. He asked that the Board call another special town meeting and give the townspeople a chance to vote again. Mrs. Allen was asked to respond to Mr. Nutting saying that the Board is waiting for a response from their memo to bank President Bob Stratton. Mr. Downing did state if there is an opportunity, yes, they would reopen negotiations.

Mr. Brodeur read Mr. Nutting's letter for the record.

Mrs. Rozanski said another approach would be to have open forums since Mr. Downing said they failed to put their deliberations in writing, and to also indicate the steps that could be taken.

Mr. Downing then asked the Board if there should be another public meeting? Mrs. Rozanski said it appeared paving was the issue, and the Town Hall Building Committee was involved in it, so maybe they should help to resolve it. September 15th at 7:05 p.m. was suggested to invite the bank officials in to meet with the Board, along with the THBC. It was noted that the Conservation Commission was not meeting that night and Sanford Hall could be used if additional room for the public was needed. Mr. Downing commented that people do not have to attend the meeting; they could drop the Board a line instead. Mrs. Allen suggested the Board find out if the option to buy the bank is still there first.

- Mr. Downing acknowledged a confirmation memo from the Board of Assessors dated June 30th stating they had transferred funds from various overlay accounts to the overlay surplus fund totalling \$183,526.23.
- Mr. Downing noted a letter sent to the Police Chief from the Norfolk County Sheriff's Office listing different services available to him. He stated this was another

example from the County working on the Town's behalf.

- Mrs. Allen noted a fax received after hours indicating that the Finance Committee had reorganized and John Collett was the Chairman, Glenn Trindade as Vice-Chairman, and Carla Cataldo as Clerk.
- Mrs. Allen said that, in speaking with Jeff Mushnick, the tanks the Board was referring to on his property are not old; they are the new ones which he will be using to add to his license, but he has to go to the ZBA to put the walls up first.
- Mrs. Allen said there was a mix-up for the Park Department's summer employee who was to start at \$8.10 on July 1st, and asked the Board to sign the appropriate notification form for that salary. Mrs. Rozanski moved the notification form be signed for Jason D'Alesio for the increase of 4% effective July 1st and retroactive to July 1st; Mr. Brodeur seconded; all aye. Mr. Downing asked that a cover letter be sent to the Town Accountant stating it was retroactive to July 1st for any hours worked as voted by the Board.
- Mrs. Allen stated that the Board has to work on the Apollo building and meet with the owner to discuss the removal of the building. She stated she has been trying to contact the appraiser, but he has not returned her phone calls yet. Mr. Brodeur thought there were no apparent takings, but Mrs. Allen said they are working on easements that need to be done, and said it was on the 25% plan. Mr. Brodeur stated it was not indicated on the 75% plan, and asked that someone review the plan. It sounded like there were two different plans. Mrs. Allen said that Mass. Highway must be aware of this as they asked her if the Board of Selectmen had done anything yet to remove the building. Mr. Brodeur agreed we can't go out to bid with the building there.

Mr. Downing suggested referring this to Town Counsel and draft a memo to the principals, similar to an eviction notice. Mr. Brodeur said they also have to comply with the setback requirements as new construction. Again, Mr. Downing said to pass this on to Town Counsel and ask him how the Board should proceed.

Mr. Brodeur moved to authorize Mrs. Allen and Mr. Downing to draft these comments to Town Counsel, and to authorize Mr. Downing to sign a letter to Apollo; Mrs. Rozanski seconded; all aye. Mr. Downing said he would meet with Town Counsel on this.

- Warrants of August 14th totalling \$566,614.60 were signed last week by the Board.
- Warrants of August 21st totalling \$733,927.79 were signed by the Board this evening.
- Mr. Brodeur noted a letter from the Millis Police Department thanking Officer Jeff Watson for his assistance.
- Mr. Downing acknowledged receipt of a fax reminder from IDC Chairman Paul DeSimone.
- A discussion on the Memorandum of Understanding for Lee Henry was brought up. Mrs. Rozanski felt it contained a mixture of personnel policies and union contract. She stated she had reviewed the last submittal by Mr. Henry and felt it should be reviewed again. Mrs. Rozanski went over the changes she recommended and that she wanted Town Counsel to review her comments. She said it still allows the appointment but clarifies things.

Mr. Downing said he was not sending anything to Town Counsel until the Board approves something, and then he would ask Town Counsel to review it. Mrs. Rozanski again said she wanted her comments to go along as part of the review.

Mr. Brodeur moved to endorse the Memorandum of Understanding for Interim DPS Administrator dated today subject to substitution of page 3A for page 3, to be then sent to the next signing authorities; Mr. Downing seconded for discussion, saying he felt the pages should be in order - 1, 2, 3, 4. Mr. Brodeur said they could change page 3A to be page 3, and each page would have today's date on it. Mr. Downing asked Mr. Brodeur if the document should be changed to include the word, interim? Mr. Brodeur said, no, the title suffices. Mrs. Rozanski stated she would exercise her right as a member of the Board and send her comments to Town Counsel, and she would not sign the document. Mr. Brodeur said that was called a "minority report" and suggested she include those words on her comments; Mrs. Rozanski did so. Mr. Brodeur again moved the motion; Mr. Downing seconded; Mrs. Rozanski opposed; motion passes 2-1-0. Mrs. Rozanski gave the Secretary her comments to be attached to the minutes.

10:30- The meeting was adjourned.

Respectfully submitted,  
M. J. Fredette, Secretary

*Approved and amended*  
9/9/97 mj

	Holliston Oil	Medway Oil	Alliance Energy	Julian's Oil
fuel (yes or no) _____	71.25 yes	75¢ yes	79.9 yes	current yes
propane gas (yes or no) _____	no	yes 1.10/gal	no	no
cost per gallon _____	71.25	↑	79.9	crossed
-----	+ - makes price			less 10¢ per gal. tax.

	Markings Inc.	Traffic Markings	NE Traffic Supply	Paint Stores
97 painted yellow center lines/ft. <sup>42.96</sup> 4871.48	4871.48 0215	5278.71 0233		
97 painted white edge lines/ft. <sup>42.96</sup> 4871.48	4871.48 0215	5278.71 0233		
thermoplastic yellow paint/ft. _____	.31	.32		
thermoplastic white paint/ft. _____	.30	.31		
thermoplastic crosswalk paint/sq.yd. _____	1.10	10.80		

	Lloyd Truax	All State Power Vac	Leo Vigeant	BMC Corp	D & D Leasing
cost each basin _____	6.75	54.00	7.44		9.95
st total basins _____	8,000	64800	8,928		11,940
5% of bid enclosed (yes or no) _____	450 - yes	47 yes	450 - yes		47 yes

	LeBaron	Tresca	Rosenfeld	Baron - Trimount
concrete/yd.		weighting time 2500 - \$57.00 3500 - \$58.50 4000 - 60.00 4500 - 61.50		
bank gravel/ton				
washed gravel/ton- delivered		pear stone - increase of \$2.00 may feel concrete increase of \$2.50		7.20
picked up				5.50 w/rental
dense graded base gravel/ton- delivered				7.20
picked up				5.50 w/rental
certified washed sand- per ton				7.70
per yard				10.01
3/4 washed stone/ton- delivered				8.70
picked up				7.00 w/rental
6" minus stone/ton- delivered				7.95
picked up				6.00 w/rental
bituminous concrete/ton- f.o.b.				24.35 w/rental
in place				28.47
bituminous with tack/ton- in place				28.47
cold patch/ton- f.o.b.				26.90 w/rental
delivered				30.65
berm mix/ft.- f.o.b.				24.35 w/rental
installed				
aluminum pipe/ft.- 6"/18 ga.				
8"/18 ga.				
12"/16 ga.				
15"/16 ga.				
24"/14 ga.				
36"/14 ga.				
48"/12 ga.				
coated and paved/ft.- 12"				
15"				
24"				
36"				
no bid bond enclosed (yes or no)	yes	yes		yes

LeBaron Tresca Rosenfeld Bardon-  
Tr. mount

concrete pipe/ft.-

12"  
15"  
18"  
24"  
30"  
36"

traffic paint-

white-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

yellow-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

guard rail-

steel posts \_\_\_\_\_

wood post sections \_\_\_\_\_

rails \_\_\_\_\_

3/8" treated stone seal/yd.-

sand sealcoat/yd.-

catchbasin/manhole structures-

partial-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

complete-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

screened loam/yd.-

delivered \_\_\_\_\_

picked up \_\_\_\_\_

park soil/yd.-

delivered \_\_\_\_\_

picked up \_\_\_\_\_

recycled concrete/ton-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

cold in-place asphalt/sq.yd.

equipment rental rates-

road grader \_\_\_\_\_

drum roller \_\_\_\_\_

paver machine \_\_\_\_\_

reed screen-all \_\_\_\_\_

cold planing/sq.yd. \_\_\_\_\_

grind/sq.yd. \_\_\_\_\_

excavator \_\_\_\_\_

front end loader \_\_\_\_\_

trailer dump \_\_\_\_\_

water jetting-

hourly \_\_\_\_\_

daily \_\_\_\_\_

P/40r del  
6x24ftc  
P133  
8x24ftc  
P146  
6x26ftc  
P180  
8x26ftc  
P196  
6x24ftg  
P164  
8x24ftg  
P186

5.05  
8.05

1200/hr 8 hr-min  
w/75 per  
structure  
adj. with

Murray

Roads

Todesca

446 gravel

concrete/yd. \_\_\_\_\_

bank gravel/ton \_\_\_\_\_

crushed gravel/ton-  
delivered \_\_\_\_\_  
picked up \_\_\_\_\_dense graded base gravel/ton-  
delivered \_\_\_\_\_  
picked up \_\_\_\_\_certified washed sand-  
per ton \_\_\_\_\_  
per yard \_\_\_\_\_3/4 washed stone/ton-  
delivered \_\_\_\_\_  
picked up \_\_\_\_\_6" minus stone/ton-  
delivered \_\_\_\_\_  
picked up \_\_\_\_\_bituminous concrete/ton-  
f.o.b. \_\_\_\_\_  
in place 70.50bituminous with tack/ton-  
in place 31.90cold patch/ton-  
f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_berm mix/ft.-  
f.o.b. \_\_\_\_\_  
installed 2.50

aluminum pipe/ft.-

6"/18 ga. \_\_\_\_\_

8"/18 ga. \_\_\_\_\_

12"/16 ga. \_\_\_\_\_

15"/16 ga. \_\_\_\_\_

24"/14 ga. \_\_\_\_\_

36"/14 ga. \_\_\_\_\_

48"/12 ga. \_\_\_\_\_

coated and paved/ft.-

12" \_\_\_\_\_

15" \_\_\_\_\_

24" \_\_\_\_\_

36" \_\_\_\_\_

00 bid bond enclosed  
(yes or no) yes

Murray

Roads

Toderca 446 gravel

concrete pipe/ft.-

12"

15"

18"

24"

30"

36"

traffic paint-

white-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

yellow-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

guard rail-

steel posts \_\_\_\_\_

wood post sections \_\_\_\_\_

rails \_\_\_\_\_

3/8" treated stone seal/yd.-

sand sealcoat/yd.-

catchbasin/manhole structures-

partial-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

complete-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

screened loam/yd.-

delivered \_\_\_\_\_

picked up \_\_\_\_\_

park soil/yd.-

delivered \_\_\_\_\_

picked up \_\_\_\_\_

recycled concrete/ton-

f.o.b. \_\_\_\_\_

delivered \_\_\_\_\_

cold in-place asphalt/sq.yd.

equipment rental rates-

road grader \_\_\_\_\_

drum roller \_\_\_\_\_

paver machine \_\_\_\_\_

reed screen-all \_\_\_\_\_

cold planing/sq.yd. \_\_\_\_\_

grind/sq.yd. \_\_\_\_\_

excavator \_\_\_\_\_

front end loader \_\_\_\_\_

trailer dump \_\_\_\_\_

water jetting-

hourly \_\_\_\_\_

daily \_\_\_\_\_

90

65

130

1.49

185



concrete/yd.				
bank gravel/ton				
crushed gravel/ton-				
delivered				
picked up				
dense graded base gravel/ton-				
delivered				
picked up				
certified washed sand-				
per ton				
per yard				
3/4 washed stone/ton-				
delivered				
picked up				
6" minus stone/ton-				
delivered				
picked up				
bituminous concrete/ton-				
f.o.b.				
in place				
bituminous with tack/ton-				
in place				
cold patch/ton-				
f.o.b.				
delivered				
berm mix/ft.-				
f.o.b.				
installed				
aluminum pipe/ft.-				
6"/18 ga.				
8"/18 ga.				
12"/16 ga.				
15"/16 ga.				
24"/14 ga.				
36"/14 ga.				
48"/12 ga.				
coated and paved/ft.-				
12"				
15"				
24"				
36"				
00 bid bond enclosed (yes or no)	yes	yes		

concrete pipe/ft.-

12"  
15"  
18"  
24"  
30"  
36"traffic paint-  
white-f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

yellow-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

guard rail-

steel posts \_\_\_\_\_

wood post sections \_\_\_\_\_

rails \_\_\_\_\_

Delivered furnished Fall

160

290

257

287

268

298

3/8" treated stone seal/yd.-

sand sealcoat/yd.-

catchbasin/manhole structures-  
partial-f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

complete-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

screened loam/yd.-

delivered \_\_\_\_\_  
picked up \_\_\_\_\_

park soil/yd.-

delivered \_\_\_\_\_  
picked up \_\_\_\_\_

recycled concrete/ton-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

cold in-place asphalt/sq.yd.

equipment rental rates-

road grader \_\_\_\_\_

drum roller \_\_\_\_\_

paver machine \_\_\_\_\_

reed screen-all \_\_\_\_\_

cold planing/sq.yd. \_\_\_\_\_

grind/sq.yd. \_\_\_\_\_

excavator \_\_\_\_\_

front end loader \_\_\_\_\_

trailer dump \_\_\_\_\_

water jetting-

hourly \_\_\_\_\_

daily \_\_\_\_\_

22.00

1,40

concrete/yd.				
bank gravel/ton				7.29
crushed gravel/ton-				
delivered				9.29
picked up				6.50
dense graded base gravel/ton-				
delivered				11.79
picked up				9.00
certified washed sand-				
per ton				7.67
per yard				9.59
3/4 washed stone/ton-				
delivered				12.79
picked up				10.00
6" minus stone/ton-				
delivered				12.79
picked up				10.00
bituminous concrete/ton-				
f.o.b.				
in place				
bituminous with tack/ton-				
in place				
cold patch/ton-				
f.o.b.				
delivered				
berm mix/ft.-				
f.o.b.				
installed				
aluminum pipe/ft.-				
6"/18 ga.				
8"/18 ga.				
12"/16 ga.				
15"/16 ga.				
24"/14 ga.				
36"/14 ga.				
48"/12 ga.				
coated and paved/ft.-				
12"				
15"				
24"				
36"				
no bid bond enclosed (yes or no)	yes	yes	yes	yes

note  
for  
→

crack sealing  
\$3.69/gal

25.00  
31.90

microsurfing  
#1.87  
#2.48

32.90

hot asphalt  
#2-15

30.00  
35.00

25.00  
6.50

# Sealcoating J H Lynch Alstater Kingstown

concrete pipe/ft.-

12"  
15"  
18"  
24"  
30"  
36"

traffic paint-  
white-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

yellow-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

guard rail-

steel posts \_\_\_\_\_  
wood post sections \_\_\_\_\_  
rails \_\_\_\_\_

3/8" treated stone seal/yd.-

1.29

sand sealcoat/yd.-

1.05

catchbasin/manhole structures-  
partial-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

complete-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

screened loam/yd.-

delivered \_\_\_\_\_  
picked up \_\_\_\_\_

12.79  
9.00

park soil/yd.-

delivered \_\_\_\_\_  
picked up \_\_\_\_\_

12.79  
9.00

recycled concrete/ton-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

10.79  
8.50

cold in-place asphalt/sq.yd.

equipment rental rates-

road grader \_\_\_\_\_  
drum roller \_\_\_\_\_  
paver machine \_\_\_\_\_  
reed screen-all \_\_\_\_\_  
cold planing/sq.yd. \_\_\_\_\_  
grind/sq.yd. \_\_\_\_\_

1.43

excavator \_\_\_\_\_

front end loader \_\_\_\_\_

trailer dump \_\_\_\_\_

water jetting-

hourly \_\_\_\_\_  
daily \_\_\_\_\_

\$175 & hr min  
\$145 & hr min  
\$85 & hr min

	Pyne	Hood	Kenn Culvert	Kimball
concrete/yd.				
bank gravel/ton		4.89		4.79
washed gravel/ton-				
delivered	9.75	6.70		7.39
picked up	8.00	5.70		5.79
dense graded base gravel/ton-				
delivered		6.70		7.39
picked up		5.70		5.79
certified washed sand-				
per ton	8.25	5.81		6.27
per yard	10.50	7.50		-
3/4 washed stone/ton-				
delivered	10.25	7.38		7.47
picked up	8.50	6.38		6.67
6" minus stone/ton-				
delivered		8.88		7.47
picked up		7.88		6.67
bituminous concrete/ton-				
f.o.b.				
in place				
bituminous with tack/ton-				
in place				
cold patch/ton-				
f.o.b.	50.00	32.95		34.17
delivered	53.00	34.95		35.77
berm mix/ft.-				
f.o.b.				
installed				
aluminum pipe/ft.-				
6"/18 ga.			8.70	
8"/18 ga.			7.58	
12"/16 ga.			6.59	
15"/16 ga.			7.98	
24"/14 ga.			15.82	
36"/14 ga.			23.73	
48"/12 ga.			43.06	
coated and paved/ft.-				
12"			6.54	
15"			8.11	
24"			13.75	
36"			19.67	
100 bid bond enclosed (yes or no)	yes	yes	yes	yes

	Pyne	Hood	Penn Culvert	Kimball
concrete pipe/ft.-				
12"				
15"				
18"				
24"				
30"				
36"				
traffic paint-				
white-				
f.o.b. _____				
delivered _____				
yellow-				
f.o.b. _____				
delivered _____				
guard rail-				
steel posts _____				
wood post sections _____				
rails _____				
3/8" treated stone seal/yd.-				
sand sealcoat/yd.-				
catchbasin/manhole structures-				
partial-				
f.o.b. _____				
delivered _____				
complete-				
f.o.b. _____				
delivered _____				
screened loam/yd.-				
delivered _____	15.00	11.98		12.87
picked up _____	13.00	10.98		10.77
park soil/yd.-				
delivered _____	14.00			11.97
picked up _____	12.00			9.97
recycled concrete/ton-				
f.o.b. _____		5.88		5.27
delivered _____		6.88		6.97
cold in-place asphalt/sq.yd.				
equipment rental rates-				52 wheel
road grader _____				
drum roller _____				
paver machine _____				
reed screen-all _____				
cold planing/sq.yd. _____				
grind/sq.yd. _____				
excavator _____				
front end loader _____				
trailer dump _____				65.00
water jetting-				
hourly _____				
daily _____				

	LCR 4550	Ind. Concrete	SM LCR 4550	Scituate
concrete/yd. _____				
bank gravel/ton _____				
crushed gravel/ton- delivered _____	9.25		11.25	
picked up _____	7.00		9.00	
dense graded base gravel/ton- delivered _____			8.25	
picked up _____			6.00	
certified washed sand- per ton _____			7.75	
per yard _____				
3/4 washed stone/ton- delivered _____			11.25	
picked up _____			9.00	
6" minus stone/ton- delivered _____	9.25		8.25	
picked up _____	7.00		6.00	
bituminous concrete/ton- f.o.b. _____	24.00			
in place _____	27.39			
bituminous with tack/ton- in place _____	28.42			
cold patch/ton- f.o.b. _____	26.75			
delivered _____	28.75			
berm mix/ft.- f.o.b. _____	24.00			
installed _____	5.00			
aluminum pipe/ft.- 6"/18 ga. _____				
8"/18 ga. _____				
12"/16 ga. _____				
15"/16 ga. _____				
24"/14 ga. _____				
36"/14 ga. _____				
48"/12 ga. _____				
coated and paved/ft.- 12" _____				
15" _____				
24" _____				
36" _____				
00 bid bond enclosed (yes or no) _____	yes	yes	yes	yes

	Corusso	Inf. Concrete	Sm Coruso	Scitgate
concrete pipe/ft.-				
12"		4.68		4.84
15"		5.75		5.98
18"		7.60		7.79
24"		11.60		12.10
30"		16.75		17.25
36"		23.61		23.65
traffic paint-				
white-				
f.o.b. _____				
delivered _____				
yellow-				
f.o.b. _____				
delivered _____				
guard rail-				
steel posts _____				
wood post sections _____				
rails _____				
3/8" treated stone seal/yd.-				
sand sealcoat/yd.-				
catchbasin/manhole structures-				
partial-				
f.o.b. _____				
delivered _____				
complete-				
f.o.b. _____				
delivered _____				
screened loam/yd.-				
delivered _____	17.00			
picked up _____	15.00			
park soil/yd.-				
delivered _____				
picked up _____				
recycled concrete/ton-				
f.o.b. _____	4.75			
delivered _____	6.75			
cold in-place asphalt/sq.yd.				
equipment rental rates-				
road grader _____				
drum roller _____				
paver machine _____				
reed screen-all _____				
cold planing/sq.yd. _____				
grind/sq.yd. _____				
excavator _____				
front end loader _____				
trailer dump _____				
water jetting-				
hourly _____				
daily _____				



Ponnie  
Cagle

Water  
works

Steidler

concrete/yd. \_\_\_\_\_

bank gravel/ton \_\_\_\_\_

washed gravel/ton-  
delivered \_\_\_\_\_  
picked up \_\_\_\_\_

dense graded base gravel/ton-  
delivered \_\_\_\_\_  
picked up \_\_\_\_\_

certified washed sand-  
per ton \_\_\_\_\_  
per yard \_\_\_\_\_

3/4 washed stone/ton-  
delivered \_\_\_\_\_  
picked up \_\_\_\_\_

6" minus stone/ton-  
delivered \_\_\_\_\_  
picked up \_\_\_\_\_

bituminous concrete/ton-  
f.o.b. \_\_\_\_\_  
in place \_\_\_\_\_

bituminous with tack/ton-  
in place \_\_\_\_\_

cold patch/ton-  
f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

berm mix/ft.-  
f.o.b. \_\_\_\_\_  
installed \_\_\_\_\_

aluminum pipe/ft.-  
6"/18 ga. \_\_\_\_\_  
8"/18 ga. \_\_\_\_\_  
12"/16 ga. \_\_\_\_\_  
15"/16 ga. \_\_\_\_\_  
24"/14 ga. \_\_\_\_\_  
36"/14 ga. \_\_\_\_\_  
48"/12 ga. \_\_\_\_\_

coated and paved/ft.-  
12" \_\_\_\_\_  
15" \_\_\_\_\_  
24" \_\_\_\_\_  
36" \_\_\_\_\_

00 bid bond enclosed  
(yes or no) \_\_\_\_\_

no

yes

concrete pipe/ft.-

12"  
15"  
18"  
24"  
30"  
36"

traffic paint-  
white-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

yellow-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

guard rail-

steel posts \_\_\_\_\_  
wood post sections \_\_\_\_\_  
rails \_\_\_\_\_

48.00 ea

50.00 ea

125.00 ea

(don't know  
if Del. or  
inst.)

3/8" treated stone seal/yd.-

sand sealcoat/yd.-

catchbasin/manhole structures-  
partial-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

complete-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

8' x 4' Del.  
6' x 2' f.o.c.  
\$150

8' x 2' f.o.c.  
\$167

8' x 2' f.o.c.

\$182

6' x 2' f.o.c.

\$167 - 7415

6' x 2' f.o.c.

\$176 - 4415

8' x 2' f.o.c.

\$187 - 3415

8' x 2' f.o.c.

\$197 - 4415

screened loam/yd.-

delivered \_\_\_\_\_  
picked up \_\_\_\_\_

park soil/yd.-

delivered \_\_\_\_\_  
picked up \_\_\_\_\_

recycled concrete/ton-

f.o.b. \_\_\_\_\_  
delivered \_\_\_\_\_

cold in-place asphalt/sq.yd.

equipment rental rates-

road grader \_\_\_\_\_

drum roller \_\_\_\_\_

paver machine \_\_\_\_\_

reed screen-all \_\_\_\_\_

cold planing/sq.yd. \_\_\_\_\_

grind/sq.yd. \_\_\_\_\_

excavator \_\_\_\_\_

front end loader \_\_\_\_\_

trailer dump \_\_\_\_\_

water jetting-

hourly \_\_\_\_\_  
daily \_\_\_\_\_

Selectman Raphaela Rozanski  
5 Virginia Road  
Medway, MA 02053

August 18, 1997

Dear Fellow Members of the Board,

I have carefully reviewed Lee Henry's submission of the Memorandum of Understanding relating to the temporary position of Interim DPS Administrator.

There are a number of issues, both substantive and procedurally that should be addressed prior to signing.

Has Mr. Henry submitted a statement from his physician indicating his fitness for the position of Interim DPS Administrator? I think it is important to have such a document prior to any services being rendered in connection with the position..

Second, all references to the position should be as Interim DPS Administrator to distinguish the position from DPS Administrator. The position of DPS Administrator, by our own personnel By Law and policies referred to in the MoU would have required posting and advertising.

Under 3. Duration of Appointment; in all likelihood, a Town Administrator would not be able to do an effective evaluation of Mr. Henry, because he/ or she will be not have observed the working period. He/she will then be back in the position of observing the lack of qualifications. The situation would then require restructuring and revision of the job description and subsequent advertisement of the position. I suggest striking on page 2 under Section 3 B. the words "*and the performance of the DPS Administrator*" and striking Section E on the same page.

On page 2, under section C., if the position is Interim DPS Administrator, by definition, the position can not be made permanent. I suggest striking line (1).

If the Board, in fact, regards the position as temporary then maybe there is more latitude to not require the minimum qualifications as set out in the job description.

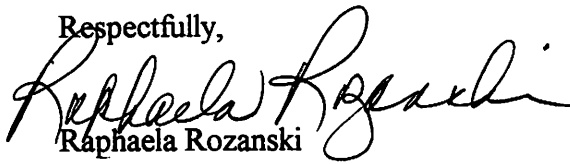
References to full time salaried and pay and benefits tied to the wage scale, like Grade 10, Step 2 should be deleted. Set dollar amounts may then be used to compensate for the use of the services.

The Interim DPS Administrator position is temporary and fee for service. I suggest striking 4 B. on page 3.

Under section 5 B. Work Clothing In general access to the procurement process, requires the deposit of funds to an account in advance. As such the words "*He may, however, purchase through the Town's procurement system, at his own expense, additional or replacement clothing items*" should be struck.

Since we have had a number of personnel issues occur over policies in the last year I request Town Counsel review my comments prior to execution of this Memorandum of Understanding.

Respectfully,

  
Raphaela Rozanski  
Selectman 1997 to 2000

8:56 p.m. Douglas Downing, Chairman, called the meeting to order with members James Brodeur and Raphaela Rozanski present in the Selectman's Meeting Room 2 of the Town Hall.

The proposed Memorandum of Understanding for the voted hiring of Lee Henry as Interim Department of Public Services (DPS) Administrator was discussed.

*throughout* Mrs. Rozanski requested that the term "Interim DPS Administrator" be *utilized* the entire document because of the advertisement. *She* requested ~~was~~ the portions referring to full faith, duration of employment, temporary position, 6 months, and that the Town Administrator can renew or advertise for DPS Administrator. *to struck.*

Mr. Downing supports starting salary @ Grade 10 - Step 2. Donald Pod. was @ Grade 10 - Step 6. Mrs. Rozanski stated no problem with this.

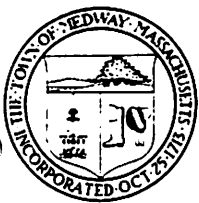
DPS-D1 - Mr. Brodeur moved page 3 amendment to change Art. 5 title to "Reimbursables" - no second.

Further discussion on DPS-D1 vs. DPS-D2. Further revisions proposed by Mr. Downing - D1 duration - after discussion, will revisit and revise DPS - D1A - copied to each member.

Discussion of the three revised evaluation forms proposed and submitted by the Union. Mr. Downing will contact Sandy Bennett

*regarding the issue of the evaluation form and their impact on negotiations.*  
10:43 p.m. Motion by Mr. Brodeur, second by Mrs. Rozanski to adjourn; all aye.

*original 9/8/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

August 4, 1997

- |      |  |
|------|--|
| 7:00 | Open Meeting, Sign Warrants approve<br>minutes of July 21st meeting.                 |
| 7:05 | Thomas Hirsh, Interstate Brands<br>Corporation, Site Plan - Medway<br>Shopping Plaza |
| 8:00 | Executive Session - #2<br><br>Committee Reports<br><br>Action Items                  |

**ACTION ITEMS FOR SELECTMEN'S MEETING OF AUGUST 4, 1997.**

1. Discuss letter from William Caton, Broad Street
2. Discuss disposition of old Police Cruisers.
3. Discuss informatin on a new paving roller.
4. Discuss letter from Gary Marini regarding damage to his vehicle on Village Street.
5. Discuss DPS Administrator position.
6. Discuss and vote on Jan Morris' request for use of Town Counsel.
7. Discuss and vote on Planning Board's request for use of Town Counsel.
8. Discuss letter from Steve Reding.
9. Sign Chapter 81, Form HED077 for Highway Funds.
10. Discuss request for upgrading Planning Board night secretary.
11. Set a date to evaluate the Park Superintendent.

**NOTE: Reminders:**

Treasurer/Collector needs your resume' for bonding package.

Request from IDC for Selectmen to attend their meeting on Tuesday, August 5th at 7:00 p.m. in Room 4.

Present: Douglas Downing, Raphaela Rozanski, James Brodeur,  
Administrative Assistant Ruth Allen.

7:05 p.m.-Mr. Downing called the meeting to order in the  
Selectmen's Meeting Room 2 of Town Hall.

- Thomas Hirsh of Interstate Brands Corporation came before the Board to discuss a site plan in the Medway Shopping Center. Paul LaPierre, manager of the shopping center, was also present.

Mr. Hirsch explained his store needs a delivery area in the back of the store for products that come in on racks which requires a lift, delivery door, canopy and concrete pad level with the ground. The lift would be operable only from the inside. Hours of operation would be from 7 a.m. to 11 p.m., which would conform to the Town's timeframe allowed for the other stores there, but at this time, the store's retail hours would be from 9 a.m. to 7 p.m. to start. Spotlights would be placed under the canopy rather than floodlights per the Board's request.

(Mr. Brodeur joined the meeting.)

Mrs. Rozanski made a motion to approve the site plan dated 7/22/97 #SP-1 subject to review and approval by the Fire chief and adhering to the hours of operation from 7 a.m. to 11 p.m.; Mr. Downing seconded; all aye.

- 7:20 - Mr. Downing announced that the executive session scheduled for 8:00 would not be held as one of the principals involved could not attend.
- Mr. Brodeur said the Board signed warrants last week amounting to \$350,824.73. This week's warrants that the Board was signing amounted to \$779,204.68.
  - Mr. Brodeur moved approval of the minutes of July 21st; Mrs. Rozanski seconded; all aye.
  - Committee Reports - Mrs. Rozanski.
    - Mrs. Rozanski reported on a recent cable advisory meeting held on July 29th where Frank Foss of Time-Warner confirmed the final expiration date of the cable contract was 2/98. Charlie Meyers, Chairman, is working on a schedule of meetings and the Committee is working on a questionnaire to be sent out in September.
    - Mrs. Rozanski noted that the Architectural Access



Board has given a waiver for grab bars at the new school.

- Mrs. Rozanski reported that the Senior Center Building Committee will be going out to bid in September and open bids in October. The Board felt it would be good to have a progress report on the building so Mrs. Rozanski will try and set up September 8th for the architect to meet with the Board.

With reference to the Committee, Mrs. Rozanski said they would like to have Walter Sampson as a regular voting member, but it requires a letter being sent by the Board to the State for the change. Mr. Downing was concerned about how many were on the Committee at the present time. Mrs. Rozanski said there were five, but Harold Bemis had not been coming to the meetings, and Walter had.

Mrs. Rozanski was asked to call Mr. Bemis to check on his commitment to the Committee, but she did not anticipate that the State would say no to an additional member. She said that five members were prescribed in the grant but if the Board of Selectmen looked favorably upon this, a letter would have to be sent to DHCD.

Mr. Brodeur said the Board can give their approval for Mr. Sampson subject to Mr. Bemis' resignation; however, Mrs. Rozanski said she did not want to ask for his resignation.

Mr. Downing suggested that Mrs. Rozanski determine the reasons why Mr. Bemis has not been coming to meetings; and secondly, ask the Council on Aging for permission to appoint Mr. Sampson on their behalf. Mr. Brodeur asked if it was possible to appoint Mr. Sampson an alternate? Mr. Downing said if the two of them were there representing the Council on Aging, there would only be one vote; however, if there was a problem, the Board of Selectmen should know and try to resolve the issue. Mrs. Rozanski felt that the Committee would like Mr. Bemis to stay.

Mr. Downing asked that this be an action item for August 18th. At the same time, Mrs. Rozanski said she would ask the Grant Administrator to contact DHCD to see if a citizen-at-large can be appointed.

Mr. Brodeur moved to authorize the Grant

Administrator to contact the State for an additional sixth person as a citizen-at-large to be added to the Committee; Mr. Downing seconded; all aye.

Mr. Downing said a decision will be made by the Board after they hear from DHCD and Mr. Bemis.

- Mr. Downing acknowledged a memo from Steve Grossman of Time-Warner regarding channel changes.

- Mr. Downing noted a memo from Mrs. Rozanski where she stated that the Cable Advisory Committee may need the use of Town Counsel. Mr. Downing said he talked to Charlie Meyers and suggested his Committee contact different communities to review their contracts. Mr. Downing thought possibly this might be something for Special Counsel to handle.

= Committee Reports. - Mr. Brodeur.

- With reference to the Conservation Commission, Mr. Brodeur said Jayar Road was on the agenda for this evening and believed it involved an expansion of industrial use. He noted the Board should be aware of future site plan use for this area, and notify ConCom that parts of the road are not Town-accepted and needs to be looked into. Mrs. Allen reminded the Board they have no jurisdiction over that road.

= Action Items.

- The Board acknowledged a letter from William Caton of Broad Street concerning the Town's property on Winter Street where equipment is being stored by Bay State Gas, and the noise and smell going along with it. Mr. Brodeur asked about the directive given to Bay State Gas to abandon that area by July 25th. Mrs. Allen said she believed the former DPS Administrator was to discuss this with Bay State Gas at their Friday meeting.

Mr. Downing said he knew Bob Power talked to them, but didn't know if the former DPS Administrator instructed them to vacate the property. Mr. Brodeur commented that the Town is not obligated to provide an area, and the Board could issue a directive again this evening to remove everything on site. Mr. Downing suggested the end of the work day on Wednesday or Thursday, with the Police hand-delivering the letter.

Mr. Brodeur moved that Bay State Gas be issued a letter

to remove the road debris and equipment, abandon and restore the Town-owned property on Winter Street by 4:00 p.m. on Wednesday; Mrs. Rozanski seconded adding that the Administrative Assistant can sign the letter on the Board's behalf; all aye.

- Mr. Downing asked Mrs. Allen if a response had been received from Medway Oil on the surplus tanks? Mrs. Allen said she looked through all the minutes and could not find any reference to it. Mr. Downing asked that a reminder be sent to Medway Oil to remove the surplus tanks on the far rear left corner of the lot adjacent to Pine Street and next door to Col. Matondi near the railroad bed that used to sit on cradles and now sit on the ground.
- The Board discussed the old police cruisers. Mr. Downing stated that we retire two cars a year, and possibly it would be better to just get rid of them and put less of a strain on the Mechanic and the budget. Mrs. Rozanski moved to dispose of the two cruisers by auction; Mr. Brodeur seconded; all aye.
- The Board discussed the information on a new paving one ton roller provided by Mechanic George Cole. Three figures were noted of \$5,500, \$5,999 and \$7,025. Mr. Downing said that, based on previous discussions, it would be good to request a joint meeting with the Park Commissioners to see what is going on at Idylbrook before it becomes a hayfield. It would also be good to think of the future and come up with a plan of action for using the roller, such as to pave out a walking trail, projects at Choate Park, the railroad bed and sidewalks.

Mr. Brodeur figured the Board was only talking about \$2,500 since it would cost around \$3,000 for parts, not including labor, to repair the old roller. He said we could not operate the Highway Department without a roller.

Mr. Downing noted that Mr. Power was on vacation for two weeks, so he said he would meet with George Cole and go over the specs with him, and come back to the Board on August 18th with a proposal. He indicated he would like Mr. Power involved in the discussion, however, and get comments from Mark Flaherty and Fred Sibley.

Mr. Downing also said that the roller may be on the five-year plan for CIPC, but this was prudent use of discretion and really only \$2,000. Thought should also be given to an even better machine, such as a two-town

roller for \$7,000. Mr. Brodeur felt that Mr. Cole would be up on his equipment and could advise. Mr. Downing added that if a quicker decision is needed, the Board could do a phone vote.

Mrs. Rozanski suggested asking ConCom to come in on the joint meeting since they were involved in the Idylbrook project and there are certain potential grants out there. Mrs. Allen will send a memo to both boards inviting them to the September 8th meeting.

- The Board noted a letter from Gary Marini of Franklin asking for reimbursement of damages to his car while traveling on Village Street. Mrs. Allen was asked to send the correspondence to our insurance company and see if anything was filed with the Police Department.
- The Board discussed the Interim DPS Administrator position. Mr. Downing noted some information that he had asked for from Mr. Pattison had just come in today.

Mr. Brodeur stated there were two applicants for the position at this time, and moved to appoint Lee Henry to the temporary position. Mrs. Rozanski suggested both names be put in nomination, and the Board agreed.

Mr. Brodeur moved to enter the names of Lee Henry and Philip Pattison as applicants for the position of Interim DPS Administrator; Mrs. Rozanski seconded; all aye.

For discussion, Mrs. Rozanski said she took some time to rate them, having asked for references, what jobs they had done, assuming these would be checked. She stated she believed Mr. Pattison was well above the minimum qualifications, and that Mr. Henry does not have the paper qualifications although he has done some work.

Mr. Brodeur noted the documentation supplied tonight which listed the previous employers of Mr. Pattison but not the reason for leaving, which is usually given. Mrs. Rozanski said she received a couple of phone calls in support of Mr. Pattison, i.e. Jim Chilson.

Mr. Downing said he received calls the other way, i.e. a peer of his in Wellesley who asked that he not be considered, and other comments he received second-hand.

Mr. Brodeur asked about conflict of interest for Mr. Henry, but Mr. Downing said that he had been cleared by the Ethics Commission according to Mr. Henry. Mrs.

Rozanski agreed that she did not believe he was in conflict but should get a letter in writing absolving him. He had to let 30 days expire from being in office, which he did, and the only area that may be a problem is that he was involved in setting up the position.

Mr. Downing took a vote of the Board on the two applicants: Mrs. Rozanski voted for Mr. Pattison solely on qualifications; Mr. Brodeur and Mr. Downing voted for Mr. Henry. Mr. Downing said it was a 2-1 vote, and Mr. Henry will be offered the position of Interim DPS Administrator subject to a successful memorandum of understanding. He would like to make a proposal to Mr. Henry of a grade 10, step 1, which is entry level. Mr. Brodeur moved that the Chairman draft a grade and step proposal for Mr. Henry; Mrs. Rozanski seconded; all aye.

Mr. Downing said the Board should meet Monday, August 11th at 7:30 p.m. in open session and then adjourn to executive session for negotiations for the Interim DPS Administrator's position; as well as to discuss the evaluation forms proposed by the Union. Mr. Downing stated, subject to a successful memorandum of understanding, he would want Mr. Henry available by August 18th if Board approval is received on August 11th.

- With reference to the Chairman of the Zoning Board's request to use Town Counsel, this was denied by the Selectmen on July 28th because the request did not come from the Board. Mrs. Rozanski said she spoke to Mr. Morris and he would go back to the ZBA and discuss it.
  - The Board discussed the request from the Planning Board to use Town Counsel for what seemed to be a non-buildable lot. Mr. Brodeur agreed that Town Counsel needed to be consulted as everything indicates it is non-buildable, but why is he doing it if he is not planning to build when they don't have a variance. He said the Planning Board cannot approve the lot if he doesn't have the area and the frontage. Mr. Brodeur felt that the Planning Board wants confirmation of denial from Town Counsel; this is not pre-existing.
- Mrs. Rozanski moved to allow the Planning Board to seek Town Counsel's advice on the ANR plans as presented; Mr. Brodeur seconded; all aye.
- The Board acknowledged a letter from Steve Reding with reference to a bill for expenses incurred by Mr. Reding when Bay State Gas was working on Village Street. Mr.

Downing understood it to be a water main break while they were working on the gas. Mr. Brodeur suggested a letter be sent to Bay State Gas, with a copy to Mr. Reding, asking for reimbursement of expenses to Mr. Reding; Mrs. Rozanski seconded; all aye.

- The Board was requested to sign Form HED077 for Chapter 81 funds for Highway. Mrs. Rozanski moved that the Board sign the Chapter 81 certification of funds for FY'98 of \$1,119,642.75; Mr. Brodeur seconded; all aye.
- The Board discussed the request of the Senior Center Building Committee to establish a gift account for monetary gifts for the project.

Mr. Downing stated that a memo would have to be sent to the Town Accountant and the Treasurer to notify them of this account. There also has to be a majority of Committee members present to sign the voucher, and then it goes on the warrant.

Mr. Brodeur moved to have a gift account set up for the Senior Center Building Committee to accept monetary gifts for the building project; Mr. Downing seconded; all aye. Mr. Downing asked Mrs. Allen to send a memo to the Town Accountant and the Treasurer to advise them of the establishment of the account and the process to be followed.

- The Board discussed the request for upgrading of the Planning Board night secretary. Mrs. Rozanski said she had done her own figures, and checked out the number of hours the secretary had worked. Last year she had averaged 19-3/4 hours per week. She suggested that maybe a proposal from the Planning Board is in order; something other than an upgrade may be involved here.

Mr. Downing said that the Board needs to just deal with the position, not the person. Totals were given of: JB-398; DD-220; RR-165.

Mr. Downing noted the Planning Board was looking at a part-time planner, and they should be encouraged to pursue this, but a total restructure should not run on parallel paths with a secretary.

The Board reviewed what the position of a part-time night board secretary was, but Mr. Brodeur commented that the Board did not know what was involved with the position or what was expected. They walked through their numbers again. This time totals given were: JB-398; DD-235; RR-185.

Mr. Downing felt that Mrs. Rozanski made her decision on what the position called for; himself on working knowledge; and Mr. Brodeur on the new position. Mrs. Rozanski acknowledged the secretary worked hard, but she was not a member of the Planning Board.

Mr. Downing suggested Mr. Brodeur get together with the Chairman of the Planning Board and if they are thinking of planning services, then their secretary may be doing now some of the work that the services would be doing. If the Planning Board then has a clerk as part of their services, then their night board secretary would only have to take notes. Our own Secretary is on comp time for these evening meetings because she is our full-time day secretary.

Mr. Brodeur said maybe they should wait on making a decision, but Mr. Downing stated that he did not want people thinking everything is going to be waiting for the Town Administrator. If the Planning Board wants clerical help in addition to a secretary, than they should tell us. Mrs. Rozanski inquired what was the plan for the planning services department vs. what they have now? Mr. Downing was not sure, but if they want clerical support staff, it should be separated from the duties of a secretary. Mrs. Rozanski acknowledged if the secretary was doing above and beyond, she deserved the merit increase. Mr. Brodeur added that maybe she deserved a step up rather than a grade up.

Mr. Downing suggested revisiting the issue when the Town Administrator comes on board but it would be good to have a history from the Planning Board as backup. He also recommended Mr. Brodeur have a preliminary discussion with Mr. Springer anyway, and if a joint meeting is wanted, fine.

- The Board said they would discuss Fred Sibley's evaluation on Monday night, August 11th. Mr. Downing asked Mrs. Allen for the Park Commissioners' evaluations for Monday night as well. He noted this would be the only item for discussion prior to the executive session.
- The Board acknowledged two memos of resignations from the Municipal Facilities Study Committee; one from Andrea Knupp representing the Library Trustees, and one from Bob Ciavarra representing the CIPC.

Mrs. Rozanski made a motion to accept with regret the resignation of Andrea Knupp from the MFSC; Mr. Brodeur seconded; all aye.

Mrs. Rozanski made a motion to accept with regret the resignation of Bob Ciavarra from the MFSC; Mr. Brodeur seconded; all aye. Mrs. Rozanski said she would speak to Mr. Ciavarra about the CIPC appointment.

- The Board acknowledged the TIP list submitted by David Soule of MAPC. Mrs. Allen noted the local subcommittee of the MPO would be handling the Summer and Village Street projects.
- Mrs. Allen had received the Mass. Historical Commission's grant agreement for the survey and planning project for signing by the Chairman. She stated that it had to be returned within fifteen days, which was why it was being submitted on such short notice.

Mrs. Rozanski moved to authorize the Chairman to sign the contract subject to Town Counsel's review and approval; Mr. Brodeur seconded; all aye. Mrs. Allen was asked to provide the Board with copies of pages 4 and 13 as referenced.

- The Board acknowledged a settlement as presented by MIIA for their consideration. Mr. Downing noted that the settlement was not on any official letterhead and was not signed. Mrs. Allen stated the settlement was just hand-delivered this afternoon, and both she and the Board's Secretary were present to verify it was being submitted by MIIA's representative, Pat Hagan. Mrs. Allen further stated the individual in question, Richard Sylvestre, was out on worker's comp, and MIIA's recommendation was to settle for the \$20,000 lump sum.

Mr. Downing asked if this settlement was signed, would it exonerate the Town; she said it would. Mrs. Rozanski made a motion to accept the recommendation of MIIA and authorize the Chairman to sign the settlement of \$20,000 for the worker's comp claim of Richard Sylvestre; Mr. Brodeur seconded; all aye.

- The Board discussed the request of Paul DeSimone as Chairman of the Industrial Development Commission to hire Barbara Walls as their part-time night board secretary.

Mrs. Allen stated this was a new position, it had not been advertised or posted by the IDC, and there was no job description as required by the personnel policies. Mrs. Rozanski said they thought the position was that of a casual employee, but Mrs. Allen informed them a night board secretary is on the classification plan and anyone hired goes by the personnel policies. She provided the



Board with copies of other advertisements of other positions. Mrs. Allen will pass this information on to Mr. DeSimone.

- Mr. Downing acknowledged the recent passing of Senator Magnani's mother and asked the Board if they should send a letter of condolence. Mrs. Rozanski said she would get a Mass card.
- The Board noted two preliminary plans from the Planning Board. Mr. Brodeur agreed to review the plans and then discuss them with the Board prior to going into Executive Session on August 11th.
- Mr. Downing reminded the Board of the arbitration hearing on August 6th at 10 a.m. at Town Hall. Mrs. Rozanski said she could not make it - she would be in Boston on Wednesday. Mr. Brodeur said it was "iffy" for him right now; he wasn't sure.

9:55 - Mr. Downing said the Board needed to go into Executive Session for reason #3; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - aye; Mrs. Rozanski - aye; Mr. Downing - aye.

- At this point, Tracey Lewia of the Middlesex News said she had some questions to ask the Board about the Bank building next door.

Mrs. Rozanski moved to amend the motion to go into Executive Session at 10:05 instead of at 9:55; Mr. Brodeur seconded; all aye.

Ms. Lewia said in speaking with Bob Stratton, the original negotiations spoke of putting the paving issue aside. Mr. Downing said the issue was discussed and not resolved, and any other conversations that took place were with the subcommittee of the former Chair. Mr. Downing further stated that the Board does have a letter from Mr. Stratton refusing the Town's offer of \$305,000.

Ms. Lewia asked if the broker's fee was taken into consideration during negotiations? Mr. Downing said it was initially discussed but he didn't know the final resolution.

Ms. Lewia said, according to Mr. Stratton, no formal agreement was presented to the Board on paving. Mr. Downing said he could find nothing in writing either. She then asked how could the Board have agreed to drop the price if there was no formal agreement? Mr. Downing stated that people sat in on both sides of the issue,

and felt a compromise would have to be made prior to the Special Town Meeting as some validity in lowering the price was expressed at that time. In order to bring those people with reservations over, that compromise was felt to be the best if they wanted a chance of passing the purchase, as it was felt there was no chance of passing at the \$335,000 figure.

Mr. Brodeur added that some members of the FinCom were present at that meeting before the STM, although not a majority.

Mrs. Rozanski said she saw nothing in writing from the Bank, but Mrs. Allen said there was an original letter with the offering price. Mrs. Rozanski again said she did not see the letter from the Bank asking \$335,000 for one building and \$175,000 for the other totalling \$510,000. She said she did not know that number until later.

Ms. Lewia asked if there was a motion made at that meeting on the offering price, and Mr. Downing indicated it was in the minutes of June 23rd.

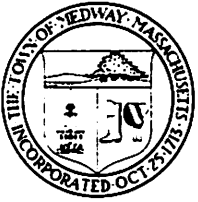
Ms. Lewia asked if the Board would reconsider the Bank purchase again? Mr. Downing stated the only way was the Town Meeting and the voters, with the Board initiating the action by calling a STM.

10:05- The meeting was adjourned to Executive Session as previously noted.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved*  
*9/8/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

July 28, 1997

#### **INTERVIEWS:**

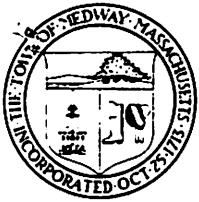
7:00 p.m.      Lee Henry  
7:45 p.m.      Philip Pattison

#### **REQUEST FOR LEAVE OF ABSENCE:**

8:30 p.m.      Scott Peters

#### **FOR DISCUSSION:**

Set date for review of new evaluation form  
Discuss Master Plan Committee  
Discuss Cleaning Service



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

July 21, 1997

- 7:00 Open Meeting, Sign Warrants approve  
minutes of July 7th meeting.
- 7:05 Cristopher Walsh, Rabbit Hill Furniture  
Store regarding signs.
- 7:15 Joseph Giovinazzo, GCG Associates -  
Update on Cottage/Evergreen Drainage
- 7:30 Robert Swoszowski, regarding Fisher  
Terrace

Committee Reports

Action Items

**ACTION ITEMS FOR SELECTMEN'S MEETING OF JULY 21, 1997.**

1. Vote and sign Reinsurance Renewal for Medical Stop Loss Insurance Coverage.
2. Appoint the following:  
Robert O'Neill - Cable Advisory Committee  
Karyn Russell - Open Space Planning Committee  
Ginny Hochella - Open Space Planning Committee  
Allan Osborne - Memorial Committee
3. Sign Site Plan for Sprint Spectrum, Main Street tower
4. Vote and sign Change Orders #2 & 3 for Library Renovations and to grant Edison a right-of-way for transformer repairs and maintenance.
5. Disposition of two Police Cruisers.
6. Sign Amendment letter for Senior Center Grant Administrator.
7. Vote and sign Construction Requisition #16 for new elementary school.
8. Sign 'Memorandum of Agreement' for the second apportionment of Chapter 113 of the Acts of 1996 in the amount of \$282,792.00.
9. Vote of request of Mayla Secola for Annual Block Party - Charles River Road neighborhood - for August 16th.
10. Vote and sign Estimate #4 for Tonare - Cottage/ Evergreen Street drainage project.

**NOTE: Need to do evaluations on: David Giarla, William McLaughlin, Jason Beksha, Martha Caccamise, Katherine Buday, Jonathan Power, Shirley Heaton, Eileen Cyr, Cecilia Mancini, Marie Penza, Patricia Tupper, Martha Wingate.**

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:01 p.m.-Mr. Downing called the meeting to order in the  
Selectmen's Meeting Room 2 of Town Hall.

- Warrant #4 totalling \$371,778.40 was signed by the Board.
- Mr. Brodeur moved approval of the minutes of July 7th.

Mrs. Rozanski referred to page 12 for a correction. She asked that the minutes reflect there had been a "motion and vote by the Board authorizing the Chairman to write a letter to the Medway Co-op Bank telling them of the vote empowered at Town Meeting on the bank purchase, with Mr. Brodeur seconding her motion".

Mr. Downing referred to page 1 for a correction asking that the word "it" with reference to the antenna be changed to "a structure for support equipment".

Mr. Downing referred to page 8 for a correction asking that "response from the Police Chief or Karen Alves" be changed to a "response from the Police Chief on a letter from Karen Alves". Mr. Downing asked that the Chief be reminded that the Board is still looking for a response to Ms. Alves' concerns.

Mrs. Rozanski seconded approval of the minutes as amended; all aye.

7:12 - Jim Ladieu, Chris Walsh and his son Andy, came before the Board to discuss signs for the Rabbit Hill Unfinished Furniture Store. Mr. Walsh said he was here this evening because the Building Inspector, Bob Speroni, said he needed to meet with the Selectmen as he was being denied the additional seven signs. He, therefore, was here this evening to receive the Board's approval for the seven signs.

Mr. Brodeur questioned if the building is in a non-commercial zone, isn't the appeal to the ZBA? Mrs. Allen said no, the sign by-law states the appeal is to the Selectmen. Mr. Downing confirmed the by-laws being referred to were the zoning by-laws, and not the Town by-laws.

Mr. Brodeur said there were many manufacturer's names in commercial areas as varied signs advertising brand names; should they be there - maybe they were not in compliance. He asked if the Board was creating a

precedent by allowing these signs with manufacturer's names, or should all the others be looked at. Mr. Ladieu asked that they not be penalized for playing by the rules and meeting with the Board.

Mr. Walsh also stated if they were requesting too many signs, they would be willing to cut down on them, but they at least wanted their name on the building.

Mr. Downing had some suggestions, i.e. eliminating one sign and incorporating it into another; as well as eliminating two others which could be store-bought signs. Mr. Brodeur wanted to make sure that two many signs on one side of the building did not exceed the maximum criteria of square footage.

Mrs. Rozanski stated how the signs appear was important, and should the Board ask for another schematic? Mr. Brodeur agreed saying block lettering may not fit it; however, Mr. Downing said block lettering has a variety of styles these days. Mrs. Rozanski added she wanted to avoid the types of signs at the Medway Shopping Center.

When asked if they had samples of signs, Mr. Walsh stated they had not met with sign companies yet. Mr. Downing suggested they get samples from different companies with cost figures, and then show the Board what they want. Mrs. Rozanski assured them they want to approve the concept, but want to make it fitting.

Mr. Ladieu said by cutting down on the number of signs, they may be able to spend more money on the signs they are going to have. Mr. Downing also noted that their vendors may be willing to pay for a portion of the signs since you want to be advertising them.

They will get in touch with the Office when they are ready to meet with the Board again.

7:35 -

Joseph Giovinazzo of GCG Associates came before the Board for an update on the Cottage Street drainage project. He said the wall was looking good; they have finished all the utility pipes before the wall was put in and included the services to the homes; not all of the catch basins are done yet but moving along; reclamation will start August 4th; E. C. Murray or Bardon-Trimount will be doing the pulverization, then compaction and grinding, and then binder.

Mr. Giovinazzo asked the Board what they wanted to do about the rest of Evergreen Street from the Day Care

Center to Main Street? He noted this was mentioned briefly before and would be discussed further when it was known how the project was going financially. He said a curb to curb overlay would be \$50/ton for 150 feet at 22 feet wide approximately \$1,600. He said that financially they were sitting in good shape and right in line with the bid.

Mr. Downing said as far as he knew there was \$40,000 left in the account. Mrs. Rozanski showed Mr. Downing figures she said she obtained from Donald Podgurski that were encumbered and confirmed with Arthur Darley of Mass. Highway when she went to Worcester. Mr. Downing remarked he had asked for those figures from Mr. Podgurski and didn't receive them.

Mr. Giovinazzo clarified they were looking at the bid dollars, not chapter 90 monies, but he would be speaking to Mr. Darley to find out what forms have been filled out. With the bid amount of \$373,435, they were in line with that. There had been zero change orders, but there might be one for \$5,000 for an existing drain line that needed to be corrected. He said he would be needing the backup paperwork, and would have to consult with Mrs. Allen before he goes to speak to Mr. Darley in the next few weeks. He would wait to make a final recommendation as the project is completed.

On completion of the project, he would let the binder course set for two months, then the final curb to curb overlay in October. Castings would be level with the binder and no loaming and seeding until the Fall. The project would be 99% complete after the binder is down. The Board questioned the quality of the castings, and he said he would not allow sub-standard. They were brand new from LeBaron.

Mr. Brodeur wondered if they should wait until after winter to pave? Mr. Giovinazzo said they would use a modified binder and it was a requirement of the contract that it be done within 90 days. He stated they puddled everything and got great compaction, then pulverized and rolled. They will be doing compaction tests anyway. With this, Mr. Brodeur said he had no problem with the paving in October.

Mr. Giovinazzo said he would like one more visit with the Board around August 8th. Since the Board would be meeting on August 4th, Mr. Giovinazzo said he could meet with them then for a final decision on the \$1,500 or they could do it now.



Mr. Brodeur moved to approve finishing Evergreen Street to Main Street subject to Mr. Giovinazzo's meeting with Arthur Darley as outlined by the consultant; Mrs. Rozanski seconded; Mr. Brodeur amended the motion to include the figure of not more than \$1,700; Mrs. Rozanski seconded; all aye.

Mr. Giovinazzo also wanted to discuss phase two. He said he had been trying to contact the property owner so far unsuccessfully, so he is preparing the paperwork to acquire it by eminent domain. It is still in the preliminary stages, but when asked, said the property owner was John Wilfred trustees.

Mr. Downing said the Board had deemed phase two as part of the total project, and to remind Mass. Highway of this for extra funds.

Mr. Brodeur moved out of the action items the approval for payment estimate #4 to Tornare Construction for \$123,417.87; Mrs. Rozanski seconded; all aye.

7:55 -

Robert Swoszowski came before the Board to discuss the road condition of Fisher Terrace. Accompanying him Bernie Casey, Mary Jane Lucas, Jan Fish, his wife Evelyn, Roger Fish and Bob Lucas.

Mr. Swoszowski brought a slide presentation also in document form to give to the Board. He indicated Fisher Terrace was a private road off of Fisher Street. Their concern is to eliminate the road upheaval and water problems they were having and to look for some suggestions from the Board as to the steps that need to be taken to getting the street accepted.

He stated they have done some repairs to the road, but the water runs under and over the road and has caused icing conditions. Mr. Lucas said he had lived there 16 years and water flow has increased with subdivisions such as Azalea Drive coming in off of Summer Street and Boston Edison clearing out trees. They feel there is some relationship to these subdivisions, water flow and Boston Edison for causing some of their problems.

Mrs. Fish showed the Board a topo map which seemed to indicate that water wasn't coming down the hill as it used to; it seemed to be going under the road. Mr. Swoszowski said they were wondering what the long-term effect would be. He felt they might be able to have several options to fix it such as patching, upgrading, and a betterment lien.

Mr. Downing asked why they were starting at the top for help? Why not talk to the Planning Board as they have engineering services? Mr. Swoszowski said Mr. Lucas spoke to Paul Yorkis and he had suggested getting the two Boards involved, but there was no guarantee that the road would be accepted after all the work was done.

Mr. Downing asked if the integrity of the street had been determined by an engineer? Mr. Casey said he had an engineer do an overview and helped devise a plan to try and capture the water with a drainage system. There are other options too, but basically, they don't want to spend too much money short-term until they solve the problems behind it.

Mr. Swoszowski said he had spoken to Mr. Podgurski who had stated he was trying to get Mike Perrault to accompany him in looking over the area to get the Town's opinion.

Mrs. Rozanski stated if developers ask for a waiver from design, it may not require everything noted in the presentation.

Mr. Swoszowski provided some dimensions to the Board, such as it being 650'-700' from Fisher Street to the cul-de-sac and 26'-28' pavement width. He said he would like the position of the Selectmen if they try and meet with different boards. Mr. Casey added that they are very concerned about going another winter without doing anything.

Mrs. Rozanski said Town funds can't be spent on something privately owned; you have to go to the Planning Board.

Mr. Downing agreed the Planning Board was the way to go, but asked the residents if they had a maintenance fund so they could do a road assessment and give that to the Planning Board.

Mr. Brodeur, at this point, had to tell those present that the Planning Board is out of the link. He said the Planning Board has no jurisdiction once a subdivision is signed off by them, and the residents would now have to go to Town Meeting for help in getting the road accepted by way of a citizens petition. He clarified that the Planning Board is only for new subdivisions. The Board could assist by putting the article on the warrant to accept the road, or accept the road with the homeowners bringing it up to standard.

Mr. Downing suggested their association get a determination from a professional engineer or consultant to make a presentation to the Board, and they could work with the Planning Board to determine what the minimum standards would be.

Mr. Swoszowski said he would call Mike Perrault, but Mr. Brodeur said he can only work on new projects out of the consultant account. Mr. Downing agreed stating that they can't hire the Town's consultant to look at private ways.

Mr. Brodeur added that all subdivisions would have required their engineer to do drainage calculations that would show that any new road construction would not increase the water flow to existing roads. If a change occurred that wasn't anticipated, and the engineer was wrong, then it becomes a civil matter. The engineer is responsible for the calculations with his stamp. Looking at the plan the residents shared with the Board, Mr. Brodeur said the street was 18' wide.

Mrs. Fish wondered with more subdivisions coming, could the condition get worse, and Mr. Brodeur said it could. Mrs. Fish further asked if they do fix the road, but then in 1-2 years, it gets worse with new subdivisions, then what?

Mr. Brodeur suggested they make copies of the plan they had and on one sketch the water pattern and flow the way it used to be, and then on another copy, sketch the way it is now, and then come back to the Board.

Mr. Downing felt that an engineer's report was important with Mr. Brodeur noting that standards haven't changed since 1981. Mrs. Rozanski said the taxpayers need to know how much the road repairs are going to cost them. Mrs. Allen said that a road is a private road when it does not conform to the Planning Board specs.

Mr. Swoszowski said they have an investigative report that an engineer did for them and gave the Board a copy. Mr. Downing added that, from a positive standpoint, it would be good to do a before and after analysis and give a copy to the Planning Board as well to use as a resource, not for action, but for deliberation. In looking at the report, Mr. Downing said that the report was not dated and not signed, but it gives us an idea if it was updated. Mr. Brodeur added that, if you can prove hardship, the situation has changed.

In asking for a summary, Mr. Swoszowski determined that

the residents would check the flow patters before and after on the plan, and also update the engineer's report by Bob Tucker.

Mrs. Fish said she wanted to make sure the road was plowable, which they now hire someone to do for them. Some other factors that could be determined by the group were: how much would it cost to repair; what needs to be done to the road; and is the pipe size adequate. It was noted that the pipe was reset by Trufant two years ago.

The residents thanked the Board for their time.

8:55 - Committee Reports.

- Mr. Brodeur.

- Mr. Brodeur stated he had prepared a draft of the Assistant Highway Superintendent's job description and gave the Board a copy for their review and any revisions. Mr. Downing noted Mr. Power has the title, but no job description, and do your create this position when you don't even have a Superintendent.

- Mr. Brodeur brought up a letter received from Wayne Davies asking for copies of minutes wherein the Selectmen have discussed that cul-de-sacs were not in the best interest of the Town. Mr. Brodeur felt the only recent reference was the waiving of construction of the one house on Hill street, and that the Planning Board approved it that way.

Mr. Downing said it was his personal preference not to have cul-de-sacs, but the Town extends stubs, and now it becomes part of a subdivision. He stated that the Board has never taken a vote as it was not within the Board's jurisdiction.

Mrs. Allen was asked to send a copy of the Selectmen's meeting minutes of July 7th that Mr. Davies may be referring to, and to advise if further information is needed, to let the Board know.

- Mr. Brodeur said he had attended the public hearing on phase one of the Route 109 reconstruction project in Millis. He said no one from the State was there, but Millis residents had many questions, none pertaining to Medway except the Apollo building moving off of the right of way. He saw no slope easements if they moved the building in compliance with zoning. Mr. Brodeur did not feel we need any taking on the Apollo building but

to maybe adjust one foot to grade. He thought there was an existing easement from Swenson-Granite and to check the Industrial Park subdivision plan. He said the State planned no more hearings. Mrs. Allen noted she spoke to Tom Loughlin from the State and he was not even aware of the hearing, although it was strictly Millis holding the public hearing.

- Mrs. Rozanski.
  - Mrs. Rozanski said, at the SWAP meeting last Thursday, a report had been received on towers.
  - The IDC had advised Mrs. Rozanski and the Office that the traffic study of Alder Street and Trotter Drive had been completed and had scheduled a joint meeting with the Selectmen on August 5th at Town Hall.
  - Mrs. Rozanski said she had spoken to the Treasurer and received a list of employers in Town.
  - Members of the Senior Center Building Committee went to visit a senior center in Sutton, which was quite similar to what the Committee wants to have built.
  - The Council on Aging is pursuing a grant for a van.
  - The next meeting of the Cable Advisory Committee was July 29th at the Medway Country Manor meeting room.
  - On July 11th, Mrs. Rozanski said she went to Mass. Highway in Worcester with Donald Podgurski and spoke to Margaret O'Meara going over various figures and numbers. She noted we have not touched the \$282,000 yet.
- Mr. Downing stated he was Chairman of the Board and liaison to Highway, and if anyone should have gone, it should have been him. Mrs. Rozanski said she asked Mr. Podgurski to go so she could understand the numbers.
- Mrs. Rozanski asked if there were copies of the minutes of the grievance hearing held on June 24th? Mr. Brodeur said he had them and would copy them.
  - Mr. Brodeur said that Mr. Podgurski was not in our employ on July 11th - was it just a social visit? Mrs. Rozanski stated it was not hard for her to ask him to take her to Worcester; anyone could have asked. She stated that Arthur Darley of Mass. Highway said all that was submitted was paid for.

Mrs. Allen questioned what funds were the paving of Cole

Street and Legion Avenue paid out of? She questioned if the request to use funds were ever put in for those streets? Mrs. Rozanski said in no way had we overspent, and Mr. Darley stated everything was fine.

Mrs. Allen stated Mr. Darley does not know what paperwork is still here, and could not as yet find the request to use the funds signed by the Board. Mr. Downing said he recalled the date of June 2nd that they had approved it. Mrs. Allen will keep looking for the paperwork. Mr. Downing reiterated that was the reason he had asked Mr. Podgurski for that information, and obviously he had gone to Village Street when he should have gone to Main Street.

- Mr. Downing.

- Mr. Downing said he had met with Nancy Taylor of Camp Sunshine and Town Accountant Arti Mehta and they came to an agreement in processing. Mrs. Mehta was not aware that the program was a year-round program, and just a misunderstanding.

- Mr. Downing said he sat in on the initial EMS Study Committee meeting. Donald Grimes was voted in as chairman, with Stephen Reding as vice-chairman, and Fred Sanford as clerk. He stated that they have a focus - they will interview current EMS personnel; conduct management interviews; review present recruiting practices; research getting a certified trainer in-house to try and reduce the cost of training per person. He was glad to note that they have formed sub-groups not paired in cliques. Mr. Downing believed they would get a meaningful dialogue from the group. He also advised them that they do not have to stick to the 30-day window, but the Board would like an update at that time. Mr. Downing said he was excited over what they will bring forward.

- Action Items.

- The Board was asked to vote on reinsurance renewal for medical stop loss insurance coverage. Mrs. Allen said our consultants had recommended we stay with the \$60,000 claim limit instead of \$50,000 which constitutes a \$12,000 difference in premium.

Mrs. Rozanski moved to authorize the Chairman to sign the acceptance of a proposal for a \$60,000 claim limit for the stop loss program with LINA effective July 1st; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to accept the 10% rate cap arrangement; Mr. Brodeur seconded; all aye.

- Mrs. Rozanski moved to appoint Robert O'Neill to the Cable Advisory Committee; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to appoint Karyn Russell to the Open Space Planning Committee; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to appoint Ginny Hochella to the Open Space Planning Committee; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to appoint Allan Osborne to the Memorial Committee; Mr. Brodeur seconded; all aye.

- The site plan for sprint Spectrum for the Main Street tower was signed by the Board.

Mr. Downing questioned how does the Zoning Enforcement Officer interpret the sign by-laws, with a specific reference to when someone does not have to go to the ZBA. He said it is a change, maybe not to the building, but a change and requested a response in writing. Mr. Brodeur added that Mr. Speroni should be asked to be more specific in his information to the Board, at the Board's request. Mr. Downing said that the Board should send a memo to Mr. Speroni outlining what they would like. They also requested a copy of the sign by-laws.

- Mr. Brodeur moved approval of change order #2 for Library renovations in the amount of \$3,254 as submitted by the Library Director; Mrs. Rozanski seconded; all aye.

Mr. Brodeur moved approval of change order #3 for Library renovations in the amount of \$7,092; Mrs. Rozanski seconded; all aye.

- Mrs. Rozanski moved to grant an easement for the transformer pad (padamount #H12925) next to the Library to Boston Edison; Mr. Brodeur seconded; all aye.
- The Board discussed the disposition of the two police cruisers which have been replaced by new cruisers. Mrs. Allen stated, at one time, it was thought one vehicle would replace Car #1, and the other would be a Town Hall pool car, but nothing was ever decided. Mr. Brodeur had no problem with keeping the best of the two for a Town Hall motor pool and auction the other. It was then felt this should be reviewed further so the Board asked that this be an action item on the next agenda.

Since the Chief had also asked about storage of the old cruisers, Mrs. Rozanski moved that the Police Chief relocate the vehicles out of service to the Highway Barn; Mr. Brodeur seconded but amended the motion to also include, pending further action by the Board of Selectmen; all aye. Mrs. Allen reminded the Board keeping one or two of those vehicles means one or two more vehicles for the mechanic to take care of and maintain. (Secretary's note: presently at 63).

- Mr. Downing signed the amendment letter for the Senior Center Grant Administrator. He also asked Mrs. Rozanski when they would be advertising for the Clerk of the Works. She stated that the architect will probably act as the Clerk of the Works. Mr. Downing noted that Mr. Kubitza and Mr. Boczanowski have initiated many changes as Clerks. Mrs. Rozanski said she would get this clarified the next day.
- Mr. Brodeur moved to approve Requisition #16 in the amount of \$246,191.55 for the new school representing 95% of completion; Mrs. Rozanski seconded; all aye.
- At this time, Mr. Downing acknowledged receipt of a copy of a letter dated July 17th from Brian Aulenbach sent to John Kubitza. Mr. Downing stated he would speak to Mr. Kubitza on Wednesday. Mr. Brodeur thought it might be possible that the letter was written before the final paving, and the berms were not in yet.
- Mr. Brodeur moved to sign the memorandum of agreement with Mass. Highway in the amount of \$282,792.00 for the second apportionment of Chapter 113 of the Acts of 1996; Mrs. Rozanski seconded; all aye.
- Mr. Brodeur moved to approve the annual block party for the Charles River Road neighborhood being coordinated by Mayla Secola for August 16th; Mrs. Rozanski seconded; all aye.
- Mrs. Allen stated that the arbitration hearing on merit increases will be held on August 6th with the arbitrator being Robert Canavan. She will check on the time.
- Mrs. Allen said that legal notices have been sent to the newspapers and other publications for the highway bids and other highway materials. Bids will be opened on August 18th.
- Mrs. Rozanski asked about an agenda for meeting with the Union people the next day. Mr. Downing said there was just one grievance hearing scheduled and review of the



three evaluation forms.

- Mrs. Allen brought up the agreement with Dover regarding septage and asked who should it be sent to first for signing? Mr. Downing suggested C.R.P.C.D. as they would be receiving the septage, with an effective date, then to Medway and then on to Dover.
- Mrs. Allen stated that three resumes were received by the Office for the Interim DPS Administrator position.
- Mr. Downing noted the memo from the Town Clerk concerning replacing her office door with a door that had a window, and her request to leave it as it is. The Board's consensus was to leave it as it is.
- Mr. Downing noted the requisition from the Treasurer on the issuance of bonds, where a biography of the Selectmen is needed to go out for the bonds. Board members said they would get back to the Treasurer by the end of the week.
- Mr. Downing noted the letter from Barry MacDougall declining to serve on the Technology Committee, and Jack Ryan's comments requesting to serve on same. He hoped we were not putting too much on the Town Administrator's shoulders with all these items for the wish list including technology.

Mrs. Rozanski said they need a work plan to start collecting data and making estimates and then build resources. Mr. Downing wondered where the schools were going so they could tie into it, thinking they have a two year head start. Mrs. Rozanski felt they could start with the two individuals presently on the committee, talk to Mr. Ryan tomorrow, knowing there is no budget at this time.

- The Board went back to the grievance hearing scheduled for Tuesday, and noted Bob Speroni's letter stating he would not be in attendance. The Secretary noted the grievance hearing procedure is in the contract. Mr. Downing stated if it goes to the next stage, then he would have to be called.

Mr. Downing said the three evaluation forms were currently in the draft stage and the Board would be reviewing them. If in consensus, the Board could vote to reopen the contract or wait until they were close enough in agreement and reopen the contract.

- The Board went back to the Interim DPS Administrator

position as Mr. Downing said before they start to review or look over anything, the Board needed to get a consensus of where they were going between now and when the Town Administrator comes on board.

What were they looking to do with this position? He was of the opinion that they should make this an interim position to keep projects moving. Mr. Downing said he has been working on a day-to-day basis with Mr. Power but he would not take over the operation as he was not a engineer or a public works director. He said some of the work has been dumped back on the Selectmen's Office for payroll, bills, phone messages, memos, etc. The Board needs someone to facilitate the projects and do what the Board wants that person to do. Mr. Downing noted his concern with the late timing of going out to bid, and that the new pavement may not have the center lines and fog lines done before the kids go back to school in September.

Mrs. Rozanski said it was handled before, and Mr. Power is Acting Highway Superintendent. Mr. Downing clarified that Mr. Power is still functioning as Bob and Diarmuid, or in other words, one person doing two jobs. Mrs. Rozanski said she read a letter that Wendy Rowe had sent to the Board and agreed with her that the Board should hire a consultant. She felt that the position of DPS Administrator should be dissolved and an effective Highway Superintendent be in position.

Referring to the Town Administrator Search Committee, Mr. Downing said he was on the Superintendent Search Committee and he recalled the length of time it took to get the search down to a few candidates.

Mrs. Rozanski brought up the Selectmen's Office doing some of the work for DPS again, and Mrs. Allen expressed her feelings of always doing the extra work but not getting any recognition for doing it when evaluation time came around. She felt there was no incentive to be willing to do it.

Mr. Downing said there was a lack of direction, supervision and leadership with Highway. There used to be a DPS, and then it was given to the Selectmen's Office. We have tried to professionalize the Highway Department and it didn't work; it was a failure. You can't measure the job a person did with asphalt; you have to look at the whole picture. Mr. Downing said from an administrative standpoint, it was a disaster and he does not want to go back to that.

Mr. Brodeur said he did not want to get away from professionalism in Highway; he wanted a Public Services Administrator; to strive for that, and to try again.

A comparison with Millis was made, but Mr. Downing said she was no longer our mirror image; not with the number of people on the Highway Department and the number of miles of roadway. He stated that the DPS Administrator and the Town Administrator are the same in Millis, but they have cooperation, and each has priorities and needs.

Mrs. Rozanski gave the Board a job description she prepared, but Mr. Downing said he wanted a temporary or interim solution. Mr. Brodeur said there already was a job description for the position; it just wasn't followed. He felt they didn't have enough candidates, so Mrs. Rozanski said they could re-advertise and give them the RFQ when they send in a resume. She said they need a memorandum of understanding, but Mr. Brodeur said it's just temporary. Mrs. Rozanski stated you have to give a scope so they can give the Board a proposal. Mr. Brodeur continued on by saying he didn't believe anyone had a problem with the previous job description and to use that, but Mrs. Rozanski felt that some of the information in her RFQ was needed. She also was of the opinion that it would be wrong for the Board to hire someone temporarily.

With regard to Mr. Podgurski being hired as a consultant beyond the 960 hours, Mrs. Rozanski stated that it was not the Board's responsibility to report his earnings.

Mr. Downing, however, felt it was the Board's responsibility to make a decision rather than extend it. The goals and objectives were outlined by the Board; the projects have been identified; the funding mechanism is in place; they were really looking for a facilitator to get the Board through the process; putting projects on the TIP list; again, he felt they needed someone to fill the temporary position of DPS Administrator.

Mr. Downing suggested they take the three applicants and interview them next week, and go from there. Mrs. Rozanski wanted to give the three applicants a copy of her request for qualifications. Mr. Downing had no problem with that as long as it was marked "draft" since they just received it tonight, and to also send them a copy of the job description already approved.

The Board set up July 28th for a meeting date, with

interviews at 7:00, 7:45 and 8:30 in alphabetical order. Mrs. Allen was asked to post the meeting and to call all three candidates advising them of the meeting date and that material would be sent out to them.

Mr. Brodeur asked that Board members look over the scope of the job description he prepared for the Assistant Highway Superintendent.

Mrs. Rozanski brought up the street rules and regs that Mr. Podgurski had done and wondered when there would be a public hearing? Mrs. Allen said nothing had come back after corrections had been suggested. Mrs. Rozanski said she would follow up on it.

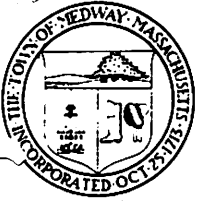
11:26- The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary

mj

*msb* *8/4/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

July 7, 1997

- 7:00 Open Meeting, Sign Warrants approve  
minutes of June 16th and 23rd meetings
  - 7:05 Sprint Spectrum, Robert Fox, site plan  
for antennae on NYNEX tower on Main St.
  - 7:10 Walter Sampson, Tax Relief Lottery.
  - 7:15 EMS Study Committee
  - 7:30 Peggy Landry regarding parking on Cole  
Avenue
- Committee Reports
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JULY 7, 1997.

1. Sign contract for Senior Center Building Architect.
2. Acknowledge letter from Bernard Cornelia.
3. Acknowledge letter from Mass. Laborer's Dist. Council regarding F. Sibley grievance.
4. Acknowledge memos from IDC.
5. Acknowledge letter from Fire Dept. Officers regarding EMS Study Committee.
6. Acknowledge letter from the American Arbitration Association.
7. Acknowledge letter from Millis Board of Selectmen regarding public hearing for 109 Corridor Project.
8. Vote to offer retirees Medex III and Managed Blue for Seniors.
9. Acknowledge letter from Planning Board regarding updated Secretary job description.
10. Appointments for F.Y.'98.
11. Acknowledge letter from William Caton.

NOTE: Need to do evaluations on: David Giarla, William McLaughlin, Jason Beksha, Martha Caccamise, Katherine Buday.

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:01 p.m. - Mr. Downing called the meeting to order in the  
Selectmen's Meeting Room 2 of Town Hall.

- Mr. Brodeur read the amount of warrant 53 signed on July 2nd, for FY'97 which totalled \$1,267,372.25.
- Mr. Brodeur moved approval of the minutes of June 16th; Mrs. Rozanski seconded; all aye.
- Mrs. Rozanski moved approval of the executive session minutes of June 16th; Mr. Brodeur seconded; all aye. Mrs. Rozanski moved the release of the minutes of the executive session of June 16th; Mr. Brodeur seconded; all aye.
- Mrs. Rozanski moved approval of the minutes of June 23rd; Mr. Brodeur seconded; all aye.
- Warrant 54 for FY'97 dated July 10th totalling \$119,599.23 and warrant 2 for FY'98 totalling \$1,076,967.38 would be signed by the Board later in the evening.

7:07 - Robert Fox representing Sprint Spectrum came before the Board for a site plan for an antenna on the tower on Main Street. He noted that an antenna for NYNEX was put on back in 1984. He indicated there would be no change to the landscaping and it would be placed inside the existing fenced-in area at the proper height. Mr. Fox ~~said it~~ would be placed on the exact footprint on the concrete pad.

a structure  
for support  
equipment

Mr. Downing inquired if he had met with the Conservation Commission. Mr. Fox stated the Inspector of Buildings had said the only thing that was required was a site plan with the Selectmen. Mrs. Rozanski asked about a permit, and he stated the variance to the original height and ConCom approval had already been granted. Mr. Fox further stated that since they were not increasing the height and were inside the footprint, they just needed a structural analysis and the site plan.

Mr. Downing suggested this go by Town Counsel with Mr. Brodeur agreeing to see if it meets the original variance. When Mrs. Rozanski asked if this was an extension of the business, Mr. Fox stated the variance was granted for height; not a use variance.

Mrs. Rozanski said they could approve the site plan subject to Town Counsel's review, and ask the Zoning Enforcement Officer to get an opinion from Town Counsel. She noted she would have liked to have seen something in writing from the Zoning Enforcement Officer.

Mr. Brodeur moved to approve plan #RN0166B321, revision 1 dated 7/2/97, subject to Town Counsel's review that the site plan does not require further action by the ZBA; Mrs. Rozanski seconded; all aye. Mrs. Allen was requested to send the letter to Town Counsel and to get a copy of the decision from the Town Clerk. The plan was not signed at this time.

Peter Jarred was also present and he noted that this was their second choice; the first choice was the Highland Street water tower. He said if the Board might approve that, they would hold off on this location at Main Street.

Mr. Downing said this issue was discussed and the Planning Board was asked to review potential sites and a possible by-law. He stated that if they need this done within 30 days then go with the second choice rather than wait for the Board. Mr. Downing noted that the antenna tower committee would not be meeting until the Fall.

7:20 - Walter Sampson met with the Board to have their assistance in drawing 28 names out of the 32 names for the lottery of those senior citizens who asked to be a part of the tax relief program. He explained that each senior or couple would get \$500 credit toward their taxes for 100 hours of work. Mr. Sampson said the 28 people would hear from him or they can just call him to arrange to sign the contract.

7:30 - Members of the EMS Study Committee met with the Board. They included: Fred Sanford, Barry MacDougall, Tim Choate, Mike Murray, Alan Cornoni, and alternate member Rick Potter. Donald Grimes and Charlene Tingley were away on vacation.

Mr. Downing said the Board had received a letter from the Fire Department Officers, which he read, asking that Lt. Stephen Reding be appointed to the EMS Study Committee from the Fire Department. Mr. Downing stated when they made up the composite of the committee, they did not mean to leave out a member of the Fire Department.

Mr. Brodeur moved to increase the size of the EMS Study



Committee to include Stephen Reding; Mrs. Rozanski seconded; all aye. Mrs. Rozanski noted that the even number might cause a problem. Mr. Downing suggested making the alternate member a permanent member as he did not want a deadlock. Mr. Brodeur amended his motion to include the ninth member, Richard Potter; Mrs. Rozanski seconded; all aye.

In giving the Committee their charge, Mr. Downing asked them to adhere to the open meeting law and post their meetings; come up with a date for their first meeting; elect a chairman and recording clerk; minutes should reflect the intent and main thoughts; suggested firing off ideas and get short-term goals-i.e. determine how they can best service people in the community; get long-term goals-i.e. what is down the road.

Mr. Downing said Mr. Brodeur has the names of people who will come in and speak to the committee and offer some guidance, one of which would speak on the enterprise fund. He said he did not want to revisit the past, but to look to the future. He complimented the committee as being a good mix of people and felt confident they have the right people in place to do the job.

Mrs. Rozanski said she wanted some attention to reaching out to the public of what they expect since they were the ones paying for it, and also wanted a policy for recruitment.

Mr. Downing asked for a report of some sort or an update in 30 days of how they were doing, even though they were operating as a separate entity. Mr. Brodeur indicated that time was of the essence and asked that they move quickly.

7:45 - Peggy Landry of Cole Avenue came to meet with the Board concerning the construction of the new school near her and what guarantees or considerations she was receiving. She stated she had been there 40 years and the topography has been changed, islands were going in, and the traffic flow had changed. Mrs. Landry said she had asked for off-street parking in an area of 20 x 20 and paved if possible. Looking at work order PC073 dated 5/16/97, she was under the impression it was going to be done, but wanted to make sure before final paving of the parking lot was completed.

Mr. Downing said he was aware of her plight, but the School Building Committee was not meeting until Tuesday night, so he had nothing to add tonight.

Mrs. Landry said her street was accepted back in 1933 and feared the end of the street has been cut off. She didn't feel the street could be altered once it was accepted. She felt that the architect may have created a problem in not knowing her house was there and that the area in front of her house was treated as a vacant lot. She thought they were treating the whole area as a parking lot, and not including the street.

Mr. Brodeur looked at the architect's proposal and noted an area 9'9" that was to be paved 20' wide. However, Mr. Downing did want to state that there never was a driveway to her property and the Town could not expend school building funds to put in a private driveway. Mrs. Landry stated she was being denied use of the street like other taxpayers, and foresees problems if this is not resolved before paving.

Mr. Downing said he could not give an official answer until he spoke to the Committee. He noted Mrs. Landry referred to SKF15, and they were referring to SKF23, so he would find out which sketch they were working on and the PC073, and go from there. He said they could not resolve anything tonight, but the Board of Selectmen have control over the streets and the plan was approved by the Selectmen. He invited Mrs. Landry to the meeting being held the next evening at the Burke School at 7:00.

- Committee Reports.

Mrs. Rozanski.

- reporting attending Ben Atwood's eagle scout ceremony.
- noting the IDC was meeting on July 8th to begin the marketing project.
- said the Cable Advisory Committee had a public hearing where about 25 people attended; they were still looking for public input and written comments to the Town Hall; Time Warner noted receipt of Mrs. Allen's letter concerning the wiring of the new school.
- on SWAP, the Upper Charles feasibility study was completed.
- the senior center building committee was meeting on July 10th at Kenney Drive.
- a number of residents in the area of Meadow Road were complaining about noise, and supposedly called the Board of Health; Mr. Brodeur commented work time is from 7 a.m. to 9 p.m.

Mr. Brodeur.

- noted a Planning Board meeting on July 8th.
- looking at different plans, the first concerned Cunningham Way for an expansion of a farm; they wanted

to develop a street to add another lot for a single family dwelling; he stated they could say they would allow the subdivision, but not require construction; if they have enough frontage, why should we plow for one house; he recommended they allow the subdivision and waive all construction requirements; therefore, he moved to recommend to the Planning Board non-construction of Cunningham Way; Mrs. Rozanski seconded; all aye.

- on Forest Edge, the subdivision behind Medway Country Manor, he didn't see anything in the rules and regs to restrict this, so he had no recommendation.
- with reference to the preliminary for Paul Wilson's land, it follows a normal subdivision plan. They would be extending the cul-de-sac on Priscilla as originally designed 30 years ago.
- at the Planning Board meeting on July 15th, rules and regs would be discussed.

Mr. Downing.

- said they have gone to an every other week schedule of meeting so they have some time off, to allow Board members to get to other meetings, and for the Board to do some planning; any correspondence that needs to be sent goes through the Office; if a member can't make a meeting, let the Office know or leave a message for him on his answering machine.
  - the Holliston sewer project is not as clear as it once was; at the last meeting held, in attendance were: Town Counsel, Bob Heavey, Paul Wilson and Paul DeSimone; he will get an update from the two Pauls of the last District meeting coming up; some question on ownership of 80/20 split; may not be spelled out enough; the sewer master plan is at least one year away; the Holliston tie-in at least three years away; Holliston's needs will be what drives the project; there will be more meetings with Water/Sewer and the two Pauls coming up; disappointed no one from FinCom was at last meeting.
  - the Board has a lot on its plate: the five member Board of Selectmen, the Town Administrator - they need planning and prep time; asked Board members to jot down any ideas on a wish list; every six weeks they can go through the list; if the Board is to transition the Town Administrator, they need to prioritize with long and short term ideas.
- Mike Murray stopped in to say the first EMS Study Committee meeting would be held on Wednesday, July 16th at 7 p.m., location to be announced. Even though Mr. Downing is liaison, all members were asked to stay on top of the issue.

- Action Items.

- Mr. Downing wanted to address the DPS position even though it wasn't on the agenda. He noted by a 2-1 vote, it was voted to terminate Mr. Podgurski on June 27th. Mr. Downing said he spoke to him on June 26th and told him there was no need to perform any additional duties beyond that date, so the Board has to decide what to do now. He said he had asked for information to be put in writing concerning his hours as discussed with the retirement board, but had seen nothing. Mr. Downing said they cannot wait for the Town Administrator to come on board, as the Town has not even gone out to bid for highway materials yet for FY'98. Mrs. Allen noted that was part of the paperwork that the DPS Administrator does.

Mrs. Rozanski asked if he was working without compensation this last week, and Mr. Brodeur said June 27th was to have been his last day. Mr. Downing noted there was an issue of some comp time because of the April 1st blizzard. He said they would deal with this later, and told Mr. Podgurski to start taking comp time as of the 27th until he talked to the Board. He heard he was in Town today, and if he was volunteering his services, great.

Mrs. Rozanski stated if he is consulting, hours are not involved. He could have a short-term contract of just tasks, with no entitlement as an employee, just fees for service. Mr. Brodeur said it sounded like he was evading the retirement law. Mrs. Rozanski felt it was just changing the status of employment. Mrs. Allen said, however, there were no extra monies in the consultant account to cover him. Mrs. Rozanski said the monies could come out of the expense account, but the question was is he an hourly employee, or a consultant, and is it Mr. Podgurski.

Mr. Downing did not feel Medway needed a consultant. He stated Mr. Podgurski was hired to administrate DPS and it is not being done; a gap is there, and they need to bridge that gap. They still have Mr. Power acting as highway superintendent; the interim issue has not been resolved; Mr. Podgurski was probationary; the Board has asked him to come in to discuss his performance and he didn't. Mr. Downing said he may be singularly of the opinion, but he feels they need a full-time administrator. He said he wanted to advertise for the full-time position and keep the ball rolling. He said that all the work Mr. Podgurski has done is great, but what is the status of everything. The Board cannot know

anything without any reports.

Mrs. Rozanski said if they advertise for an interim DPS Administrator without employee rights, it can be an RFQ (request for qualifications). Mr. Brodeur asked about an interim job description, but Mr. Downing said what do they ask for. Mrs. Rozanski suggested a professional consultant for the interim position.

Mr. Brodeur said they really need someone now for the next nine months to get us through the balance of the year, the construction and winter months, and the first three months of next year. Mr. Brodeur suggested a DPS workshop, but Mrs. Rozanski said they need to outline what needs to be done, not how many hours.

Mr. Downing had a problem with a workshop if they did not come prepared with what they wanted. He told Mr. Brodeur he was the one with the different job descriptions that were going to be worked on. He said the Board knew basically what they wanted of the individual - continue to monitor the chapter 90 projects for Village Street and Summer Street; pursue grants; have some experience in large and small highway projects; have some drainage experience; continue on with the bidding process that Ruth, Bob and MJ will have to start. Mr. Downing asked if the ad could be written up now as a draft and then refine it for the newspaper. He also suggested establishing a per diem rate which could be negotiated.

Mr. Downing asked Mrs. Rozanski to draft an ad. When Mr. Brodeur asked about the monies appropriated for a secretary, Mr. Downing said he was not concerned with that - they could always go with a temp. Mr. Downing asked that the ad go in the Woonsocket Call, Milford Daily News and Middlesex News to keep it local.

Mr. Brodeur moved to authorize the Chairman to advertise for the interim DPS Administrator position once the ad was drafted; Mrs. Rozanski amended it to be an RFQ for a position to facilitate the administration of the DPS department; Mr. Brodeur seconded that amendment; all aye.

Mr. Downing said he would get together with Mr. Podgurski and conduct an exit interview with him. Mrs. Rozanski said that Mr. Podgurski would be welcome to apply. Mr. Downing noted, from the Board's standpoint, that they were very appreciative of the work done; maybe not in their fashion, but a lot of work was done.

Mrs. Rozanski acknowledged Mass. Highway's second apportionment of Chapter 90 funds released in the amount of \$282,792, which the Board would be transferring at the next town meeting. Mrs. Allen noted a MOA from the DOR would be necessary.

- The contract for the senior center building architect was to be signed, but Town Counsel had asked that some corrections be made. Mrs. Rozanski made a motion to authorize the Chairman to sign the contract subject to the changes Town Counsel recommended be done; Mr. Brodeur seconded for discussion. He pointed out that on p.15-(2.1) requires the Town to designate someone to act on the owner's behalf. Mrs. Rozanski believed that would be the committee. However, Mr. Brodeur referred to p.25-26(9.13), wherein it stated that "delivery in hand by certified mail to the chairman of the committee and the Board of Selectmen". He said the Board should be notified when a change occurs, and the Board should bring it up at a meeting for discussion. Mrs. Allen said she would send the contracts back to Mr. Carlucci for corrections. Mr. Brodeur seconded the motion with the amendments as corrections or revisions; all aye.
- The Board acknowledged a letter from Bernard Cornelia of 217 Main Street with reference to the paving done on his street which now seems to be placing excess water on his property. Mr. Brodeur felt that it was common to raise up the road and then go back and put bumps in driveways. He believed that if we raised the road, part of the paving job is to do that. Mr. Downing said he has spoken to Mr. Power, but couldn't believe that the excess water had not occurred prior to this. Mr. Brodeur said we cannot put more water on the property than it already had, and asked that this be followed up at a subsequent meeting.

Mr. Downing asked that a letter be sent to Mr. Cornelia to be signed by him advising that the Board is aware of the situation and trying to take some corrective action.
- Mr. Downing said he had hoped for a response from the Police Chief <sup>in a letter from</sup> ~~or~~ Karen Alves concerning the traffic restrictions in the Alder Street area. He had also tried four times unsuccessfully to reach another resident in the area.
- Mr. Downing acknowledged two residents' letters; one commending Sgt. Tingley and Officer Boultenhouse for their efforts and assistance, and the other complimenting Officer Grimes for his professionalism.

- Mr. Downing brought up the decision of Bob Speroni, the Zoning Enforcement Officer, on 155 Lovering Street. He noted that the decision was that the business was pre-existing, non-conforming. Mrs. Rozanski asked if the decision should be sent on to Town Counsel. Mr. Downing felt there was no need to; now it would just be a civil matter and would file the decision. Mrs. Rozanski inquired if the Zoning Board got a copy of the decision. Mr. Downing did not know, but said the Office could send a copy to them.

Mr. Brodeur said you cannot deny the Zoning Enforcement Officer's decision, but it can be appealed to the ZBA.

- Mr. Downing stated he was signing the State forms (314CMR) as Chairman for Charles River Estates as part of the joint signature required with Millis for sewer and water main extensions in Millis. This was being done subject to conditions such as a street opening permit being taken out when they hit the Medway line.
- The Board acknowledged the letter from the Mass. Laborer's District Council regarding Fred Sibley's grievance. Mr. Downing stated that he and Mr. Brodeur had agreed to these conditions to pay the \$19. They felt it was still grievable and if Fred gets called out again, the salary would kick in at the grade 6, step 6, which is less than the normal pay. Mr. Brodeur agreed this puts Mr. Sibley in the same category as the others as Heavy Equipment Operator. Mrs. Allen clarified he gets his regular salary if he is plowing during regular hours; then it kicks it at this rate for overtime.

Mr. Brodeur moved to authorize the Chairman to sign the Memorandum of Agreement for wage definition for snow removal for the Superintendent of Parks; Mr. Downing seconded; Mrs. Rozanski abstained; aye.

- Continuing with the Union, Mr. Downing noted that the letter from the American Arbitration Association resulted out of a meeting with Ted Scriptsack, Sandy Bennett and Mark Flaherty. It was decided to go for a blanket decision rather than filing individually. Mr. Downing had requested some additional arbitration information which he just realized was attached to his documents. Mr. Downing noted that Tuesday is the deadline.

Mrs. Rozanski deferred to the Chairman to strike out names for arbitrator on the list as did Mr. Brodeur. Mr. Downing said he would work on the list this evening.

- Mrs. Allen stated that the 75% plan for the Route 109 Corridor project came in today. Mr. Downing said he could not attend the public hearing on Thursday; Mr. Brodeur said he would go. He realized that beyond the right of way, they need locations and maybe slope easements, which is why Mrs. Allen said the appraiser was working on it.
- Mrs. Allen asked the Board if they could vote to offer retirees Medex III and Managed Blue for Seniors so they can opt out of one program and go with a less expensive one if they wanted to. Since it is within the same company (Blue Cross/Blue Shield), other options can be offered as still part of the 70% participation rate.

Mrs. Rozanski moved to offer retirees Medex III and Managed Blue for Seniors; Mr. Brodeur seconded; all aye.

- The Board acknowledged the letter from the Planning Board regarding an updated job description for their secretary. Mrs. Allen said it goes to the Board as Personnel Director, not the JCRB, and the 13-step process is used.

Mr. Downing said maybe he was old-fashioned but he didn't feel you should gear a job to an individual; it should be the other way around. He said the position was as a night-time Board secretary, and possibly planning services was in the background. Until that whole issue was resolved, he did not feel that they should be changing anything. Mrs. Allen also noted that they had not advised the Board what grade and step the position should be on, and that is part of the 13-step process.

Mrs. Rozanski asked what was the intent of the letter. Mr. Downing said he knew they were being buried with work, but if they want to advertise for professional help, that is different. He felt the Planning Board should reconsider their request and wait until the Town Administrator comes on board, or have a joint meeting with them. Mr. Downing said if they have a need for planning services, why fill it with a secretary. Mr. Brodeur wondered if they were talking more of a merit increase rather than a job upgrade.

Mr. Downing said the Planning Board has done the right thing, and that is to go to the FinCom for an increase in expenses, but still had no problem with a joint meeting if they wanted to pursue this. Mr. Brodeur suggested doing the 13-step process anyway, and Mr. Downing said they could continue this as an agenda item



for the next meeting.

Mrs. Rozanski said maybe this was now a different position than night-time Board secretary. Mr. Downing added if they share planning services with another town, as has been mentioned, the Board would have to assume that there is some secretarial support staff for that town as well.

Mr. Downing asked that Mrs. Allen send a memo to Mr. Springer advising that the Board was reviewing the job description and was tentatively putting it on as an agenda item for the August 4th meeting. He also asked that Mr. Springer be advised the Board was doing the 13-step evaluation process.

- The Board acknowledged a letter from William Caton of 39 Broad Street wherein he stated his concerns concerning motor vehicles on the railroad bed as had been discussed at the site plan review some months earlier. It was agreed they needed to check on the posting of these signs, and if not done, to do so. Mr. Brodeur also suggested putting up a barrier on Broad Street such as posts (lolly columns) three feet apart to restrict any vehicular traffic on the railroad bed.

Mr. Brodeur moved to request that the Highway Department place posts three feet apart restricting traffic to Broad Street on the railroad bed; Mrs. Rozanski seconded; all aye.

The Board briefly discussed Mr. Caton's concern about Winter Street being used as a parking lot. Mr. Downing said he didn't have a problem with the pipes being placed there as part of the next phase of Bay State Gas going to Millis, but not concrete and hot top being dumped. He said he was aware that they were going to reseed and fix the area on Cottage and Village Street as part of a gentlemen's agreement.

Mr. Brodeur also moved that the area on Winter Street be abandoned and restored by July 25th; Mrs. Rozanski seconded; all aye. Mr. Downing also asked that Mrs. Allen send a letter to Mr. Power asking him to continue the Friday morning meetings. Mr. Downing also asked that Mrs. Allen notify Medway Oil of the action taken this evening on Broad Street, and to also ask what is the status of surplus tank removal adjacent to the street.

- Mrs. Allen brought up the School Building Committee's change order. Since this change order included the

question that Mrs. Landry had earlier in the meeting about the street parking, Mr. Downing suggested the Board authorize the Chairman to sign the change order subject to some resolution at Tuesday night's meeting.

Mrs. Rozanski moved to authorize the Chairman to sign change order #8 for \$82,037 subject to the Chairman's clarification that work is being done on all of the items listed; Mr. Brodeur seconded; all aye.

- The Board next brought up appointments, and Mrs. Rozanski mentioned the three appointments that she felt should go until June 30th rather than until the next election including the disability commission, audit committee, and JCRB. Mrs. Rozanski moved to adjust the terms of these three appointments to June 30th; Mr. Brodeur seconded; all aye.
- Mr. Brodeur acknowledged Brian Johnson's resignation from the Cable Advisory Committee, as well as a letter from Barry MacDougall concerning the Fire Chief's position being full-time. Mrs. Allen suggested the Board look at the by-law.
- The Board noted the evaluations that needed to be done for David Giarla, William McLaughlin, Jason Beksha, Martha Caccamise and Katherine Buday. They agreed to do the evaluations on their own and discuss at the next meeting.
- Mrs. Rozanski asked if the Board had sent an official offer to the Medway Co-op Bank. Mr. Downing said no. ~~and agreed Mrs. Allen would send the letter informing them of the result of Town Meeting vote and ask for their decision.~~ *Mrs. Rozanski moved, and Mr. Brodeur seconded, to authorize the Chairman to write a letter to the Medway Co-op Bank telling them of the vote empowered at Town meeting on the bank purchase.*
- Mr. Downing suggested Jack Ryan be asked to join the Town's Technology Committee as he had accomplished a lot being on the School's Technology Committee.
- Mrs. Rozanski moved that Carl Pride and Ken Masterson be appointed to the Cable Advisory Committee; Mr. Brodeur seconded; all aye. Mrs. Rozanski said she would check on the Articles of Incorporation for Medway Cable Access to see if Bob O'Neill can be on the Cable Advisory Committee. Mrs. Allen noted it should not be a problem as MCA is a non-profit organization.
- Mr. Downing moved that Ann Sherry, John Parrella, Terry Mee be appointed to the Medway Pride Day Committee; Mr. Brodeur seconded; all aye.

- Mrs. Rozanski moved to appoint Nancy Russell to the Open Space Committee; Mr. Brodeur seconded; all aye.
- Mr. Brodeur moved to re-appoint all the individuals on the re-appointment list, except for Bob O'Neill with reservations on a technicality; Mrs. Rozanski seconded; all aye.
- Mrs. Rozanski moved to appoint Richard Parrella Jr. to the IDC; Mr. Brodeur seconded; all aye.

10:55- The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved  
as amended  
7/12/97*

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 23, 1997.

1. Appoint EMS Study Committee.
2. Vote and sign notes for the Treasurer/Collector.
3. Fred Sibley's grievance (Letter of June 3rd).

**NOTE:**

Names submitted for EMS Study Committee:

Charlene Tingley (EMS Coordinator)  
Alan Cornoni (EMT - voted by membership)  
Michael Murray (Health field)  
Barry MacDougall (Cost benefit analyst)  
Donald Grimes (Police/Dispatch)  
Allen Tingley (Police/Dispatch)  
Matthew Reardon (Police/Dispatch)  
Timothy Choate (Citizen-at-large)  
Stephen Reding (Citizen-at-large)  
James Klich (Citizen-at-large)  
Richard Potter (Citizen-at-large)  
Fred Sanford (Citizen-at-large)

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

6:09 p.m.-Mr. Downing called the meeting to order in Room 111 of  
Medway High School.

- The Board had received the names of twelve residents  
interested in serving on the EMS Study Committee. They  
being: Charlene Tingley, Alan Cornoni, Michael Murray,  
Barry MacDougall, Donald Grimes, Allen Tingley, Matthew  
Reardon, Timothy Choate, Stephen Reding, James Klich,  
Richard Potter, Fred Sanford.

Mr. Brodeur noted that many former and present EMT's  
were interested in being on the committee, and it was a  
tough choice to narrow it down to seven. The Board's  
choices were:

<u>Raphaela</u>	<u>James</u>	<u>Doug</u>
Charlene	Charlene	Charlene
Alan C.	Alan C.	Alan C.
Michael	Michael	Michael
Barry	Barry	Barry
Allen T.	Donald	Donald
Timothy	Matthew	Timothy
Fred	Fred	Richard

The vote stood at: 3 for Charlene; 3 for Alan C.; 3 for  
Michael; 3 for Barry; 2 for Donald; 1 for Allen T.; 1  
for Matthew; 2 for Timothy; 0 for Stephen; 0 for James;  
1 for Richard; 2 for Fred.

Mr. Brodeur was willing to change his vote from Fred  
to Richard after Mr. Downing said he hoped Fred had the  
time to serve with Planning Board taking alot of his  
time. However, it was agreed to let the votes stand.  
Mr. Brodeur expressed the desire not to think about past  
history, but to think of the future.

Mr. Brodeur moved to form the EMS Study Committee  
comprised of: Charlene Tingley, Alan Cornoni, Michael  
Murray, Barry MacDougall, Donald Grimes, Timothy Choate,  
Fred Sanford; Mr. Rozanski seconded; all aye.

Mr. Brodeur suggested either Richard or Matthew be  
designated as an alternate, just in case. He then moved  
Richard Potter be designated as an alternate to the EMS  
Study Committee; Mrs. Rozanski seconded; all aye.

Appointment slips were signed, and the Office will  
contact the individuals.

- 6:21 - Mrs. Rozanski made a motion to sign the emergency transfer for Law for Town Counsel in the amount of \$5,140; Mr. Brodeur seconded; all aye.
- Mrs. Rozanski made a motion to sign the emergency transfer for Law for Special Counsel in the amount of \$3,099.99; Mr. Brodeur seconded; all aye.
- The Board now discussed the purchase of the bank building next door.

Mrs. Rozanski said she met with Bob Stratton and came to no really great conclusions. She was recommending a purchase price of \$296,100. This was arrived at from an appraisal figure of \$340,000; minus \$25,000 for paving from the May 1995 Town Meeting; minus 6% realtor's fees since the Town had voiced an interest prior to listing. She had also found out to borrow at 3.9% would be \$5,775 for six months, or \$7,500 at 5%.

The Board noted that there would be no payments until FY'99; there would be no effect on the FY'98 tax rate; and there would be a separate lease for the ATM machine.

Mr. Downing referred to the two forms of appraisals done, which included \$340,000 at the low end and \$370,000 at the high, so he used the \$350,000 figure as the net. He said he would still like a motion on the Town Meeting floor not to exceed \$335,000.

Mrs. Rozanski said she did not feel FinCom would go for it, and would fight it.

- The subject was changed for the time being as the Chairman signed a letter to the Medway Housing Authority endorsing the comprehensive improvement assistance program grant.
- At this time, the Treasurer brought in notes for the Board to sign, which included seven notes for Idylbrook totalling \$408,000 at a rate of 3.97% due 9/19/97.

Mrs. Rozanski moved to sign the papers prepared by the Treasurer bonding for the purchase of the Idylbrook land for \$408,000; Mr. Brodeur seconded; all aye. The Town Clerk was also present for her signature and seal on the documents.

- Richard Maciolek stopped in to mention he was with the FinCom, and two members will reconsider their decision about dismissing the bank building article. He said they would come and meet with the Board.

Mr. Brodeur asked if the Board should take a stand on the issue? Mrs. Rozanski suggested waiting for FinCom.

- Warrants were signed at this time for \$9,387,793.18

6:55 - At this point, FinCom members joined the meeting, and Mr. Brodeur said he wanted to make a motion on town meeting floor to amend any motion to dismiss the bank building article. He, therefore, moved that the Board of Selectmen vote to amend any pending motion to dismiss the bank article not to exceed \$335,000 for the purchase of the bank building at 165 Village Street.

Mrs. Rozanski said she wouldn't second the motion because the Board would be asking the FinCom to amend their motion. FinCom had the documents of what she had prepared. The appraisal was for commercial, and the value to the Town is not commercial property. The realtor's fee used is 6%, and 10% would have been used. She also said she used the \$340,000 appraisal cost, figuring the parking lot paving, how to do the funding, it would absolve the bank from doing the paving. The bank has to bid 3.9% and no payment until FY'99. The ATM machine would be a separate negotiation.

Carla Cataldo, who was present, said they did not have a quorum - only 6 were in attendance, and 1 had to abstain.

Barry MacDougall, who was present, said 3 were in agreement on a \$296,000 figure, and he would be willing to support that figure.

Mrs. Rozanski made a motion that the Board of Selectmen amend the motion to dismiss to not exceed \$296,100; Mr. Brodeur seconded for discussion.

Mr. Brodeur said he would want to put the higher figure in as the bank trustees haven't had the chance to rebut or agree or designate a different figure, and they should be given that chance. In fairness, he said the Board should come up with a "not to exceed figure"; there is unfinished business here.

Mr. MacDougall said it would be logical and natural to want the lower figure of \$296,100, but if you put a higher figure in as being available, the bank will want that.

After some consideration, Mrs. Rozanski said she would amend the figure to \$300,000. Mr. Downing asked for \$306,000. He based this on the \$350,000 appraisal

figure; minus \$25,000 for paving; minus \$19,000 realtor's fees.

Also, preliminary conversation asked for the ATM and access to tend the machine and storage; now it might be necessary for an 8 x 12 room. Rental of the machine would be offset with a January to June window.

Mrs. Rozanski moved the figure be \$305,000; Mr. Brodeur seconded; all aye.

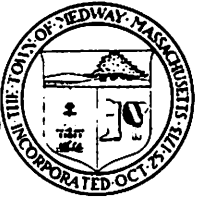
7:10 - The meeting was adjourned to the auditorium for the Special Town Meeting.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

  
7/7/97





## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

June 16, 1997

- 7:00 Open Meeting, Sign Warrants approve  
minutes of June 2nd and 9th meetings
  - 7:01 Donald Podgursky and Robert Power  
regarding Center Street.
  - 7:05 Boston Edison Pole Petition hearing  
Village Street
  - 7:15 Finance Committee request for appointment  
Frank Hillery and Michael Creed
  - 7:30 Public Hearing on Papa Gino's Liquor  
License for change of name
  - 7:45 George Groehl for a sign permit
- Committee Reports
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 16, 1997.

1. Discuss letter from Safety Officer Watson requesting signs on Oak Street.
2. Discuss letter from Ed Duggan regarding bank building.

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 16, 1997.

1. Discuss letter from Safety Officer Watson requesting signs on Oak Street.
2. Discuss letter from Ed Duggan regarding bank building.
3. Discuss letter from Medway Municipal Employee Association regarding grievance hearing on June 19th.

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:04 p.m.-Mr. Downing called the meeting to order in the  
Selectmen's Meeting Room 2 of Town Hall.

- DPS Administrator Donald Podgurski met with the Board to discuss Center Street, but first he noted that paving had been completed on Old Summer Street, West Street and Fisher Street, with Main Street being completed on Wednesday. When asked about moving the honorary sign at Memorial Square from the middle of the park area to the sidewalk, Mr. Downing and Mrs. Rozanski said they had no problem with it.

Acting Highway Supt. Bob Power joined the meeting. Mr. Podgurski asked the Board if he should have work started on Center street, or wait to hear from the school? Mr. Downing said if it can't be resolved to our satisfaction, then revert back to the old agreement. He stated that John Kubitza and John Boczanowski were to review the figures, and Water/Sewer were now off the street. Mr. Podgurski stated that the paving crew was scheduled for next Monday.

Mr. Podgurski said the 48" main on Cottage and Main Street was now tied in.

7:05 - Mr. Downing interrupted Mr. Podgurski for a public hearing between New England Telephone Company and Boston Edison.

Mrs. Rozanski read the ad that appeared in local papers. Paul Schneider representing Nynex was present to advise the Board that two poles needed to be moved to facilitate the installation of a sewer pipe. Mr. Brodeur wanted to be assured the moving of the pole to the new location was not on private property, and Mr. Schneider said it wasn't.

Mrs. Rozanski moved to grant the petition to New England Telephone Company and Boston Edison per drawing EW0971172 dated 3/20/97; Mr. Brodeur seconded; all aye.

- The discussion with Mr. Podgurski continued. He noted that the State felt a leveling course on Village Street would be best, but said the Village Street project had been pushed back a year. He estimated the cost to the Town would be \$55,000 to pave Village Street from Franklin Street to Holliston Street. When asked where the monies would be coming from to pay for the paving, Mr. Podgurski said Chapter 90. Mr. Brodeur felt that

whatever is put down will be chewed up and needed to be totally regurgitated, but still spending the least amount of money. Mr. Podgurski said we could raise the castings and put down a 2 inch overlay; however, Mr. Brodeur said a cost analysis is needed.

Mr. Podgurski said he was happy with the work Bay State Gas was doing and the Friday morning meetings.

Mrs. Rozanski asked about the special town meeting article from the Park Department on paving, and wondered if any money could come from Chapter 90? Mr. Podgurski said if it was not in a public way - no; if it was sidewalks and streets - yes.

Mr. Power asked the Board to look at Center Street with him because he said the parking lot was 18" higher than Center Street, and no drainage on Center Street. It was decided that Bob, Donald, Jim and Doug would be at 7:00 a.m.

7:23 -

Frank Hillery and Michael Creed came to meet with the Board to discuss their request to be appointed to the Finance Committee. Mr. Downing noted that there were now two openings on the FinCom with the resignation of Sean Lynch.

Mr. Hillery stated he knew Marjorie Sanford and had been a CPA for 15 years. Mr. Downing told him that municipal financing was different than regular accounting.

Mr. Creed said he had a political science degree and the flexibility now to be involved with Town government, as he was already involved with the Lions.

Mrs. Rozanski moved to appoint Michael Creed to the Finance Committee through June 30, 1998; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to appoint Frank Hillery to the Finance Committee through June 30, 1999; Mr. Brodeur seconded; all aye.

7:30 -

Mr. Brodeur read the ad that appeared in local papers for a public hearing for Papa Gino's. Kevin Mahoney was present on behalf of Papa Gino's. Mr. Mahoney stated they recapitalized their stock and changed the name from Papa Gino's Acquisition to Papa Gino's Inc. - everything else is still the same. Mr. Downing noted that they have dealt directly through the ABCC.

Mrs. Rozanski moved to approve the request of Papa Gino

to change the corporate name from Papa Gino's Acquisition to Papa Gino's, Inc. on their liquor licenses, along with a change of directors, issuance of stock and new stockholders as per the petition submitted; Mr. Brodeur seconded; all aye.

- Warrants were signed totalling \$532,829.99.

- 7:40 - George Groehl was present to request a sign larger than is allowed by the zoning by-laws. Mr. Groehl was requesting a 3' x 4' sign with an area of 12 sq. ft., and the maximum allowed is 6 sq. ft. It would be a changeable sign as produce for sale changed.

Mr. Downing wondered if this was a total of 18' sq. ft., which included the present 2' x 3' sign = 6 sq. ft. he already had, plus the additional 12 sq. ft. being requested now.

Mr. Downing suggested revisiting this in two weeks with a revised plan, but Mr. Groehl said his produce was available for sale now.

Mr. Brodeur suggested incorporating both signs into one sign, with Mr. Groehl agreeing it was a good idea.

Mr. Brodeur moved to approve a 3' x 4' produce descriptive sign exclusive of frame with the 2' x 3' permanent company sign being mounted to the other sign; Mrs. Rozanski seconded adding the sign could be displayed from June 1st through October 31st each year; all aye.

- Mrs. Rozanski noted the change of bank signs for Summit Bank and Bank Boston and wondered if they needed a building permit, and if there had been a change of size which might require a building permit. Mrs. Allen said she would check with the Building Inspector.

- 7:50 - On a follow-up of the minutes of June 2nd, Mrs. Allen was asked to contact Sam Mushnick and see if the executive session minutes of the joint meeting could be released yet.

Mr. Brodeur moved to approve the minutes of June 2nd; Mrs. Rozanski seconded. Mr. Downing asked that the minutes be amended to add the following sentence after the first paragraph on page 7: "A lengthy discussion regarding the gas company trench on Village Street as to any by-laws or conditions that protect the Town during similar projects". Mrs. Rozanski amended Mr. Downing's motion to include that the sentence be included in these

minutes as well. Mr. Downing moved approval of the friendly motions and amendments on the table; Mr. Brodeur seconded; all aye.

On another follow-up of those minutes, Mrs. Rozanski said she had spoken to the Town Accountant about drafting an engineering procurement services procedure. Mrs. Allen was asked to check on its status.

- Mrs. Rozanski moved approval of the minutes of June 9th; Mr. Brodeur seconded; Mr. Downing abstained; aye.

- Committee Reports.

- Mrs. Rozanski reported on Council on Aging related information. She asked if the Office had received the contract from Dixon-Salo for the Senior Center? Mrs. Allen said we had not. Mrs. Rozanski noted that 30 people had signed up for the senior citizen tax relief program which necessitated a lottery. She stated that the medical transportation fund was almost depleted.

On the Cable Advisory Committee, she stated that they are moving along, and that a public hearing has been advertised for July 1st for consideration of the contract.

- Mrs. Rozanski said it was not appropriate to use Chapter 90 funds for the paving of the Park projects after speaking to the DPS Administrator.
- The Board discussed the merit increase for Mrs. Ammering as her Board had requested the merit increase be retroactive to her anniversary date. It was felt that possibly funds were appropriated in the salary account, but not necessarily appropriated for a merit increase. Mr. Downing recommended asking Town Counsel's advice.
- Mrs. Rozanski asked about 155 Lovering Street and how it was assessed. Mrs. Allen said she did not have the plot plan, but 35 out of the 47 acres were under 61A; 12 acres were under ARI. Mrs. Rozanski asked if the Office had heard anything yet on the ZBA decision from the Zoning Enforcement Officer as it had been three months since the hearing? Mr. Downing said he would speak to Mr. Speroni in the morning.
- Mrs. Rozanski asked Mrs. Allen if she had contacted Mr. Bennett from Alder Street? Mr. Downing recalled she had been asked to write Mr. Bennett with the names of the five area residents who are acting as spokespeople for the group.

- Mrs. Rozanski asked if the bank appraisal had been done? Mr. Downing said it would be discussed in executive session.
- Mr. Brodeur brought up a preliminary plan for The Meadows located off of Holliston Street. He said he had no real objection to it, but now was the time to explore making corrections before the definitive process. Mr. Brodeur said they need two common roads, and Mr. Downing agreed, and was asked to speak to Mr. Springer about it.
- Mr. Downing asked that a meeting be posted for July 1st in Room 2 at 7:00 p.m. for an update on the Holliston sewer project with CRPCD and the area reps. He requested that the Water/Sewer Chairman, FinCom Chairman, CRPCD reps, Planning Board Chairman and Attorney Maciolek attend. He told Mr. Brodeur there was no district involvement so there was no conflict with CDM.
- Action Items.
- The Board noted receipt of a letter from Safety Officer Watson requesting 20 mph speed limit signs on Oak Street. Mrs. Rozanski moved to approve the request of Officer Watson for 20 mph and slow children signs on both ends of Oak Street as noted in his June 11th letter; Mr. Brodeur seconded; all aye.
- Mr. Downing wanted to discuss the EMS issue further, and asked the Board how they wanted to proceed. Mrs. Rozanski felt some data gathering needed to be done. Mrs. Allen said she had five names so far interested in serving. Mrs. Rozanski said we should have EMT's too, with Mr. Downing saying it should be the EMS Coordinator and one EMT. She also suggested a minimum of five with a maximum of nine members.

Mr. Brodeur said he was aware there had been some personal conflict within the current membership. Mr. Downing said he did not want anyone on the committee with an ax to grind or someone who would have something to gain. Mr. Brodeur said we need someone from the Police Department. It was further felt that the committee needed to identify and evaluate the operation and come back to the Board with a recommendation. The Board then felt a minimum of five with a maximum of seven would be better consisting of: two EMT's (one of which is the EMS Coordinator), one Police Department/Dispatcher, one with experience in cost benefit analysis, three citizens-at-large (one with health care experience). Mrs. Rozanski said it was important to



have a time-line, i.e. 90 days for a report. Mr. Downing thought there should be short and long-term goals, and so suggested 30 days for short-term and 90 days for long-term.

Mr. Brodeur suggested appointing the committee Monday night prior to the special town meeting.

Bob Hebeler stopped in to speak to the Board about the EMS service and give them a letter. Saying he was directly involved as he was married to an EMT, he noted the decline in service, the decline in daytime coverage and the low morale. He also felt there was no need for a full-time EMS/Fire Department, and referenced speaking to EMT's of the past ten years. He also questioned why Fire/EMT's were being recruited?

Mr. Downing said that the need is critical and noted the slow response time and lack of volunteers. At this point, EMS Coordinator Charlene Tingley stopped in and stated that people are now in the training process for EMT's, but agreed it was a difficult process to recruit.

Mr. Downing told Mr. Hebeler he would give his copy of the letter to Mrs. Allen for the files, and then asked her to provide him with an additional copy.

- The Board acknowledged a letter from Ed Duggan asking that answers be provided at Town Meeting on the bank building purchase. Mr. Downing said he would try and draft a quick response to Mr. Duggan this week, but was publicly acknowledging his letter. He stated the appraisal was completed and the Board will discuss it later this evening. He further hoped there would be a handout available at the STM.

Mrs. Rozanski said she heard the FinCom voted against the article last week. Mr. Downing did not know.

- The Board acknowledged a letter from the Employee Association wherein it was stated Shirley Heaton and Sandra Bennett could meet with them on June 19th. They asked, however, to have the opportunity to meet with the Board earlier for discussion of several issues and proposals.

Mrs. Rozanski said she would not be available before 7:30 p.m.

The Board also needed to discuss Fred Sibley's letter of June 3rd. They said they needed to review the issue and bring it up again next week as an agenda item. They

need to look at the contract with reference to Mr. Sibley and overtime. Mr. Downing said they needed the minutes of the April 23rd hearing - Mr. Brodeur will look for them.

Mr. Downing suggested starting the meeting at 7 p.m.; Mr. Brodeur could do that; Mrs. Rozanski said she would be there at 7:30 p.m.

With reference to Mrs. Heaton, Mrs. Rozanski wondered if she could work at two different rates? Mrs. Bennett is scheduled for 7:30 p.m.; Mrs. Heaton at 8 p.m.

- The Board briefly discussed the STM warrant and noted certain articles Board members would take the lead on. The Board assumed they would get the FinCom motions at the end of the week.

Mr. Brodeur did state he had a problem with the Selectmen not accepting streets in the past at the STM's, saying streets are private and not public until accepted.

The Board noted the Planning Board public hearings on June 22nd for the two zoning articles on the warrant.

- 9:30 - Mr. Brodeur moved to go into executive session to consider the purchase, lease or value of real property, not to return to open session; Mrs. Rozanski seconded; all aye. The vote: Mr. Brodeur - yes; Mrs. Rozanski - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved*  
*7/7/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

June 9, 1997

- |      |  |
|------|--|
| 7:00 | Open Meeting, Sign Warrants approve<br>minutes of June 2nd meeting.              |
| 7:05 | Phillip Hoenig - Solicitor's Permit<br><br>Committee Reports<br><br>Action Items |

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 9, 1997.

1. Follow-up on Aoude Gulf Site Plan for canopy.
2. Discuss letter from Board of Health regarding merit increase for Board of Health secretary.
3. Discuss MAPC Action Alert regarding MIG's.
4. Think about composition of and EMS Study Committee - to be discussed at June ~~16th~~ <sup>16th</sup> meeting.

Present: James Brodeur, Raphaela Rozanski, Administrative Assistant Ruth Allen. Douglas Downing was on vacation.

7:02 p.m.-Mr. Brodeur as Clerk was Acting Chairman this evening.

- Philip Hoenig representing The Southwestern Company came before the Board for a solicitor's permit for the selling of educational books in Medway.

Mr. Hoenig was requesting to solicit from June 10th through August 18th from 8 a.m. until dusk, unless he was requested by a resident to return in the evening. Mr. Hoenig said this was the 129th summer that Southwestern had done this with college students trying to earn money. He noted there were different books being offered for different age levels.

Mrs. Rozanski moved to grant a solicitor's permit for June 10th through August 18th from 8 a.m. until dusk provided Mr. Hoenig checks in with the Police Department each morning before starting noting his area of canvassing; Mr. Brodeur seconded; all aye.

7:12 - Warrants were signed totalling \$1,239,513.29. It was noted that the Town Accountant had not signed them yet as she would not be in the Office until Thursday.

- Mrs. Rozanski suggested the minutes from June 2nd be held over for approval until next week; Mr. Brodeur agreed.
- Committee Reports.
- Mrs. Rozanski said she had spoken to Pace Willisson who had agreed to look over the CVI contract. She noted that there is a meeting scheduled of the Cable Advisory Committee for June 10th at 8:30 p.m. Mrs. Rozanski said she had reviewed the contract and noted a reference to an application dated April 12th, which she would also be reviewing.
- Mrs. Rozanski stated she had attended an economic summit on June 6th sponsored by the United Chamber of Commerce. State Reps, Senator Magnani and Norfolk County officials were in attendance as well as other local officials and members of the business community. Mayor Torigian of Peabody spoke of trying to assist customers in problem solving and responsible economic development. Mrs. Rozanski signed the compact on behalf of the Town.
- Mrs. Rozanski noted attending the Mass. Selectmen's

Association meeting. Finances, budgets and ethics were discussed, as well as using RFP's for auditors, although not required by 30B. Much interest in five people being on a Board of Selectmen.

- Mrs. Rozanski noted attending the ribbon-cutting ceremony for the Medway Country Manor's new rehab program.
- Finance Committee member Barry MacDougall was present to again voice his concern with standardizing the software at Town offices so we would be better able to communicate electronically with one another.
- Action Items.
- The Board discussed the site plan for Aoude Gulf at 73 Main Street. Mr. MacDougall noted seeing a Gulf Station structure with shingles in Plymouth similar to what Mr. Brodeur had requested Mr. Aoude check into.

Mr. Brodeur said he had talked to the Sales Rep from Gulf and he had indicated they want the standard for all stations, and there really was no option. Mr. Brodeur, however, wanted only the 3' x 3' sign illuminated. He did comment that one of his relatives had been harassed by one of the Aoude people because Mr. Brodeur had questioned the structure.

Mrs. Rozanski moved to approve the site plan as presented by Mr. Aoude for 73 Main Street subject to the only lighting being the 3' x 3' sign; Mr. Brodeur seconded; all aye.

The Board suggested the ZBA be reminded that New England design should be considered in future ZBA decisions.

Mr. Brodeur was reminded about certain parking restrictions on Holliston Street. He felt the Police should be reminded about the possible violations, and that "no parking" should be painted on the pavement.

- The Board acknowledged a letter from Board of Health chairman Cathy Chenard concerning a merit increase for their secretary retroactive to her anniversary date. Mr. Brodeur felt that the contract states "subject to appropriation", and that the Town Accountant has to certify that the appropriation was made for the merit increase, which then makes it comply with the contract. Mr. Brodeur wanted to make sure the intent of the contract is met and that previous town meeting action is adhered to. He did not have a problem with this as long

as it was not setting a precedent. Mrs. Allen noted the rest of the merit increases are effective July 1st since they were not appropriated for FY'97, except somehow, Board of Health and Water/Sewer did appropriate monies.

The Board agreed to first speak to the Town Accountant, and then Town Counsel if need be. Mr. Brodeur thought that, down the line, the wording may have to be changed in the contract, but for now, the Board signed the merit increase effective July 1st.

Mrs. Rozanski, as liaison, said she would speak to the Town Accountant.

The notifications of upgrade were signed for Jackie Ammering and Christine Ciavarra.

- The Board discussed the MAPC's notice on municipal incentive grants. Mr. Brodeur noted there was a danger of MIG's being reduced drastically.

Mrs. Rozanski moved to have Mrs. Allen send a letter in support from the Town to restore the MIGs funding to the Senators and Reps listed in the bulletin, with a copy to our own Senator and Rep; Mr. Brodeur seconded; all aye.

- With reference to the formation of an EMS Study Committee, Mr. Brodeur felt it was needed and looked to the Town for volunteers for that committee; as well as additional people interested in taking the EMS course to plan and provide better emergency care to the people of Medway.

Mrs. Rozanski thought that this group could come up with alternatives, or an RFP for management services for a feasibility study. Mr. Brodeur stated that they had already met with a group and discussed the issue, but daytime coverage seems to be the problem.

- Mr. Brodeur acknowledged receipt of a letter from the U.S. Dept. of the Interior wherein they request permission to install a streamflow monitoring gage on the Charles River near Populatic Pond near the Walker Street Bridge. He recommended that it be done.

Mrs. Rozanski moved to grant permission to the U.S. Dept. of the Interior to install a gage on the Charles River near the Walker Street Bridge; Mr. Brodeur seconded; all aye.

- The Board received the school building construction requisition #15 for \$275,570.87 recommending payment by

the school building committee. Mrs. Rozanski moved to approve construction requisition #15 dated June 2nd in the amount of \$275,570.87; Mr. Brodeur seconded; all aye. It was noted this represents 92% of completion.

- The Board received monthly estimate #3 from Tornare Construction for \$53,343.84 for payment as submitted by GCG Associates. Mrs. Rozanski moved approval of estimate #3 from Tornare Construction dated June 3rd in the amount of \$53,343.84; Mr. Brodeur seconded; all aye. It was noted this represents 40% of completion of the Cottage Street drainage project.

Mr. MacDougall asked if weekly status sheets were submitted so remaining balances were known. Mrs. Allen said it was done on a monthly basis. Mr. Brodeur noted that many others before the Board have reviewed the figures, and it was well under the 5% contingency.

- A letter from Superintendent Bettencourt was received asking that the Board initiate the installation of cable at the new school. Mrs. Allen thought this had already been taken care of a while back, but possibly this was being requested now that the conduit was in place. She also said this was included as part of the present contract with CVI. Mrs. Rozanski said she would bring this back to the Cable Advisory Committee meeting tomorrow night.
- The Board noted receipt of the MMA legislative bulletin which requested the Selectmen call the Governor's office asking that they support the changes to S. 1753 that the MMA is supporting for the COLA bill (cost-of-living - adjustments). Mrs. Rozanski moved that Mrs. Allen make that phone call to the Governor asking that Bill 1753 be sent back to the legislature with the three amendments; Mr. Brodeur seconded; all aye. Mrs. Rozanski also asked that Mrs. Allen put in writing back to the Board that she did it.
- The Board noted receipt of a copy of a letter Town Counsel wrote to Lauren Stiller Rikleen, Esq. with reference to Longmeadow. In that letter, he referenced her letter dated April 23rd. Mrs. Rozanski requested Mrs. Allen contact Town Counsel for a copy of Attorney Rikleen's letter.
- The Board acknowledged a memo dated June 3rd from Attorney Barry Queen summarizing recent correspondence received with reference to 13 Carriage House Way. Mrs. Allen said she has asked for a copy of the Planning Board minutes of May 27th.



- Mrs. Rozanski noted receipt of a letter dated June 6th from Lee Henry requesting the Board consider his appointment as interim DPS Administrator, based on what he had been reading in the newspapers.

She said they would have to advertise. She asked Mrs. Allen to let him know the Board had received his application but the position has to be advertised; however, Mr. Brodeur said this needed to be discussed further as there were several options that the Board needed to consider, such as going with a temporary person until the Town Administrator comes on board.

Mrs. Rozanski said they could tell Mr. Henry that the Board has not made a decision yet on how the process will be handled but it will have to be advertised. Mr. Brodeur agreed we should thank Mr. Henry for creating the question of temporary versus permanent. Mrs. Rozanski also noted the Board has not decided if they are going to change the job description. Mr. Brodeur added he was not sure if all grants should go to the Town Administrator without someone in public works being involved in the Chapter 90 funds.

- Mrs. Rozanski noted a letter copied to the Board which was sent to the Police Chief. Mr. Brodeur said they should request a report from the Chief. Mrs. Rozanski made a motion to request a status report from the police Chief with reference to a letter dated May 30th from Kevin Payton; Mr. Brodeur seconded; all aye.
- Mrs. Rozanski brought up the subject of appointments, and stated she felt that certain appointments, such as the ones the Selectmen are appointed to should be "until June 30th" instead of "until the next election". Those appointments include to the Audit Committee, Disability Commission, JCRB, and Norfolk County Advisory Board. She felt this would bring more continuity and make for an easier transition, and asked that the Board consider this, especially with two more Selectmen coming on next year.

8:15 - Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary  
mj

*M. J. Fredette*  
6/16/97



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

June 2, 1997

- 7:00 Open Meeting, Sign Warrants approve  
minutes of May 19th meeting.
- 7:01 Marjorie Sanford, Treasurer/Collector,  
vote and sign notes
- 7:05 Joseph Giovinazzo -update on Cottage/  
Evergreen St. drainage project
- 7:30 Mark Kernan, F. J. Associates regarding  
a Solicitors permit.
- 7:45 Aoude Gulf, Site Plan review and approval  
  
Committee Reports  
  
Action Items

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 2, 1997.

1. Discuss and approval of request for signs from the Safety Officer.
2. Approval of change order #1 for Library renovations.
3. Date for grievance hearing for Sandra Bennett and Shirley Heaton.
4. Vote on option to purchase one acre of land at 155 Lovering Street which is under 61A.
5. Discuss letter from Frank Foss, Govt. Relations Mgr. for Time Warner.
6. Sign notification for Park Summer Employee.
7. Appraisal for bank building???
8. Approval of Board liaison's
9. Acknowledge notification advancing two water/sewer employees grievances to arbitration.
10. Warrants (#48) signed May 28th amounted to \$951,813.42.
11. Consider request of Charlie Myers for appointment to the Cable Advisory Committee.
12. Results of Jackie Ammering, David Malmberg and Christine Ciavarra performance evaluations.
13. Town Hall cleaning services for FY'98????
14. Discuss memo from Audit Committee dated May 28th.
15. Sign request for payment of COPS grant.
16. Request of Planning Board for use of Town Counsel regarding Cider Mill IV Sub-division.
17. Review memorandum from Town Accountant regarding Engineering Services procurement.

PAGE 2.

18. Review recent sub-division plans from the Planning Board.
19. Discuss and vote on STM Warrant Articles.
20. Sign notification of upgrades for Power, Spratt and Doherty for FY'98.
21. Acknowledge memo from Arti and Marge regarding acceptance of Chapter 83
22. Procedure for re-appointments for FY'98.
23. Sign Solid Waste Contract.

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 9, 1997.

1. Discuss and approval of request for signs from the Safety Officer.
2. Approval of change order #1 for Library renovations.
3. Date for grievance hearing for Sandra Bennett and Shirley Heaton.
4. Vote on option to purchase one acre of land at 155 Lovering Street which is under 61A.
5. Discuss letter from Frank Foss, Govt. Relations Mgr. for Time Warner.
6. Sign notification for Park Summer Employee.
7. Appraisal for bank building???
8. Approval of Board liaison's
9. Acknowledge notification advancing two water/sewer employees grievances to arbitration.
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13. Town Hall cleaning services for FY'98????
14. Discuss memo from Audit Committee dated May 28th.
15. Sign request for payment of COPS grant.
16. Request of Planning Board for use of Town Counsel regarding Cider Mill IV Sub-division.
17. Review memorandum from Town Accountant regarding Engineering Services procurement.

PAGE 2.

18. Review recent sub-division plans from the Planning Board.

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:04 p.m. - Mr. Downing called the meeting to order in the  
Selectmen's Meeting Room 2 of Town Hall.

- Treasurer/Collector Marge Sanford came to have a note  
signed by the Board. She stated she had obtained a  
legal opinion, which is needed for over \$1 million.

Mrs. Rozanski voted to approve the sale of \$7.5 million  
4% bond anticipation note dated June 13, 1997 and  
payable September 19, 1997 and signed by the Board; Mr.  
Brodeur seconded; all aye. The Town Clerk was present  
for the Town Seal to be placed on the note. Mrs.  
Sanford said the rating agencies would be in Medway the  
second week of July.

7:13 - Joseph Giovinazzo of GCG Associates met with the Board  
for an update of the Cottage Street drainage project.  
The 48" pipe would be installed around June 11th,  
manholes and catch basins around June 16th; water main  
around June 26th; testing would begin at the end of the  
month. He stated he would come again in July for  
another update, but indicated that the majority of the  
work (80%) would be done by the end of June. They would  
then do the retaining walls, sidewalks, etc. Mr.  
Giovinazzo stated he was pleased with the way the work  
was progressing.

Mr. Brodeur asked if there were any change orders  
impending, and Mr. Giovinazzo said he was aware of none.  
He stated there just might be a cost overrun on police  
details. The telephone pole will be moved in the next  
couple of weeks.

When asked if work was going as expected, Mr. Giovinazzo  
indicated the only problem was the rainy fall/winter  
that hampered them a bit, but the spring weather has  
been alright.

With regard to phase two, Mr. Giovinazzo said they met  
with the Conservation Commission at the beginning of  
May. They have flagged the wetlands and surveyed for  
the natural detention ponds. He did not feel it was a  
problem but need to approach the owner of the property  
so they can go on the land to determine ground water  
elevation table. Mr. Giovinazzo was told he could  
approach the land owner, but Mrs. Allen suggested he  
check with the Assessors for any information they have  
regarding assessment. If he receives approval, he would  
bring the equipment in to do testing, and then go into

negotiation. He did state it was in the best interest of the Town to utilize natural storage, and this phase two is for additional capacity. Mr. Brodeur asked if there was any effect of the Norfolk County Mosquito Control cleaning out of Chicken Brook. Mr. Giovinazzo said it was a temporary solution, but it should be done on a regular schedule and monitored.

- 7:35 - F. J. Associates met with the Board for a solicitor's permit for canvassing for Florentina Restaurant. John Olivera spoke on behalf of his company located in Canton conducting the campaign.

He stated they were requesting permission for 3 people to solicit for 3-4 days in Medway to businesses and residents from 12 noon to 7:30 p.m. Mr. Olivera said the restaurant created a VIP card which, for \$20, allows a person to eat free while dining with another person through December 15th. This same type of promotion has been done in other towns such as Wrentham, Walpole, Medfield and Norfolk noted Mr. Olivera. The requested dates were June 4, 5, 6, 9, and 10.

Mrs. Rozanski moved to grant F. J. Associates of Canton permission to canvas the Town on June 4, 5, 6, 9, and 10 from 12 noon to 7:30 p.m.; Mr. Brodeur seconded but added an amendment that each individual check in with the Police Department each day; all aye. Mr. Downing asked those 3 individuals check in with the Police Department and the Selectmen's Office each day.

- 7:45 - Mr. Aoude of Aoude Gulf came to meet with the Board concerning his site plan of improvements to his station at the corner of Holliston and Main Streets.

Mr. Downing indicated he didn't want too many signs, and would prefer just one sign on the front of the canopy. Mr. Aoude said he had some free-standing signs on the sides so that was not a problem.

Mr. Brodeur asked about the architectural design and if he was losing the colonial atmosphere, especially in light of the new bank building across the street. Mr. Aoude felt he was only changing the roof which could only improve the appearance of building. Mr. Brodeur again said commercial buildings must conform to New England architecture, and Mr. Aoude said it was going to be similar to Texaco and Shell stations. Mr. Brodeur recommended a hip roof design and stated he wanted a New England architecture canopy. Unfortunately with the plans that Mr. Aoude submitted, they could not see what the canopy would look like. Mr. Aoude indicated that it



was a pre-designed canopy. Mr. Downing asked Mr. Brodeur to speak to the general contractor about the design. Mr. Brodeur moved to approve the site plan dated 1/30/97 #JB-771 for Aoude for everything as indicated except for the appearance of the canopy design, with the canopy footprint being O.K., but subject to further review and acceptance by the Board; Mrs. Rozanski seconded with a follow-up for next week; all aye.

- 8:10 - The Board discussed the minutes. Mrs. Rozanski asked how corrections were made to the minutes that the Board approved. The Secretary said the changes are made in ink on the original copy of the minutes, and the minutes indicate they were approved as amended. Mrs. Rozanski asked that the minutes so reflect the above, and they were available for viewing by the public as amended.

On a follow-up, Mrs. Allen said no answer had been received from Fred Sibley yet. Mr. Downing asked that Mrs. Allen send him another memo telling him the Board was waiting for his response. Mrs. Allen did note that he had not picked up the check yet.

On another follow-up, Mrs. Allen said the release had been received from Andy Avellino of Medway Gardens.

Mrs. Rozanski moved approval of the regular session minutes of May 19th; Mr. Brodeur seconded; all aye.

Mrs. Rozanski asked that a copy of the executive session minutes of May 19th be sent to the Conservation Commission members. Mr. Brodeur moved approval of the executive session minutes of May 19th as amended not to be released to the public with a copy going confidentially to the ConCom members; Mrs. Rozanski seconded; all aye. Mr. Downing asked that Mrs. Allen send a memo to Sam Mushnick asking that he notify the Board when the minutes could be released.

- The Board signed warrants totalling \$441,492.28.
- Committee Reports.

- 8:15 - Finance Committee member Barry MacDougall stopped in to note that he had read several of the last audits. He said he had also looked at different flow charts and how financial information gets to the Town Accountant; as well as Water/Sewer and Police Department financial information getting to the Treasurer. He said he will eventually generate a report to the Board with a recommendation of how to try and alleviate some of the

systematic problems with the way it is being done now. He felt that some of the same information was being input 2 and 3 times, and was easily correctable by a system redesign and programming.

Mr. MacDougall also said that there are standardized software packages, and recommended Microsoft Office Pro to bring more efficiency to all departments when turning in financial information to the Town Accountant.

Mr. Downing noted that Mr. Henry tried to form a technology committee and a computer committee, but the Board was hoping to continue revamping that idea.

Mr. MacDougall said he was in Millis last week and spoke to them about their school's technology plan. He reviewed it and recommended their plan, with a thought of possibly integrating some of their concepts with ours, aiming for professional development grants. Mr. Downing recommended Mr. MacDougall provide a copy of the Millis plan to Jack Ryan and Steve Barrasso.

Mrs. Rozanski said she hoped it would become a technology committee, not a computer committee, so management services and public accesses were available. Mr. MacDougall said he would be willing to serve on such a committee.

- Committee Reports.

- Mrs. Rozanski reported on the Senior Center Building Committee's meeting, and that they had voted to recommend Dixon Salo Architects of Worcester for the architectural services. She, therefore, moved that the Board vote to accept their recommendation to award the contract for architectural services to Dixon Salo, subject to successful negotiations; Mr. Brodeur seconded; all aye. Mrs. Rozanski said the cost was above their budget, but felt they could negotiate that cost to the budget amount.

Mr. Downing asked who would be negotiating the contract on behalf of the Town. Mrs. Rozanski stated the negotiations would be done between the Grant Administrator and the Committee. She said the Committee had visited a similar building designed by Dixon Salo in Sutton.

Mrs. Rozanski said she has the plot plans, both vegetation and topographical done by the Norfolk County Engineers. She noted the interceptor is 1,000 feet away on the Town of Medway side, and 800 feet to Oakland

Street. Richard Gildea is Clerk of the Committee, and will update the Water/Sewer Commissioners. She said they might be recommending sewerage the building.

- Mr. Brodeur noted attending the Planning Board meeting on May 27th and advised that they were having a public hearing on the zoning-by law changes contained in the June 23rd Special Town Meeting Citizens Petitions, on June 17th at 7:30 p.m. in Sanford Hall. Mr. Downing noted they will probably be amended on town meeting floor.
- Mr. Brodeur brought up the subject of Broad Acres and Claybrook. He said the Planning Board has requested the return of the approval not required mylar plan from the applicant of lot 8A, and the Planning Board is reconsidering approval of the preliminary plan for access from Carriage House Way, which is possibly not legal.

Mrs. Rozanski said she was sympathetic with the issue, but she was not sure how to proceed. Mr. Brodeur stated there were many abutters present, and it is very confusing. Mrs. Rozanski agreed and that many motions were made. Mr. Brodeur suggested this be an agenda item subject to receipt of the minutes. Mr. Downing agreed they should get a copy of the minutes of May 27th for the Board's review. He asked Mr. Brodeur, as liaison, to send a memo to the Planning Board, and thank them for meeting with the residents of Claybrook, offering the Selectmen's assistance. Mr. Brodeur asked the Secretary to write the memo over his signature. Mr. Brodeur noted they did not include access to Summer Street, only to Claybrook Farms; one access is designed in; the other doesn't exist.

- Mrs. Rozanski mentioned that a citizen of the Town, a Mr. Bennett, asked her about a traffic solution to Alder Street. She was under the impression that it was now excluded to commercial vehicles, and only residents could use the road.

Mr. Downing explained there were restrictions during certain hours in the morning and in the afternoon, and they had been talking about stickers on cars for the residents of the area.

Mrs. Rozanski said she understood the resident cannot file a complaint so the Police Department can issue a ticket; the officer has to see the violation. Had any tickets been issued.

Mr. Downing said there were five residents of the area acting as spokespersons, and he had heard nothing to indicate that things were not running smoothly.

Mrs. Rozanski said she understood calls were being made to the Police Department and our Office, and they were being told it was unenforceable. Mrs. Allen said that was not true from our Office.

Mr. Downing asked Mrs. Allen to get the names of the five spokespersons to Mr. Bennett.

Mrs. Rozanski said the traffic study of the area was not completed yet. They were looking at solutions and putting their observations in writing. A decrease in commercial traffic had been noted.

Paul DeSimone, who was present, said they still need to wait for the traffic study, with hopefully a report coming in August.

- Mr. Brodeur noted a letter from Anthony and Robin Godine complimenting the Board of Health employees. Mrs. Rozanski requested a copy of the letter be placed in their personnel files.

- Action Items.

- The Board discussed some recent submittals by DPS Administrator Don Podgurski. In one document, Mrs. Allen noted what it would cost if Bay State Gas had to do the paving. Mr. Brodeur asked if the paving would be to the center line of the road, but Mr. Downing said we were asking to repair the trench with compaction and a binder. Mr. Brodeur felt if it was not to the center line paving, then it was a good deal with Bay State Gas.

Insofar as costs were concerned, Mrs. Allen said that engineering costs are locked in at \$360,000 for Village and Summer Streets. Mr. Downing understood we had the \$369,000 of Chapter 90 funds plus an additional \$300,000 coming in. Mrs. Allen said the Office had not been notified of this yet, and both projects were on the TIP list for the year 2000. However, Mr. Podgurski told her it looked like Summer Street would be done this year (FY'98) and if that was the case, those engineering costs would be needed this year.

Mrs. Rozanski asked what needed to be done. Mrs. Allen said that the \$300,000 for FY'98 had to be approved for spending at Town Meeting and they need a memorandum of agreement. Mr. Downing also said they need to request a

breakdown in detail and commitments on the engineering costs before we do any other projects. Mr. Downing also noted reference to House Bill #4392, so Mrs. Allen was asked to get a copy of the whole document and discuss it again next week.

*A lengthy discussion regarding the gas company trench on Village St as to any by-laws or conditions that protect the town during similar projects.*  
The Board discussed the roadway access permit, and Mrs. Rozanski said the Board can do the rules and regs without changing the by-law. Mr. Downing agreed there was nothing in the by-law that would affect them.

Mrs. Rozanski moved to accept Bay State Gas' donation of \$25,000 to be designated for street paving after overlay on Village Street; Mr. Brodeur seconded; Mr. Downing asked that the motion be amended as it was not totally a donation, but an offset. Mrs. Rozanski asked that the word "donation" be struck from the motion, and "offset reimbursement" be inserted instead; Mr. Brodeur seconded the amended motion; all aye.

With reference to the trench on Main Street west of Country Lane, Mr. Downing said the finish course has not been laid yet, as it needs to be repaired by Water/Sewer before the finish overlay coat.

Mrs. Rozanski moved that the Board approve and sign Chapter 90 project request #35951 for \$93,607.75 from Chapter 85B funds as submitted by the DPS Administrator; Mr. Brodeur seconded; all aye.

Mr. Brodeur moved that the Board approve and sign Chapter 90 project request #35951 for \$65,527.00 from Chapter 85B funds as submitted by the DPS Administrator; Mrs. Rozanski seconded; all aye. It was noted these streets would not be done until after school is out on June 20th.

Mr. Downing still wanted a report on the balance of funds available.

- The Board discussed a request from Safety Officer Jeff Watson for the approval of signs on Fisher Street, Summer Street and Clover Lane. Mrs. Rozanski moved to approve the street signs as outlined in Officer Watson's letter dated May 21st; Mr. Brodeur seconded; all aye.
- The Board noted receipt of change order #1 from the Library Trustees for the library renovation in the amount of \$19,639. Mr. Brodeur said to keep in mind that these changes were for the oil tank and defects in the original plan.

Mrs. Rozanski moved to approve change order #1 in the amount of \$19,639 as submitted by the Board of Library Trustees; Mr. Brodeur seconded; Mrs. Rozanski added to authorize the Chairman to sign; Mr. Brodeur seconded; all aye.

- The Board set up a date for grievance hearings for Sandra Bennett and Shirley Heaton. It was agreed that the 19th or 24th was alright, with one at 7:30 p.m. and one at 8:00 p.m. in Room 2.
- With reference to the one acre of land offered to the Town at 155 Lovering Street, it was noted all three boards (ConCom, Assessors and Planning Board) had voted no interest in the property. Mrs. Rozanski believed all the land was under 61A, but Mrs. Allen said not all of it was.

Mrs. Rozanski said she had sent a copy of Mr. Speroni's letter to Jan Morris, Chairman of the ZBA, asking for his comments. Mr. Speroni had said he was reviewing the documents supplied by Mr. Marino with reference to the ZBA decision; however, he said the zoning by-laws and general by-laws do not provide for a cease and desist order to be issued, nor was it mentioned in the ZBA decision.

Mr. Downing said he was concerned with the letter Mrs. Rozanski wrote, and felt anything of an official nature should go through our Office. With reference to the 61A property, he said we could get clarification from the Board of Assessors as to the land in use and how it is classified and laid out. He further stated until we receive a decision from the Zoning Enforcement Officer, our agent acting on the Board's behalf, it was premature of the Board to do anything at this time.

Mr. Downing asked Mrs. Allen to ascertain from the Assessors how big the parcel is that Mrs. Iarussi owns at 155 Lovering Street, and how much of that is under 61A.

Mrs. Rozanski moved not to exercise our right of first refusal at 155 Lovering Street under Chapter 61A; Mr. Brodeur seconded; all aye.

- The Board noted receipt of a letter from Frank Foss, Government Relations Manager for Time-Warner on the franchise renewal. Mrs. Rozanski thought there was legislation out there that indicates you can't award the cable contract to another carrier until it is more beneficial than the present one.



Mr. Downing asked the Secretary to check with Pace Willisson to make sure he knows he can call upon the Cable Advisory Committee for comments.

Mrs. Rozanski asked for a copy of the existing cable contract. She also asked Mrs. Allen to let Mr. Pelletier know she would like to arrange a meeting with him regarding the franchise renewal, and to let her know when the committee's next meeting would be.

Mr. Brodeur moved to appoint Charles Myers to the Cable Advisory Committee through June 30, 1997; Mrs. Rozanski seconded; all aye.

- The Board signed the notification of hire for the Park Department's summer employee, Jason D'Alesio.
- The Board discussed the appraisal of the bank building next door. Mrs. Allen mentioned that there is an offer on the bank, but they are waiting to see how the special town meeting turns out.

Mr. Downing noted the two proposals for a limited appraisal. He said that the Board could really do nothing until the appraisal was in hand and find out if the asking price is in the ballpark range of the appraisal.

Mr. Brodeur moved to authorize Mrs. Allen to pursue and enter into an agreement for the appraisal of the bank building at 165 Village Street to a maximum of \$1,100, Mrs. Rozanski seconded; all aye.

Mrs. Rozanski started to request that Mrs. Allen ask the Town Accountant for a printout of the status of department funds once a month, but Mrs. Allen said a copy is always available in the Office, with a new printout issued at the beginning of each month.

- The Board reviewed the draft of liaisons, with Mrs. Rozanski recommending Mr. Downing take the Finance Committee. That change was made.
- Mr. Downing asked that Senator Magnani and Representative Gardner be sent a memo from the Board expressing the Board's concern with abolishing county government. He felt that county governments that are working should not be eliminated; only those that are not working.

Mrs. Rozanski moved that a letter of support from the Board be sent to Senator Magnani and Representative

Gardner with all three signatures, with a copy to the County Commissioners and the Norfolk County Advisory Board; Mr. Brodeur seconded; all aye.

- The Board acknowledged the letter from Union Steward, Sandra Bennett, notifying them of advancement to arbitration for two Water/Sewer employees, Scott Peters and David Sucharzewski.
- The Board noted they had signed warrants totalling \$951,813.42 last week.
- Mr. Downing brought up the cleaning services for FY'98, and that even though the Selectmen had requested \$15,000 for cleaning services, only received \$8,000. He stated he wants to go to professional cleaning to maintain the building, especially the new renovated area in Town Hall and the new addition being built at the library. The individual in place now does janitorial as well as maintenance, but Mr. Downing hoped to remove the custodial services from him and make him totally maintenance, with Mrs. Rozanski indicating it might be an upgrade of his position.

Mr. Downing added that since the amount for cleaning services was cut, it might reduce the amount of anticipated services, so the Board may want to concentrate on this building for now, and townwide later. He had thoughts of someday bringing the schools into municipal-wide maintenance, as opposed to separating them as they are now. This could be something for the Town Administrator to review, and suggested this be included on that wish list. As other items are thought of, they could be included on that list.

- The Board noted receipt of the Audit Committee's memo, and a mention in that memo that the Board consider the hiring of a consultant to help with a presentation to Moody's. Mrs. Allen thought the article the Treasurer/Collector put on the Town Meeting warrant might be specifically for this purpose.

Mr. Downing asked that the memo be shared with other departments and advise the Audit Committee that their memo was being forwarded, and that possibly requests may be coming from those departments, and to take whatever steps they feel appropriate.

Mr. Downing then suggested to Mrs. Rozanski, who is the liaison, to speak to the Chairman, Frank Danehy, to find out exactly what they want, and then have the Office



send a memo under her signature to other departments if it was still a meaningful document.

- Mr. Downing signed the request for payment of the COPS grant for \$31,402. Mrs. Allen noted it was a reimbursement for funds already expended.
- Mrs. Rozanski moved to approve the request of the Planning Board for the use of Town Counsel on the Cider Mill subdivision; Mr. Brodeur seconded noting it was a title problem; all aye.
- The Board again brought up the memo from the Town Accountant on engineering services procurement. Mrs. Rozanski said she spoke to Mrs. Mehta and Mrs. Mehta felt there were no written procedures in place, with most of the engineering services being done by the Water/Sewer Department, i.e. master plan and I/I. Mrs. Mehta felt there should be a standard procedure for each department.

Mr. Downing thought there might be a standard procedure already in place and asked Mrs. Allen to make a few phone calls to communities similar to ours asking for their documentation to share with our departments for review.

Mrs. Rozanski said there is not contract with our consultants, and felt we needed a memo of understanding or RFQ. Mr. Downing thought Town Counsel could possibly draft a standard document and the Board could just fill in the blanks.

- The Board looked over various subdivision plans submitted by the Planning Board including:
  - preliminary plans for Meadows, off of Holliston Street, hearing on June 10th.
  - Redgate II, Paul Wilson's, Lovering Street and Buttercup Lane, hearing on June 10th.
  - definitive plans for Cunningham Way, off of Hill Street, hearing July 8th.
  - definitive plans for Forest Edge, John Peters, off of Redgate, hearing on June 24th.

Mr. Brodeur was asked to review the plans with any comments.

- The Board acknowledged a memo from the Town Accountant

and the Treasurer/Collector on sewer receipts. Mr. Downing said he did not have a problem with holding this issue off until FY'99, but to place in on the agenda for the June 16th meeting for further discussion.

- Mrs. Allen noted that it was re-appointment time, and the Office was working on making up the list for consideration. She asked the Board what the procedure would be this year. Mr. Downing suggested dividing up the list five ways and we would all share the burden in making phone calls.
- Mr. Downing signed the solid waste contract for the Board of Health.
- The Board signed the appointment slip for Dorella Robbins as Assistant Treasurer/Collector.
- The Alder Street traffic study request was signed by the Board.
- The Board signed the notification of upgrades for Robert Power from 10-6 to 10-7; Barbara Spratt from 3-3 to 3-4; and Arlene Doherty from 3-3 to 3-4 for FY'98. Mrs. Rozanski asked if the JCRB wage scale was the same as for the Union members; Mrs. Allen said it was.
- The Board discussed Jackie Ammering's evaluation with the following results:

	<u>Doug</u>	<u>James</u>
1.	3	4
2.	4	4
3.	4	4
4.	3	3
5.	3	4
6.	3	3
7.	3	3
8.	4	4
9.	3	3
10.	3	4
11.	3	2
12.	3	2
13.	3	3
14.	3	3
	<u>45</u>	<u>46</u>

Mr. Brodeur explained to Mrs. Rozanski that they try and evaluate the employee as if they don't know them; they just look at the narrative and definitions.

- The Board discussed David Malmberg's evaluation with the following results:

	<u>Doug</u>	<u>James</u>
1.	4	4
2.	2	3
3.	2	3
4.	3	3
5.	2	2
6.	3	3-1/2
7.	3	3-1/2
8.	2	3
9.	3	3
10.	2	2
11.	3	3
12.	2	3
13.	2	3
14.	4	4
	<u>37</u>	<u>43</u>

In looking over Mr. Malmberg's evaluation, Mr. Downing thought possibly he needed to be reclassified, and if so, he needed to go through that process and not through the evaluation form. He did not think the promotion process was in the contract, and the position might have to be posted if it was being reclassified. Mr. Brodeur agreed that a promotion was in order in light of the extra licenses obtained. Mr. Downing agreed it was up to Mr. Power to resubmit for reclassification.

- Mrs. Rozanski moved to approve a merit increase for Christine Ciavarra as recommended and approved by the JCRB effective July 1, 1997; Mr. Brodeur seconded; all aye.
- The Board went over the articles for the Special Town Meeting on June 23rd. Out of the articles submitted, one was removed which dealt with an enterprise fund submitted by the Fire Department.

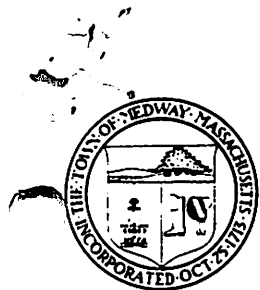
Mr. Downing said they need help to study EMS services. He suggested writing to Michael Murray and Barry MacDougall and let them know we were forming a study committee, with a copy to the Fire Chief.

- 11:59- Mr. Brodeur moved the meeting be adjourned; Mrs. Rozanski seconded; all aye.

Respectfully submitted,  
M. J. Fredette, Secretary

mj

*Approved  
as amended  
6/16/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

May 19, 1997

- 7:00 Open Meeting, Sign Warrants approve minutes of April 24th; May 5th; May 6th and May 12th meetings.
- 7:05 Town Hall Building Committee - Final Report
- 7:10 Paul DeSimone, CRPCD Rep. regarding the Town of Dover septage buy-in.
- 7:15 Town Administrator Search Committee
- 7:30 Michael Murray regarding appointment to Disability Commission.
- 7:45 Medway Gardens - Sign Permit
- 8:00 Christ Episcopal Church - Sign Permit
- 8:15 Stephen Doherty, one day beer license
- 8:30 Attorney Barry Queen regarding Claybrook and Broad Acre subdivisions
- Committee Reports
- 9:00 Executive Session
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF MAY 19, 1997.

1. Vote on new school construction bill #14 and change order #7.
2. Vote on emergency transfer request for Public Service expenses in the amount of \$14,000.
3. Vote on emergency transfer request for Law/Special Counsel in the amount of \$1,028.62.
4. Acknowledge letter from Attorney Gregory Barnes.
5. Discuss UCC Compact.
6. Attendance at Norfolk County Selectmen's Assn. meeting on June 18th.
7. Review and comments, if any, on Governor Weld's Family Literacy Profile.
8. Acknowledge receipt of comments from PMP Associates on Rules and Specs regulating Street Excavations and where bill for the services is to be paid, from what account?
- ~~9. Acknowledge Sandra Bennett's letter regarding merit increases.~~
10. Discuss letter from Donna Robie.
11. Discuss letter regarding Iarussi property, 155 Lovering Street.
12. Discuss request of Nancy Taylor.
13. When can the Board meet with Bill Fisher to discuss Jackie Ammering's evaluation?
14. Discuss RFP for Antenna sites.
15. Announce assistance needed with flower pots.
16. Chairman's assignment of liaisons.
17. Year End STM - June 23rd??? Open warrant tonight close warrant 5/28; needs to be posted June 9th.

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:05 p.m.-Mr. Downing called the meeting to order in the  
Selectmen's Meeting Room 2 of Town Hall.

- Members of the Town Hall Building Committee, Paul Wilson, Paul DeSimone and Paul Mitchell, came to meet with the Board for a final report on the renovation of the old Police Station area on the first floor.

Mr. Wilson gave a statement on the renovations which they started three years ago. He stated that offices are in the process of being moved now, but there are still a lot of things that need to be done on the first and second floors, and hopes that what was started can be finished. Mr. Wilson gave the Board a list of all those who helped with the work. Mr. Mitchell said he would be passing on the paperwork and scribbled minutes to the Board, with a copy of the minutes to go to the Town Clerk.

Mr. Downing asked the three Pauls if they had a priority list of renovations or something they felt was imperative to be done. Mr. Wilson just said "remove the clock".

The Board extended their appreciation for all the work they did, with Mr. Brodeur saying they might be called upon in the future if needed. Mr. Mitchell gave his personal kudos to Mr. Wilson for having pursued the project in the first place, noting it was a worthy program for a worthy building. Mr. Wilson also offered his thanks to Gino Carlucci for his assistance.

Mrs. Rozanski felt it was a community project bringing different groups together.

Mr. Mitchell said he would like to see an open house, possibly on a Saturday, and expressed his disappointment that we were not able to acquire the buildings next door.

Mr. Downing commented that people will see new structures with old fixtures, but a great deal of hard work went into the effort even though the fixtures might be an eyesore. He agreed that they should have an open house and the committee will be invited.

Mr. Downing asked Lee Henry, who was present, if he had any comments. Mr. Henry stated they had utilized the resources available. Twenty-five percent of the

building that was unusable is now usable, and hoped that the continuation of work in the rest of Town Hall would go on. Mr. Henry said that funds were appropriated at Town Meeting in the CIPC budget and encouraged the Board to carry forward.

7:15 - Paul DeSimone, CRPCD rep, spoke to the Board about the Town of Dover's septage buy-in, and some confusion with Article 10 of the Annual Town Meeting warrant. He stated that the wording should have referred to the "Selectmen" instead of "CRPCD" as being the one to contract with the Town of Dover. He said the copy of Franklin's contract with Sherborn and Bob McRae's letter will stipulate how the wording should read. He, therefore, stated the vote needs to be changed at the next STM.

7:20 - Members of the Town Administrator Search Committee, including David Consigli, Chris Lorenzen and Paul Wilson, were present to meet with the Board. Mr. Downing said that Mary O'Leary could not be here this evening as she had a Housing Authority meeting, and Frank Alconada had a Lions Club meeting.

Mr. Downing stated the Committee was being asked by the Board to begin their search process. He asked them to be cognizant of the open meeting law and to post their meetings, and elect a chairman and a clerk for the minutes. Mr. Downing stated the Board intentionally chose not to have a Selectman on the Committee so it can be an open process without interference since the Selectmen will be making the ultimate decision. He suggested that, when they start screening applicants, it be done in executive session to protect the individuals. Mr. Downing stated that the job description had been reviewed by Town Counsel and could be released to them. He said they would be doing the advertising, but if funding is needed, to come back to the Board. He hoped they would be able to utilize FY'98 funding instead of FY'97, but if necessary to do so, then let the Board know.

Mrs. Rozanski asked if the Committee had job descriptions of the Administrative Assistant and Board Secretary, to which Mrs. Allen said they did not. Mrs. Rozanski felt they should have them, but Mrs. Allen said that copies are available in the Office if they need them.

Mr. Downing said that Jeff Nutting has offered his services as a non-voting, ex-officio member and could assist them, and is willing to serve. When asked about

a time-frame for hiring, Mr. Downing said toward the Fall, end of the year. He also noted that no salary has been set, but an additional \$10,000 had been placed in the budget at Town Meeting, and Mr. Nutting could help with a range, but approximately six months salary is there. Mr. Wilson asked if the Board was going to file for a grant, but Mr. Downing said he was not sure that a grant was still available but would get that in writing to them.

Mrs. Rozanski asked that they look at all job descriptions as this was major restructuring, but Mr. Brodeur felt that should be left to the Town Administrator.

Mr. Downing was assured that all five members had been sworn in to the Committee.

7:30 - Michael Murray came before the Board requesting to be appointed to the Disability Commission. Mr. Murray explained his interest in serving on this committee, and on any others the Board wishes to appoint him to.

Mrs. Rozanski moved to appoint Michael Murray to the Disability Commission through June 30, 1999; Mr. Brodeur seconded; all aye.

Mr. Murray spoke about his background as a disabled vet, and having been an EMT. This prompted Mr. Downing to mention that he had wanted to speak to the Board about the possible formation of a committee to study the EMS service, and that another resident had already volunteered to be on this committee. Mr. Downing asked Mr. Murray if he would be interested in being on this committee, and he said he would. Mr. Downing said that the Chief was fighting with a situation that exists, and needs to be revisited. When the committee is formed, he said he would call him personally.

Mrs. Allen was asked to send him a list of positions that need to be filled.

7:45 - While they were doing appointments, Mr. Downing said there were other requests for appointments on the table tonight.

Mrs. Rozanski moved to appoint Lee Henry to the Municipal Facilities Study Committee through June 30, 1997; Mr. Brodeur seconded; all aye.

Mr. Brodeur moved to appoint Mary Jean Fredette to the Municipal Facilities Study Committee through June 30,



1997; Mrs. Rozanski seconded; all aye.

Mrs. Rozanski moved to appoint Marcy Thomas to the Conservation Commission through June 30, 1999; Mr. Brodeur seconded; all aye.

- As Mr. Henry was still present, Mr. Downing presented to him, on behalf of the Town, a certificate of appreciation for three years on the Board of Selectmen, which he and Mr. Brodeur signed, and which had been prepared by Mrs. Rozanski. Mr. Henry expressed his thanks for the honor, and to let him know if he can be of further service to the Board.

- Mrs. Rozanski moved to appoint William Carroll as Special Counsel through June 30, 1997; Mr. Brodeur seconded; all aye. Mr. Downing explained that our former Special Counsel, Greg Barnes, was relocating with his family to California. The Board wished him well.

- 7:55 - Andy Avellino of Medway Gardens came before the Board again for a sign permit for his business at the corner of Milford and Summer Streets. Mr. Avellino said he had done his homework and obtained for the Board a plot plan from the Assessors Office, a copy of his deed, a copy of the variance, and a copy of the county layout. He stated he was before the Board basically because he wanted a larger sign than is allowed.

Mr. Brodeur noted that there was a 1987 stamp of the Town Clerk on the plan obtained from the Assessors, which Mr. Avellino indicated was when the greenhouses were put up.

Zoning Enforcement Officer Bob Speroni, who was present, said he and Mr. Avellino looked at the area on Saturday. He said they could not find any highway bounds as indicated in the deed. If going by the plan Mr. Avellino obtained, the Assessors had his area larger than actually exists on the deed; actually, he has 3200 sq. ft., and is paying for 4600 sq. ft.

Mr. Brodeur said in looking at the 1947 layout, it shows there was a taking, which poses a problem in that the sign would be on Town property. Mrs. Rozanski suggested Mr. Avellino sign a disclaimer, not holding the Town responsible for any damage that might occur because the sign would be on Town property. On that, Mrs. Rozanski moved to grant permission to Medway Gardens for a sign to be placed as proposed, 4 ft. x 8 ft., 48 sq. ft. total on each side, on the corner of Summer and Milford Streets, providing Mr. Avellino provides to the Board a

letter indemnifying the Town of Medway from any responsibility; Mr. Brodeur seconded; all aye.

- 8:10 - John Creighton of the Episcopal Church came before the Board for a sign permit since he was denied by the Building Inspector because it was larger than is allowed. Bob Speroni, who was present, indicated this would be replacing the existing sign in the same location.

Mrs. Rozanski moved to grant the sign permit to Christ Episcopal Church for a sign totalling 30 sq. ft. as shown on the plan submitted this evening to replace the existing sign; Mr. Brodeur seconded; all aye.

- 8:15 - Stephen Doherty of Quality Beverages came before the Board to request a one-day beer license at Brooke's Long Shot Driving Range on Saturday, May 31st. Richard Cassidy of Brooke's was also present, as was Bob Speroni.

Mr. Doherty explained this was part of a fundraiser for Easter Seals, along with the long range contest. Mr. Cassidy was donating the use of the range for the day, and Quality Beverages was donating the prizes. Mr. Doherty said they were trying to raise \$2,000 - \$2,400. If they can sell beer, they hoped to raise more money.

Mr. Brodeur noted that the Board had a copy of the variance from 1991, which stipulated that there will be "no food sales, with the exception of a beverage vending machine" on the premises of Commercial I.

Mrs. Rozanski said that this was a fundraiser though, and it really is not an extension of his business so it wouldn't change the stipulation.

Mr. Downing felt they weren't really selling, but more or less asking for a donation.

Mrs. Rozanski again said it was not an extension of his business.

Mr. Downing wanted to make sure there was control of the activity and the dispensing of the beverage, and asked if we were setting a precedent. Mrs. Rozanski thought we consider each applicant separately, but Mr. Brodeur said this was on private property.

Mr. Downing looked to Bob Speroni for his comments. Mr. Speroni stated that, technically, you can't serve food on that property. If money is exchanged, it is a sale.

If they were donating money for food, maybe it would not be considered a sale. The point was, however, that it was a violation, and he would have to issue them a warning. The condition of the variance stands, and that was his opinion.

Mr. Downing asked Mr. Doherty if it would be a hardship if they could not have the one-day license. Mr. Doherty did not feel it would be, but just reduce the amount of money coming in.

Mrs. Rozanski said she sees what Mr. Speroni is saying, but that was his interpretation. She still felt it was not an extension of his business. Mr. Speroni said he looks at the terms of the use variance.

Mr. Brodeur said if the Board does grant the license, and they are given a warning, he would like a copy of that warning and a financial report from Mr. Cassidy of what went to Easter Seals.

Mrs. Rozanski said she was uncomfortable with doing something that may not be right, but ask Town Counsel.

Mr. Downing said they haven't heard from the Police Chief yet on safety and traffic control. Mr. Doherty said they would have an officer and restrictions.

Mr. Brodeur moved to grant the request for a one-day beer license for May 31st from 10 a.m. to 6 p.m. to Brooks Long Shot Driving Range subject to the hiring of a police detail and a financial report within 30 days of the event; Mrs. Rozanski amended the motion to include a review by Town Counsel as to interpretation and restrictions with the Chairman; Mr. Brodeur seconded the motion with the amendment; all aye.

8:30 -

Attorney Barry Queen came before the Board regarding Claybrook and Broad Acre subdivisions. Also in attendance were many residents of the Claybrook area.

Mr. Queen first wanted to clarify a correction: lot 8 is really lot 8A, and lot 8A is really parcel 8A.

Mr. Downing stated this was not a public hearing, and would only entertain a sharing of information without allegations.

Mr. Queen clarified that lot 8 is 13 Carriage House Way, and residents of the Claybrook subdivision have certain covenants on their deed, i.e. no re-subdividing of their property.

The owner in question has indicated in a letter dated April 19th that she has no plans to re-subdivide her property. However, on December 17, 1996, the Planning Board approved a Form A, Approval Not Required, plan to subdivide that property.

Mr. Queen stated the problem is access to the subdivision, not the subdivision itself. Mr. Queen referred to a letter from our Town Counsel to the Planning Board dated December 4, 1996 which stated that the Forest Edge subdivision cannot be approved if there is no access from a public way, but the Planning Board approved the Broad Acres Preliminary plan anyway on December 17th.

Mr. Queen indicated the subdivision is for 23 homes, with a possible 23 more. He stated he would like someone to take a second look at this issue.

Mr. Downing said the Board had received a communication, and they had told Mr. and Mrs. Geiwitz that the street in question was a private way. He said they cannot direct the Planning Board, but they can offer to work with them and hope that is the action taken tonight.

Mr. Queen referred to MGL Ch. 41, S. 21-24, wherein it is stated if the Planning Board is not doing its job, they can be disbanded. He indicated they may have to take the owner to court, but he wanted to know what the Town of Medway is going to do. Would they not pursue this further until it has been resolved. He was looking for some direction. Mr. Queen said they could not work with the Planning Board under the prior configuration. He said that he did have one conversation with the former Planning Board chairman who said "then take us to court".

Mr. Brodeur said Carriage House Way is a private road owned by the developer. He also confirmed that there has been no public hearing, and Town Counsel would get a copy of the plan when the Definitive is submitted. Mr. Queen said, nonetheless, the Planning Board is intending to go full ahead on the subdivision even though it may be incorrect and possibly illegal. He is looking to have the original action rescinded as he doesn't believe the Form A has been transferred or recorded.

Mr. Downing asked Mr. Brodeur if he would follow through on this as liaison for the Board, and he said he would. Mr. Downing added that he agreed the cul-de-sac should stay the way it is as it was done so well.

Mrs. Rozanski felt there were two issues - the owner of the property saying she was not re-subdividing, and that Town Counsel is saying the Planning Board made an erroneous decision. Mr. Downing clarified that it was Town Counsel's "opinion", with Mr. Queen adding that Town Counsel noted no performance bond exists for completion of the private way.

Mr. Queen also stated that he understands the Town of Medway received over \$500,000 from the FDIC for the roads. Mr. Brodeur said the FDIC has the money set aside - the Town did not receive the money, as per an agreement reached with the developer and the FDIC. Mr. Brodeur did not know why the roads weren't finished.

When Mr. Brodeur explained one access to the subdivision was to be via Old Surrey Lane, and they wanted a second access through Carriage House Way, Mr. Queen added that the owner of the subdivision has 600 feet on Summer Street and access to the development could be from there. Mr. Brodeur said that the Preliminary plan does not show the entire land area available.

Mrs. Rozanski started to make a motion to request Mr. Brodeur approach the Planning Board on behalf of the Board of Selectmen for a procedure on rescission, and Mr. Downing was going to ask that the Planning Board reconsider their vote on the Approval Not Required plan. Mr. Brodeur said the Planning Board could reconsider their vote on the Preliminary, but not on the Approval Not Required. He further stated that if the plan meets area and frontage, Town Counsel has stated it has to be signed. Mr. Brodeur said the Planning Board could request the mylar plan from whomever has the original if it hasn't been recorded yet.

Mrs. Rozanski changed her motion to be to request Mr. Brodeur approach the Planning Board on behalf of the Board of Selectmen to request the return of the ANR plan of the subdivision at 13 Carriage House Way dated 12/17/96 by Francis X. DeSimone; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to request Mr. Brodeur approach the Planning Board on behalf of the Board of Selectmen to ask them to reconsider their vote of the Preliminary plan of Broad Acres subdivision; Mr. Brodeur seconded; all aye.

Mr. Downing requested the Office make copies of all the pertinent documentation, and send it to the Secretary of the Planning Board for distribution prior to the

meeting. Mr. Brodeur asked Mrs. Allen to get him a spot on their agenda for May 27th.

Mr. Downing requested Mr. Queen to please advise the Board of Selectmen of any civil action on their part. Mr. Queen said he would do so; however, he stated that they will hold off any action until they hear on the above two motions.

- Warrants were signed in the amount of \$624,277.98.
- Action Items.
- Mr. Brodeur moved approval of change order #7 as approved by the School Building Committee in the amount of \$29,196, and to authorize the Chairman to sign; Mrs. Rozanski seconded; all aye.
- Mr. Brodeur moved approval for payment of the new school construction bill #14 to Stella in the amount of \$322,856.67; Mrs. Rozanski seconded; all aye.
- Mr. Downing acknowledged a letter from Mass Highway's District Highway Director Margaret O'Meara stating that the roadway surface improvement of Village Street, including milling and resurfacing, box widening and pavement reclamation, would be on the FY'2000 TIP list. He indicated that some patching may have to be done to Village Street versus a full overlay.
- 9:30 - Mrs. Rozanski moved to go into executive session for reason #2 at the request of the individual and to reconvene again in public session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - aye; Mrs. Rozanski - yes; Mr. Downing - yes.
- 10:20- Mrs. Rozanski moved that the Board reconvene the meeting in public session; Mr. Brodeur seconded; all aye.
- Mr. Brodeur moved approval of the minutes of April 24th from 6:40 p.m. to 7:59 p.m.; Mr. Downing seconded; Mrs. Rozanski abstained; voted 2-0-1 aye.
- Mr. Brodeur moved approval of the minutes of May 5th; Mr. Downing seconded; Mrs. Rozanski abstained; voted 2-0-1 aye.
- Mrs. Rozanski moved approval of the minutes of May 6th from 6:10 p.m. to 6:55 p.m. subject to any revisions; Mr. Downing seconded; Mr. Brodeur abstained; voted 2-0-1 aye.

- Mrs. Rozanski moved approval of the minutes of May 6th from 7:06 p.m. to 10:00 p.m. subject to any revisions; Mr. Brodeur seconded; all aye.

With a correction made to the minutes by Mrs. Rozanski of the Secretary not adding "and issue a cease and desist on the property" as part of the motion to the Zoning Enforcement Officer at 155 Lovering Street, she asked Mrs. Allen if he had done that? Mrs. Allen said he was still reviewing it, but that he had been asked to enforce the ZBA decision. Mrs. Rozanski again asked Mrs. Allen if her answer meant he had not done it, and she said she had not received anything from him yet. Mrs. Rozanski stated that if he had not done the cease and desist, she wanted to know in writing why not.

- Going back to the minutes of May 12th, and further clarification requested by Mr. Sibley, Mr. Downing asked Mrs. Allen to write to Mr. Sibley and advise him any subsequent use of his time will be subject to the contract, and the approved previous grievance based on errors and omissions of administration, or the newly-implemented contract, and acceptance of the check for \$16.59 closes the issue.

Mrs. Rozanski asked that he sign the letter when he receives it, and gives a copy back to the Board.

Mr. Downing also asked that a copy be given to Sandy Bennett, Union Steward, as it was appropriate to do so.

- Mrs. Rozanski asked about the position of DPS Administrator. Mr. Downing stated that position is not listed with the contract; it is an administrative position.

At this point, Mr. Downing stated that Mr. Podgurski had asked to be reconsidered for the position of DPS Administrator. In addition, he had received from the Town Accountant on Friday an update on the amount of hours he has worked. Mr. Downing stated he had gotten paid for 736 hours, with four holidays excluded as non-working hours totalling 32 hours, leaving 704 hours net worked. He stated he could go another 256 hours, which comes to 6.4 weeks.

Mr. Downing said they can do nothing and let the Board's decision stand, or extend the probationary period to June 27th, which is three months.

Mrs. Rozanski suggested Mr. Podgurski work 20 hours a week. Mr. Downing said that would go beyond the three

months, and he didn't know if he was interested in working a 20-hour week.

Mr. Brodeur said anything beyond the six months, and he would be in the union. Mr. Downing said he would still be probationary according to his interpretation. Mr. Brodeur said he was still uncomfortable with this. He would not want to try and change any previous action by the Board, and would want union representation agreeing with the extension of the probationary period. Mr. Downing proceeded to read the probationary section of the contract.

Mr. Downing further stated that the Board has not had the opportunity to do a performance evaluation on Mr. Podgurski, and are being backed into a corner by Mr. Podgurski because of the salary issue. He stated that Mr. Podgurski has not been able to meet with the Board on a number of occasions. We now have a window to keep him on board for six weeks to facilitate to full-time employment, or facilitate the projects in place, or facilitate a replacement.

Mrs. Rozanski said the Town Administrator could incorporate his responsibilities.

Mr. Downing said he spoke to Mr. Power, and there are some concerns with regard to vacation-time looming and being short-handed. We could utilize Ruth and M.J. for some of the administrative work. Mr. Downing further stated that Mr. Podgurski could not go beyond the six weeks or he would have to surrender his pension, and he has heard nothing on that. He said if the Board decides to reinstate him, he wants Mr. Podgurski working 40 hours a week.

Mrs. Rozanski made a motion to extend the probationary period for the DPS Administrator for three months; Mr. Downing seconded; Mr. Brodeur opposed; voted 2-1-0 aye.

Mrs. Rozanski made a motion to reinstate Donald Podgurski for the remainder of the 256 hours on a 40-hour per week basis; Mr. Downing seconded; Mr. Brodeur opposed; voted 2-1-0 aye. Mr. Downing said he would speak to Mr. Podgurski. He also noted that he has some of the same concerns that Mr. Brodeur has, and those will be discussed with Mr. Podgurski. He said he might share some of those concerns with Mrs. Rozanski in a confidential memo.

Mrs. Rozanski said these were administrative issues, and felt they should be combined into the Town Administrator



position.

Committee Reports.

Mrs. Rozanski reported going to the SWAP meeting, and noted there were three projects in the works, including the Upper Charles Trail feasibility study; targeting the Upper Charles portion of the watershed to conduct a study; and a survey of possible sites for wireless communications facilities.

Mrs. Rozanski moved approval of the emergency transfer to the FinCom for DPS for \$14,000 for gasoline, lights, fuel, and uniform rental; Mr. Brodeur seconded; all aye.

Mr. Brodeur moved approval of the emergency transfer to the FinCom for Special Counsel for \$1,028.62 for bills in hand; Mrs. Rozanski seconded; all aye.

The Board discussed the United Compact received from the United Chamber of Commerce. The UCC was looking to the Town's endorsement and for a formal signing ceremony on June 6th. Mr. Downing said he could not attend; Mrs. Rozanski said she was planning on attending anyway.

Mrs. Rozanski moved to endorse the United Compact; Mr. Brodeur seconded; all aye.

Mr. Brodeur moved that Mrs. Rozanski sign the Compact on behalf of the community; Mr. Downing seconded; all aye.

The Norfolk County Selectmen's Association meeting on June 18th at Carla's in Norwood was brought up. All three Selectmen will be attending, and all order baked scrod.

The Board noted receipt of Governor Weld's family literacy profile. The Board said they need more time to review, but asked that copies also be given to the Town Clerk, Library Trustees, and Board of Assessors, asking for a response by June 9th. Mr. Downing said he would discuss this with the Schools.

The Board discussed the response received from PMP Associates for their review of the rules and specifications regulating street excavations. Mr. Downing noted this was at the Board's request to coordinate with the Planning Board's rules and regs. It was requested that the Office make copies of Mr. Perrault's comments for Mr. Podgurski and Mr. Power.

In looking at the invoice forwarded by the Planning



Board from PMP, Mrs. Allen noted an additional \$45 previous balance that she will discuss with the Secretary. The invoice total of \$135 will be taken out of the consultant's expense account.

- The Board acknowledged a letter dated May 10th from Donna Robie asking who she could talk to on the State level concerning the Planning Board. The Board recommended she speak to the Attorney General's Office.
- The Board noted a letter received from the Planning Board regarding the Iarussi property at 155 Lovering Street recommending not to purchase a portion of land at that address. Mrs. Allen showed the Board the plan she had for the use of the one acre, even though the purchase involves 10 acres of land in 61A, which is being offered to the Town for first right of refusal.

Mr. Downing noted they had not heard from the Assessors and Conservation Commission yet, and asked Mrs. Allen to remind them that a reply is needed, and no action can be taken until they hear from them.

- A letter from the Town Accountant dated May 15th on engineering services procurement was brought up. It was noted that Chapter 30B doesn't cover engineering or town counsel services. Mrs. Allen was asked to share this memo with other departments and ask for their comments. But then it was felt this could be held over in a special folder for when the Town Administrator comes on board as one of the items to be handled.
- The Board noted the letter from Nancy Taylor requesting a joint meeting. Mr. Downing asked that her letter be acknowledged and that they will set up the meeting for sometime in June.
- With regard to meeting with Bill Fisher to discuss Jackie Ammering's evaluation, Mr. Brodeur suggested each Board member do their own evaluation of Mrs. Ammering, and then get the three totals and give them to Mrs. Allen. This might be an easier way to handle the evaluation since it has been so hard trying to meet with him.
- The Board held off discussion of the RFP for antenna sites to another meeting.
- The Board noted a request from Nancy Honey to get some assistance with eleven buckets for flowers all over Town. The Secretary asked the viewing audience to consider assisting in this area, and was then asked to

send a copy of the request to the Medway Business Council and to advertise on cable. Mr. Brodeur moved to allow a business to advertise the name of their business with a 4" x 12" sign in the bucket they adopt; Mrs. Rozanski seconded; all aye.

- Mr. Downing went over the assignment of liaisons, and asked the Secretary to retype it for the Board to review.
- Mrs. Allen noted the Board needed to consider a year-end special town meeting. Mrs. Rozanski moved to have a special town meeting on June 23rd at 7:00 p.m.; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to open the warrant this evening, and to close it at the end of business on Wednesday, May 28th; Mr. Brodeur seconded; all aye.

- The Board acknowledged the fax received from Jeff Nutting on accepting Ch. 83, S. 16. Mr. Downing requested that the Town Accountant and the Treasurer review the documentation and get back to the Board with their comments.
- Mr. Downing asked that Barry MacDougall receive a copy of the latest letter from the Town of Erving, and any future correspondence relative to electric utility restructuring.
- The Board acknowledged a letter from Mr. and Mrs. Bliss, as well as a letter from Animal Control Officer Brenda Hurteau. Mr. Downing asked that a copy of both letter be sent to the Town of Millis Selectmen's Office for their files.
- The Board acknowledged receipt of a letter from the County Engineers with regard to the Oakland Street area for construction of the Senior Center. Mrs. Allen said the information contained therein offered no impact on the project; they were back lots.
- Mr. Downing noted receipt of an invitation from Medway Country Manor for a grand opening on June 5th. Mr. Downing said he would try to attend. Mrs. Rozanski said she would be there.
- With regard to a memo received from Barry MacDougall, Mr. Downing asked that it be held over until the June 2nd meeting.
- Mrs. Allen noted a letter received from Sgt. Saleski

concerning personnel changes within the Police/Fire Communications Department. The letter stated that Jennifer Mitchell would be promoted full-time to the Police Department; that Stephen Mitchell would be promoted to Dispatch Supervisor; that Derek Harrington was hired as a part-time Dispatcher; and that Chad MacInnes was promoted to full-time Dispatcher.

- Mrs. Allen noted that some thought needs to be given to making town meetings more audible for the hearing-impaired. Mr. Downing asked Mrs. Allen to send a memo to the Cable Advisory Committee suggesting they keep this topic in mind when negotiating.
- The Board acknowledged receipt of the management letter from Melanson, Heath & Co. for FY'96.

11:45- Mrs. Rozanski moved that the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary  
mj

*approved*  
*6/2/97*

ACTION ITEMS FOR SELECTMEN'S MEETING OF MAY 12, 1997.

1. Memo to Donald Podgurski regarding status of employment.
2. Render decision on Fred Sibley's grievance of payment of overtime for snow removal
3. Decision on layout of offices at Town Hall.
4. Decision on Fire/EMS Budget.
5. Memo from Town Clerk regarding voting machines.
6. Sign agreement of Library renovation Clerk of the Works.
7. Request from Planning Board for use of Town Counsel.
8. Emergency Transfer Request for repair to sidewalk roller.
9. Acknowledge Sandra Bennett's letter regarding merit increases.
10. Motion from Arti for the \$220,000.00 from Town of Dover for the 25,000 gpd buy in.
11. Discuss which RFP for Antenna sites.
12. When can you meet with Bill Fisher to discuss Jackie Ammering's evaluation? - May 19th at 6:00 p.m.???

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Meeting Monday,  
May 12th at  
6:00 p.m. in Room  
111-High School.



Mr. Downing stated that there is an area, where the site plan was signed by Mr. Henry, that is unassigned and could be the multi-purpose room.

Mr. Downing also stated that with the muddy and dirty feet of the contractors, it was best to have the Building Inspector where it was recommended, and keep the mapping area for the maps. He suggested they re-vote those four areas again so Wayne Simpson with the prisoners knows where he is supposed to go and what he is supposed to do. Mr. Downing noted that the Assessors and Town Clerk offices are ready for them and hardwired to go.

Mrs. Rozanski asked if the Building Inspector could be changed at a later date if need be, and Mr. Downing said yes. Mrs. Rozanski felt it was good to keep flexibility.

Mr. Brodeur moved that Room 112 on the plan be designated as the Town Clerk's office; Rooms 109 and 110 be the Inspector of Buildings and support; Mrs. Rozanski seconded; all aye.

Mr. Brodeur moved that the room designated as "mapping" and the room immediately to the west of it be for the Assessors; Mrs. Rozanski seconded; all aye.

Mrs. Rozanski asked that the minutes reflect they are still keeping flexibility.

- The Board next needed to discuss the Fire/EMS budget. Chief Wayne Vinton was present for this discussion. He passed on to the Board statistical reasons why they need full-time EMS/fire staffing. He stated that \$140,000 was projected income for next year.

Mr. Downing said he still had reservations on this subject and could not support it. He said he knows the root of the problem and why they have a staffing problem. Throwing money at a personnel problem does not solve the day shift problem of those not working together. He was disappointed that, as big as a problem this is, the Chief did not take the EMS course to maintain his accreditation and be of assistance to have personnel at the scene. The Chief said he was an EMT for six years, but with his parents being sick, it was something he could not do.

Mr. Downing said that adding two more personnel may not fix the problem; it could make it worse. The Chief stated that when there are three personnel on at one



time, it is a "nicety", two is plenty. When he took over two years ago, he did not want a third. Mr. Downing had to ask the question if there were two people on, why do we need a full-time fire chief? What if there was a fire and an accident at the same time? The Chief stated that the Fire Department is concerned with the protection of life and property; and life always comes first.

Mr. Brodeur said if the additional funding is approved, he would request operational response (SOP) be given to the Board.

Mr. Downing said there were other scenarios, i.e. regionalization and merging with other towns, and shutting down our EMS service. The Chief stated we were talking 500 runs x 3 EMT's x a 2 hour minimum = 3000 hours.

Mr. Downing asked about the cost of abatements, to which the Chief said it was getting better. He also said they wanted to start an enterprise account so they could be self-supporting. He had to say, at this point, they can't guarantee a sick person is going to get an ambulance.

Mr. Brodeur said let's leave it to Town Meeting, but he could speak as an individual on it. Mr. Downing also said he could step away from the Board and speak as well. He did not want the need to be driven by growth, mismanagement or department problems.

- Mr. Brodeur said they should go back to action item number one as it did not seem as if Mr. Podgurski was going to show up.

Mr. Downing stated they are faced with "D-day", decision day. He said he spoke to Arti and Marge on the salary issue. They have six days left before the six-month probation would be over, minus a few days off, even though he has six weeks remaining in the calendar year to work the hours.

Mr. Brodeur noted he can work 120 days in a calendar year or 960 hours; five and one-half months has gone by; it's real close.

Mr. Downing said that he had reviewed all the correspondence, and Mr. Podgurski still had not responded to his memo of March 12th asking to meet with him in executive session.

Mr. Brodeur was assured that it cannot be more than 120 days of pay. Mr. Downing said they have the two memos from Marge and one from Arti in this regard, again stating 960 hours. They have to assume that Mr. Podgurski is collecting his pension and not donating his salary back to the Town of Medway; therefore, he is collecting from both ends. He could work 20 hours a week but still be paid for 40 hours.

At this point, Treasurer/Collector Marge Sanford came into the room to have some notes signed. Mr. Downing took this opportunity to ask if anything else had been received from Norwood Retirement on Mr. Podgurski, and she said no. She further stated you have to take him off the payroll if he hasn't shown he's waived his pension.

Mr. Downing noted if six months lapses, he is automatically absorbed by the bargaining unit.

Mrs. Rozanski questioned if his being a retiree means he is not a part of the unit necessarily? Mrs. Allen said no.

Mr. Brodeur moved to terminate Donald Podgurski based on the inability of the Town of Medway to extend his employment beyond the 960 hours as per MGL, and per 5.4 (c) of the personnel policies with regard to performing the required duties; Mr. Downing seconded; Mrs. Rozanski suggested the Board advise him he has reached the 960 hours and will be removed from the payroll, but Mr. Brodeur wanted his motion to stand; Mrs. Rozanski abstained. *Voted 2-0-1.*

Mr. Downing said he would get together with Mrs. Sanford and confirm the termination date. Mr. Brodeur moved the motion also include, subject to subsequent discussions with the Treasurer; Mr. Downing seconded; Mrs. Rozanski abstained. *Voted 2-0-1.*

- Mrs. Rozanski moved that the notes for bonding for the Treasurer be signed which included \$400,000 for the school and \$590,000 for the library; Mr. Brodeur seconded; all aye. Mrs. Rozanski and Mr. Downing will sign them in the morning.

- The Board signed the consultancy agreement of the Clerk of the Works for the library renovation.

- Mr. Brodeur moved approval of the use of Town Counsel for the Planning Board with reference to Green Acres/Pheasant Run/Willow Green developments of Al Miraj; Mr.

Downing seconded; all aye.

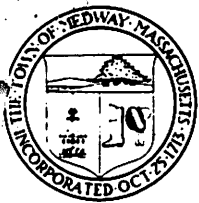
- Mr. Downing requested Mrs. Allen to ask the Town Administrator Search Committee to meet with the Board on May 19th.
- Mr. Brodeur moved approval of the emergency transfer to the FinCom of \$3,300 for repair of the sidewalk roller; Mrs. Rozanski seconded; all aye.

7:00 - Mr. Brodeur moved the meeting be adjourned; Mrs. Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary  
mj

*Approved  
and  
5/19/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

May 6, 1997

- 7:00 Open Meeting, Reorganize, Sign Warrants  
approve notes of 4/24 public  
hearing and 4/29 meeting.
- 7:10 Library Trustees regarding Clerk of the  
Works for Library renovations
- 7:20 Medway Garden's, Andy Avellino  
regarding Sign Permit
- 7:30 Dan Cormier - Site Plan for  
131 Village Street

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF MAY 6, 1997.

1. Acknowledge letter from Bay State Gas Company.
2. Enforcement of ZBA decision for 155 Lovering Street.
3. Discuss the need for a policy for brush and chipping.
4. Strategy on ATM warrant articles.
5. Sign voucher final payment (\$7,700) for MPF
6. Discuss questionnaire from MMA regarding Municipal Electric Purchasing Program.
7. Discuss letter from Samuel Mushnick
8. Discuss which RFP you want to use for Antenna sites (what are you looking for???)

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6:10 p.m.-Present: Selectmen Douglas Downing and Raphaela Rozanski; Department Heads Ruth Allen, Chief David Lambirth, Chief Wayne Vinton, Arti Mehta, Marge Sanford, Paul Keefe, Mark Flaherty, Robert Power, Robert Speroni, Fred Sibley; Board of Health Chairman Robert Collum; Union Representatives Ted Scripsack and Josh Hammond; Union Steward Sandra Bennett.

This informal meeting at the VFW was called to talk to department heads about the personnel evaluation form.

Mr. Scripsack said they were here this evening with the Union and the Selectmen to go over certain criteria and expectations for merit increases. He noted the Selectmen had done about 15-20 evaluations. There were some grievances from employees who were given 42 points by the department head with adequate funding available, but the Selectmen had done their own evaluation and did not find them exceptional to receive those points.

*but more appropriately,*  
Mr. Downing said that negotiating does not mean *reaching agreement,* compromising. He said they know that the form is not the best working form that could have been put forth, but it was a request to do that both sides could agree to. Selectmen agreed in negotiations that the negotiated increase would take care of the rank and file. With this process of the evaluation form for merit increases, as managers, they hoped to address the all-stars. There is no other way to give that person any recognition or remuneration for a job well done; this addresses the true all stars. Mr. Downing said they did not see the language or supporting documents for 42 points, ~~but~~ based on the paperwork submitted, *and* could not support the grade given that individual at that given time. He felt for it to be a true workable form, there should be three forms - 1 for each unit. They need to prove their merit to the Selectmen by letters of support, scholastic achievements, etc. The language states that you need a 3 or 4 to excel consistently. Mr. Downing stated that the management team turns over every year - so you can get a sense of frustration from the Selectmen.

Mr. Scripsack said earlier this evening, they had a meeting of the membership on the evaluation forms, and it was agreed they would work on three forms. There was no problem with opening the contract on the evaluation forms to make the process work better. It was still felt that the Selectmen feel merit increases are for exceptional employees.

Mr. Sibley said the matrix of where employees are

placed on the grade and step is not up to par, and should be updated, so good workers can get recognized.

Mr. Downing said that when employees are hired, they know what grade and step they are hired at. The matrix can be fixed, but it has to be transitional as it effects department budgets. Mr. Sibley suggested the MMA re-evaluate the matrix again.

Mr. Scripsack stated that the union could request upgrades; they have the right to do so if it can be shown the employee has increased responsibilities, not increased quantity of work. A job upgrade is not a merit increase. It's hard for everyone to understand why all were denied, but one. He agreed it was a learning process.

Mr. Downing agreed there were inequities; three forms would be better; they don't want to be the enemy. Mr. Scripsack said they would work on the three forms.

Mr. Scripsack asked that the contract be supported at Town Meeting since it has been negotiated. Mr. Downing said that a sum of money has been identified, but it cannot come out of the reserve fund as FinCom recommends. Ms. Bennett stated that the contract indicates the funding will be by department, not in one lump sum. Mrs. Mehta said the funding can be put in the Selectmen's budget, and FinCom will agree with that since they cannot put it in the reserve fund. The DOR has said then it can go the department's budget the following year.

Mrs. Mehta asked who do you request the upgrade to? Mr. Scripsack said the employee has the right to make a request to the appointing authority. First, the employee should send a letter to the department head; then the department head should send a letter to him as the union representative. The department head can also initiate the upgrade to the Selectmen or the appointing authority, and even the employee can initiate the interest to upgrade, but it is difficult if the department head doesn't agree. Of course, everything is subject to appropriation. Mr. Scripsack also recommended that accompanying documentation be included with the evaluation form to justify the increase for the employee.

Mr. Flaherty asked what should be done until the new forms are written? He wanted to know how the forms should be filled out, thinking his people had done a fair job. Mr. Downing agreed, but Mr. Scripsack said

obviously, it was not exceptional.

Mr. Power asked how can you excel at doing something that you normally do? What can you do to be exceptional?

Mr. Downing said you are not exceeding expectations. You are doing what you were hired to do.

Mr. Sibley asked what is the incentive to excel? What is that extra reward? What will be consistent?

Mr. Downing stated that was the negotiated wage increase.

Mr. Scripsack commented it is not this system - this is the performance evaluation. The Board of Selectmen took the position that merit increases were for exceptional employees - not for everyday functions that employees perform. That employee does not come under this system. If an employee got the 42 points, he was doing an exceptional job. The department head has not shown the Selectmen that an employee is doing an exceptional job. He stated that unions don't like merit increases anyway. They prefer longevity, which is not a merit increase.

Mr. Flaherty felt he had been doing an exceptional job, and inquired as to what was the incentive for him now?

Mr. Downing said the number one thing that is missing is central control. He would have sat down with an individual, commended that person for the job done, and set goals for next year. He asked what was the target? What are the goals and objectives? Until that is here, they have to continue to muddle through the process.

Mr. Flaherty felt there was no hope for the employee, and Mr. Downing said go back and talk to that individual, and let him know he is doing the job he was hired to do.

Ms. Bennett stated that, at one time, employees did not think twice about staying late if needed to assist someone or complete a job - now, no one does.

Mr. Downing said that the contract is in place. It is assuring an individual that person will receive an increase. That person won't be slighted like before. The process is not perfect, but it is better now than before the contract was in place.



Mr. Scripsack noted his appreciate to the Board members and department heads for attending this meeting.

Mr. Downing said he tries to always be honest in his remarks.

6:55 - The meeting was adjourned to Town Hall for the televised portion of the Selectmen's meeting.

Respectfully submitted,

M. J. Fredette, Secretary

mj

*approved  
amended  
5/19/97*

Present: Douglas Downing, James Brodeur, Raphaela Rozanski,  
Administrative Assistant Ruth Allen.

7:06 - As all Board members were present, the first order of business was to reorganize. Mrs. Allen entertained nominations for Chairman. Mr. Brodeur nominated Mr. Downing; Mrs. Rozanski seconded. Mr. Brodeur moved nominations be closed; Mrs. Rozanski seconded. Mrs. Allen announced the Chairman was Mr. Downing.

Mr. Downing noted this meeting was being reconvened from an earlier meeting that began at 6:00 p.m. As Mr. Downing took his seat at the head of the table, he expressed his appreciation for being chosen Chairman and hoped to do justice to his predecessor and the fine tradition he had set. He acknowledged the presence of Mrs. Rozanski at the table this evening, and asked if she had anything to say. Mrs. Rozanski nominated Mr. Brodeur as Clerk of the Board; Mr. Downing seconded. Mrs. Rozanski moved nominations be closed; Mr. Downing seconded; Mr. Brodeur abstained. Mrs. Rozanski said she was happy to back on the Board.

- The Board signed warrants totalling \$459,969.83.

7:11 - Wendy Rowe, one of the Library Trustees, was present to discuss their choice of Clerk of the Works for the library renovation project. The trustees were recommending John Boczanowski Jr. The Board acknowledged a letter from Library Director Philip McNulty wherein he noted that only four had made it to the interview phase; two of the four had withdrawn, and one had accepted another position; that left Mr. Boczanowski. Mr. Downing was assured that background checks had been performed, and Ms. Rowe said the response was overwhelmingly positive for Mr. Boczanowski especially with his work on the new school building.

Mrs. Rozanski was assured that the salary for the Clerk of the Works was included in their budget for 20 hours a week. Ms. Rowe said the contract was modeled after the school's clerk of the works contract.

Mr. Brodeur moved to endorse the recommendation of the Library Trustees to hire John Boczanowski as Clerk of the Works for the library renovation project subject to review and approval by Town Counsel; Mrs. Rozanski seconded; all aye. Mr. Brodeur clarified that the Selectmen were hiring Mr. Boczanowski as they sign all contracts. Mrs. Rozanski asked who he reported to and Mr. Downing said ultimately the Selectmen, but through the Trustees. He further stated that since the Trustees

want to proceed quickly, Mr. Downing said the appointment was effective this evening, with just the conditions of the agreement to review.

Ms. Rowe also stated that Medway is at the top of the list of 15 for a grant of \$700,000, so there was still hope.

7:20 - Andy Avellino of Medway Gardens came before the Board for a sign permit on his property. He said that he spoke to the Building Inspector, the Safety Officer and the DPS Administrator, and a letter was read into the minutes by the Safety Officer indicating where the sign was proposed to be placed would not be a detriment to motorists. Mr. Avellino indicated a sign used to be in that location but was knocked down by a vehicle and not replaced.

Mrs. Rozanski asked if the Building Inspector had denied his sign permit, but Mrs. Allen said he was here with the Board because the sign would be placed on Town property.

Mr. Downing felt the Board should have something more to review with dimensions other than the small piece of paper he was presenting. Mr. Avellino said Mr. Speroni had some figures, so Mr. Downing suggested he go back to Mr. Speroni for those figures and how it relates to Mr. Avellino's property.

Mr. Brodeur assumed the Garden Center was in its location by a ZBA variance, and suggested he check the decision. Mr. Avellino said it's been about 18 years. Mrs. Rozanski said possibly there was a site plan on file. Mr. Downing again asked for more information so they could reconsider in two weeks. He was placed on the agenda for May 19th at 7:45 p.m.

7:30 - Daniel Cormier of Clientech came before the Board to go over a site plan for 131 Village Street. Mr. Cormier explained they would be offering sales and services within the computer industry and web site design. He noted traffic would be minimal as they offer on-site service; web design is on-the-road. When asked about the allowable size of signs, Mr. Downing referred him to the Building Inspector.

Mrs. Rozanski moved that the site plan as presented this evening by Clientech dated 4/14/97 be approved; Mr. Brodeur seconded; all aye.

7:40 - Committee Reports.

- Mr. Downing stated that he and Mrs. Rozanski attended a meeting earlier this evening with department heads and union representatives to go over the evaluation process. They basically agreed that they need to continue to look for a more meaningful evaluation form, and struggle forward with what is in place at this time. He stated that the Board's position, at least the Board that negotiated the contract, was to look toward a more meaningful evaluation process. They went over the terms of funding and the merit increase if the employee receives a passing grade on the evaluation form.

Mr. Downing hoped either Mr. Brodeur or Mrs. Rozanski could go to pre-town meeting, as he had another meeting to attend, and take the lead on this. He noted that Mr. Henry had attended the FinCom meetings and discussed the mechanics of where the merit increase amount should be placed. Mrs. Mehta, who was present, had indicated that the consensus was to include it in the Selectmen's budget to be transferred if need be. Mrs. Rozanski said that Norfolk County did an aggregate account similar to this a few years ago. Mr. Downing said he wanted to make sure the employees were served correctly and no misunderstandings occur on technicalities.

- Mr. Brodeur moved approval of the public hearing notes of April 24th; Mr. Downing seconded; Mrs. Rozanski abstained.
- Mr. Brodeur moved approval of the minutes of April 29th subject to any revisions; Mr. Downing seconded; Mrs. Rozanski abstained.
- On a follow-up, Mr. Downing inquired about Gwen Henry, Chairman of the Historical Commission, responding to the acceptance of a grant allocation for \$6,000. Mrs. Allen said Ms. Hendry will send the Board a copy of her letter of acceptance.

- Action Items.

- The Board discussed an acceptance letter submitted by Bay State Gas to be signed by the Board agreeing to a contribution of \$25,000 to be made to the Town in lieu of installing asphalt on the trenches along Village Street.

Mr. Downing felt the amount was an arbitrary amount, and wanted a memo from Mr. Podgurski saying this was, in fact, a like-kind contribution compared to what Bay

State Gas would have actually spent. Mr. Downing said a number of contractors had spoken to the foreman, and learned that these pipes are just storage pipes for reserve gas for a surge or increased demand usage. He felt that the direct benefit is with Bay State Gas and not the abutters. He wanted Mr. Podgurski to do his homework on this before we accept anything on behalf of the Town.

Mr. Brodeur thought Mr. Podgurski or Bay State Gas had the ability to do the calculations and determine if this is a fair amount for the work to be done. Mr. Downing said he would have absolved Bay State Gas if they were doing blending and fine finish, but he wants the top coat.

Mr. Downing also stated he had heard we had been approved for the funding on Village Street, but had not seen anything in writing to finalize it. Mrs. Rozanski wondered if the monies had been earmarked for the reconstruction, and Mrs. Allen said the Town Accountant will do a specific line item for the gift.

Mr. Brodeur reiterated that Village Street was not scheduled to be reconstructed until 1999 or 2000, and something has to be done for the time being. Again, Mr. Downing said let's determine what the sum total is we're working with, and then tell DPS how it is to be expended. Mrs. Allen will speak to Mr. Podgurski.

- The Board discussed the ZBA decision on 155 Lovering Street. It was noted that no appeals had been filed, and it was not a permitted use in ARI district.

Mrs. Rozanski moved to instruct the Zoning Enforcement Officer to take the appropriate action as outlined in the ZBA decision of March 5th with an ending appeal date of April 29th; Mr. Brodeur seconded; all aye.

*and issue a cease and desist on the property.*

- The Board noted for discussion the possible need to develop a policy for brush and chipping since there is no policy in place. The issue was related to DPS going around picking up debris blocking roads and driveways for safety purposes after the last snowstorm. The Board agreed they did not want to assume the homeowner's responsibility of debris on their own property.

Mrs. Rozanski felt there were 3 or 4 departments involved here: the Tree Agent, Selectmen, Board of Health, DPS. She recalled there used to be a time declared by the Selectmen for a clean-up week. The Board will give this some more thought, and requested

the Acting Highway Superintendent and the DPS Administrator draft something up, with a possibility of having an annual brush pick-up day but with certain criteria. Mr. Brodeur thought it might be week-long, with Mrs. Allen saying it was more like month-long.

Mr. Brodeur felt, at this point, that maybe it should be restricted to unusual storm damage, not an annual occurrence, as Highway still trims back brush during the Spring and Fall. Mr. Downing agreed it should be extraordinary rather than routine.

- The Board had a voucher to sign for MPF for the final payment of the sewer work done on Holliston Street. The voucher had already been reviewed and approved by Water/Sewer. Mr. Brodeur moved that Estimate #3 (final) dated 4/17/97 in the amount of \$7,700 be approved for payment; Mrs. Rozanski seconded; all aye. It was noted the project came under budget.
- The Board discussed the questionnaire from MMA regarding the municipal electric purchasing program. The Board felt they should, at least, acknowledge the letter and answer the questions. They were not interested in purchasing bulk services at this time, but to keep the option open. Mr. Downing noted that Barry MacDougall was willing to be the Board's eyes and ears on this topic. He felt that when enough information had been gathered, to ask Barry and others to form a sub-committee. Mr. Downing said he would talk to the Town's neighbors at the Norfolk County meeting to see how they were doing.
- Mr. Brodeur noted receipt of a letter from Sam Mushnick asking for an executive session along with the ConCom. Mr. Downing said after the meeting, they might be willing to share information with the press. Mrs. Allen was asked to set the meeting up, possibly on May 19th, and to let Mr. Mushnick know they were working on it.
- The Board was aware they needed to discuss an RFP for antenna sites. Mr. Downing felt, in fairness to Mrs. Rozanski, they should hold off making a choice until she had a chance to review the material, possibly on May 19th.
- Mr. Brodeur moved approval of an emergency transfer to the FinCom of \$10,000 for invoices received for street lights in Town; Mrs. Rozanski seconded; all aye.
- It was noted that the Board of Health had recommended the award of the solid waste contract to Waste



Management and the recycling contract to C. B. Trucking. Mrs. Rozanski moved to award the solid waste contract to Waste Management for the years 1998, 1999 and 2000 on the recommendation of the Board of the Health with their memo dated May 2nd; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved to award the recycling contract to C. B. Trucking for the years 1998, 1999 and 2000 on the recommendation of the Board of Health with their memo dated May 2nd; Mr. Brodeur seconded; all aye.

- With reference to Jonathan Power's boot allowance payment, Mr. Downing said he was unsure if they could address the issue this evening because he had not spoken to the Town Accountant yet. He felt it may be an obligation to pay for the boots, but he needs to know how to resolve it legally and will follow up on it. He understood the boots had been purchased in FY'96, but the bill was not submitted until FY'97; why weren't the funds encumbered if they knew the bill was coming in? Mrs. Allen said they were going to pay for the boots out of the Park revolving account. Mr. Downing would discuss this further with the Town Accountant and Mrs. Allen.

- Mrs. Allen brought up pages 7 and 8 of the drafted management letter, wherein the Town Accountant has requested that the Board take action on "establishing formal departmental receipt procedures". She said that all payments going to the Treasurer would resolve the issue.

Mrs. Rozanski felt it was <sup>appropriate for</sup> ~~the~~ the Treasurer to <sup>draft</sup> ~~write~~ ~~a~~ policy. Even though the Board has to present the policy, she felt she was more qualified to draft the document. Mr. Downing said, since she was an elected official, the Board could only request she do it.

Mrs. Allen asked about a meeting with the Audit Committee and auditors. She said the final report came in yesterday and it should be reviewed prior to the public hearing. Mr. Downing suggested trying to find the most convenient date for them, and to include the Town Accountant as well, and then the Board would work it into their schedule.

- Mrs. Allen brought up the "streets to be paved" list coming out of Chapter 90 funding that was submitted by the DPS Administrator. Mrs. Allen said that \$320,000 had already been earmarked from Chapter 90 monies for Summer Street, so she was not sure how many of these streets could be paved with the remaining funds.

Mrs. Allen also noted that since Roads can no longer provide the asphalt, Bardon-Trimount has agreed, as next low bidder, to honor their bid of \$26.75 per ton, and LaRusso will honor theirs of \$26.79 per ton. Mrs. Allen needs to send them a letter to Bardon-Trimount confirming they have the bid through the end of June.

Mr. Downing said he had a meeting with John Kubitza concerning Center Street paving, and this list was part of the result of that meeting. He noted, however, that Water/Sewer was still working on Center Street and pipes were still being laid. He felt Mr. Podgurski could be authorized to proceed where feasible, with the exception of Village Street. He further stated that the work also needed to be coordinated with the Safety Officer and the School Building Committee.

Mr. Downing requested Mrs. Allen draft a memo to Mr. Podgurski giving him authorization to proceed with the work, with the exception of Village Street, and he would sign the memo.

Mr. Brodeur moved that the Board award the bid for paving for the remaining fiscal year to Bardon-Trimount of Stoughton for \$26.75 per ton; Mrs. Rozanski seconded; all aye.

Going back to the meeting on Center Street, Mr. Downing said that in the joint meeting, which included John Kubitza, John Boczanowski, Lee Henry, Donald Podgurski and himself, a proposed trade-off had been reached with the contractor of the new school. He said the contractor would double the length of the sidewalk instead of paving as they felt the extra sidewalk would be good to access the new fields. Mr. Downing explained it was a trade-off of goods for goods, and the Town came out ahead. He wanted to assure the Board that they did not want to absolve the contractor of his responsibilities as they were reimbursable to 69%.

- Mr. Downing brought up the recent correspondence from the Town of Erving, but there was not enough time to go to the meeting.
- The Board acknowledged the recent communication from Fire Chief Wayne Vinton concerning the Fire/EMS budget. Mr. Downing asked Mr. Brodeur to follow up on this at the pre-Town meeting, and then the subject can be finalized prior to Town Meeting. Mr. Downing said the merit issue also needs to be finalized prior to Town Meeting.



- It was noted that Representative Gardner would be meeting with the School Committee on May 22nd.
- The Board noted the copy of the transmittal of receipt from the State of \$88,476 indicating reimbursement of the sweeper.
- Mr. Downing noted a decision needs to be made by the Board on the offices and departments in Town Hall. The floor plan was not available at the moment, and the Board wanted to see the minutes of when the Municipal Facilities Study Committee met with the Board also. Mr. Downing asked that a copy of Mr. Henry's recommendations and Keith Knowles' letter be copied for Mrs. Rozanski. This will be finalized on Monday prior to Town Meeting.
- Mr. Downing acknowledged the request of Paul Yorkis to be appointed to SWAP again as the Selectmen's designee since he could no longer be the Planning Board rep. Mrs. Rozanski said she would like the position as the Selectman on SWAP. She also asked if the Board had received a citizen's request to be on SWAP. Mr. Brodeur said the Board had received a request from Jane Armstrong, but Mr. Yorkis had already been appointed.

Mr. Brodeur asked when the next meeting was, and Mrs. Rozanski said probably May 15th, usually the third Thursday of the month. Mr. Brodeur said it wouldn't hurt to re-appoint Mr. Yorkis as he was already on and would like to continue. Mrs. Rozanski suggested putting aside his appointment with all the other appointments in June. Mr. Brodeur felt they should make the appointment, and moved that Paul Yorkis be appointed as the Selectmen's designee to SWAP through June 30th; Mr. Downing seconded; Mrs. Rozanski opposed.

- The Board reviewed the Annual Town Meeting warrant, with only a few comments.

Article 4 for pre-employment physicals did include new hires for the new school.

Article 6 for appraisal services with Franklin would be \$10,000 for Medway and \$40,000 for Franklin as an 80/20 split is the norm.

Article 7 is deleting our bid ceiling and going with Chapter 30B.

Article 10 would give the Town \$220,000 as the buy-in cost Mr. Henry was able to work out, earmarking the

funds toward the sewer master plan. The Board noted the FinCom's comments in their book, and were unsure if they could do what they wanted to do, but Mrs. Allen will pursue it with the Town Accountant so a motion could be ready for Town Meeting.

Article 13 needs a written response from the Town Clerk to determine how the voting machines worked.

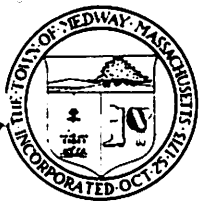
- The Board noted a graph prepared by the Town Accountant breaking down by percentages the proposed 1998 budget.
- Mrs. Allen told the Board they need to make a decision on Fred Sibley's grievance by May 13th. Mr. Downing asked that copies of all the information pertaining to the grievances be copied for Mrs. Rozanski, and to also make copies for the Board of all the minutes during the review process.

10:00- Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary  
mj

*approved  
as amended  
5/19/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

May 5, 1997

- |      |  |
|------|--|
| 7:00 | Open Meeting,  |
| 7:05 | Open RFP's for Architect for the<br>Senior Center Building |

MINUTES OF THE SELECTMEN'S MEETING May 5, 1997 PAGE 1.

Present: Douglas Downing, James Brodeur and Administrative Assistant, Ruth Allen.

7:05 p.m. Mr. Downing opened the meeting. James Brodeur read the legal notice for the RFP's for Architectural services for the new Senior Center Building. RFP's were opened for the following companies with separate price proposals:

Dixon-Salo Architects, Inc. Akro  
Associates Architects.  
JCA Architects  
Robert Haig Associates

An RFP was opened for ARCADD, Inc. but there was no separate price proposals and therefore did not meet the request for proposals. The Administrative Assistant was asked to call them and inform them of this matter.

James Brodeur moved and Douglas Downing seconded the motion to take these under advisement and turn them over to the SCBC for their review and recommendation. The Board of Selectmen's office will hold the price proposals until the committee reviews the technical proposals. All aye.

7:25 Douglas Downing moved and James Brodeur seconded the motion to adjourn. All aye

RESPECTFULLY SUBMITTED,

Ruth Allen  
Administrative Assistant

ra

*agreed 5/19/97*

MINUTES OF THE SIXTEENTH MEETING May 2, 1957 PAGE 1

Present: Douglas Downing, James Brodeur and Administrative Assistant Ruth Allen.

7:05 p.m. Mr. Downing opened the meeting. James Brodeur read the letter notice for the RFP's for Architectural services for the new Senior Center Building. RFP's were opened for the following companies with separate price proposals:

Dixie-270 Architects, Inc. Allen  
Associates Architects  
JCA Architects  
Robert Allen Associates

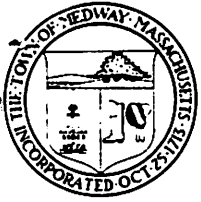
As RFP was opened for ANCHOR, Inc. but there was no separate price proposals and therefore did not meet the request for proposals. The Administrative Assistant was asked to call them and inform them of this matter.

James Brodeur moved and Douglas Downing seconded the motion to take these under advisement and turn them over to the RFP for their review and recommendation. The Board of Directors' office will hold the price proposals until the committee reviews the technical proposals. All yes.

7:25 Douglas Downing moved and James Brodeur seconded the motion to adjourn. All yes.

RESPECTFULLY SUBMITTED,

Ruth Allen  
Administrative Assistant



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

April 29, 1997

7:00

Open Meeting, Sign Warrants  
approve minutes of 4/14/ and  
4/22/meetings.

Approve Clerk of the Works for  
Library renovations

Evaluations, James Smith, Paul  
Keefe & MJ

Committee Reports

Executive Session

Present: Lee Henry, Douglas Downing, James Brodeur and Administrative Assistant, Ruth Allen.

7:20 p.m. Chairman Henry opened the meeting in Room 2 of Town Hall and the Board signed the warrants in the amount of \$756,055.58.

- Mr. Henry requested the Administrative Assistant ask the Town Accountant for the total amount the departments had put in their FY'98 budgets for merit increases and the total amount the Finance Committee is recommending.

7:24 The Board met with Mark Flaherty to discuss the performance evaluation of James Smith. Mark stated that Jim Smith is at the maximum step in his grade so even though he might qualify for a step increase he can not get one. The following are the Selectmen's points for each question on the evaluation form:

	<u>Lee</u>	<u>Doug</u>	<u>James</u>
1.	3	3	3
2.	3	3	3
3.	3	2.5	4
4.	3	3	4
5.	3	3	3
6.	2	2	3
7.	3	3	3
8.	3	3	4
9.	3	3	3
10.	3	2.5	3
11.	3	3	3
12.	3	3	3
13.	3	2.5	3
14.	<u>3</u>	<u>4</u>	<u>3</u>
	41	40.5	45

- Mr. Henry requested the Administrative Assistant make a copy of the prior Selectmen's meeting minutes of employee evaluations for Sandra Bennett and she will give them to Ted Scripsak. Also a copy to be put with each evaluation that has been done for employees personnel file.



Present: Mr. Henry, Acting Director, Labor Division  
Administrative Assistant, John Allen

1:30 p.m. Mr. Henry opened the meeting in Room 301.  
Town Hall and the Board signed the warrants in  
the amount of \$100,000.00.

Mr. Henry reported the Board's decision to pay the  
and the Town Administrator for the total amount of  
\$100,000.00. He also reported that the Board had  
decided to increase the total amount to \$150,000.00.  
The Board's decision was unanimous.

The Board met with the Board of Directors in Room 301  
for a discussion of the Board's decision. The Board  
decided to increase the total amount to \$150,000.00.  
The Board's decision was unanimous. The Board also  
decided to increase the total amount to \$150,000.00.  
The Board's decision was unanimous.

Page	Page	Page
1	2	3
4	5	6
7	8	9
10	11	12
13	14	15
16	17	18
19	20	21
22	23	24
25	26	27
28	29	30
31	32	33
34	35	36
37	38	39
40	41	42
43	44	45
46	47	48
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52	53	54
55	56	57
58	59	60
61	62	63
64	65	66
67	68	69
70	71	72
73	74	75
76	77	78
79	80	81
82	83	84
85	86	87
88	89	90
91	92	93
94	95	96
97	98	99
100	101	102

Mr. Henry reported the Board's decision to pay the  
and the Town Administrator for the total amount of  
\$100,000.00. He also reported that the Board had  
decided to increase the total amount to \$150,000.00.  
The Board's decision was unanimous.



MINUTES OF THE SELECTMEN'S MEETING    APRIL 29, 1997    PAGE 2.

7:50            The Board discussed Paul Keefe's evaluation with the following results:

	<u>Lee</u>	<u>Doug</u>	<u>James</u>
1.	2	2	2
2.	3	2	3
3.	3	2	2
4.	2	2	2
5.	3	3	3
6.	2	2	2
7.	2	2	2
8.	3	2	2
9.	3	3	3
10.	3	2	2
11.	3	3	2
12.	3	3	2
13.	3	3	3
14.	<u>3</u>	<u>3</u>	<u>3</u>
	38	34	33

7:56            The Board discussed Mary Jean Fredette's evaluation with the following results:

	<u>Lee</u>	<u>Doug</u>	<u>James</u>
1.	3	3	4
2.	1.5	1	3
3.	3	2	3
4.	3	3	3
5.	3	3	3
6.	4	3	4
7.	3	3	3
8.	3	3	3
9.	2	1	2
10.	2	3	3
11.	2	4	3
12.	2	4	3
13.	3	3	3
14.	<u>3</u>	<u>3</u>	<u>3</u>
	37.5	39	43

-            The Board took the bill for MPF (school sewer project) under advisement.

MINUTES OF THE SELECTMEN'S MEETING APRIL 29, 1997 PAGE 3.

- Mr. Downing moved and Mr. Brodeur seconded the motion to approve the minutes of April 14, 1997 with the following amendments:  
Page 3. First paragraph under Committee Reports second sentence should read: He also stated he had gone to Foxboro last Wednesday morning to represent Medway at the informational session of Town Administrator's Forum sponsored by the Franklin United Chamber of Commerce. Third paragraph from the bottom change period at the end of the sentence to a comma and add: so as not to take away from intent of the citizen's forum.  
Page 8. First paragraph, line five should read - received all six votes, with Mr. Sanford abstaining. All aye.
- Mr. Downing moved and Mr. Brodeur seconded the motion to approve the minutes of April 22, 1997 with the following amendments:  
Page 1. Committee Reports: line six, remove the "d" off of and. Page 2. line 21 should read - Mr. Henry brought up the punch list that  
Page 5. line 10 change Mr. to Ms. and just prior to the 9:05 p.m. add, Warrants were signed in the amount of \$806,478.72, all aye.
- Mr. Henry informed the other board members that he has left several messages at Dennis Rindone's office in at the D.O.R. regarding the Committee on Taxation holding a Legislative Hearing on H2417, "An Act Relative to the Taxation of Certain Corporations," on May 2nd beginning at 9:30 a.m. in the Gardner Auditorium in the State House. He wanted to inform Dennis that members of the Board cannot attend the hearing to testify.
- The Medway Pride Committee requested the Board's permission to place a sign announcing Medway Pride Day on May 17th at the corner of Village and Main Streets in the same area as last year. Mr. Downing moved and Mr. Brodeur seconded the motion to grant permission for the placement of the sign at the corner of Village and Main Streets as granted last year, all aye.

The Board of Directors and the Finance Committee have decided to approve the purchase of 100 shares of the common stock of the company at a price of \$10.00 per share. This purchase is being made in order to provide the company with a source of funds for the purchase of additional shares of the common stock. The purchase of the common stock is being made in order to provide the company with a source of funds for the purchase of additional shares of the common stock. The purchase of the common stock is being made in order to provide the company with a source of funds for the purchase of additional shares of the common stock.

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- Mr. Henry reported that on April 28th at 7:00 a.m. he and Mr. Downing met with John Kubitza and Donald Podgurski to review sidewalks and paving on Center Street. If economically feasible, the school contractor will do the sidewalk and the town will pave the street. This will be discussed further after John speaks to the architect for the new elementary school building.
- Mr. Downing moved and Mr. Brodeur seconded the motion to authorize the Administrative Assistant to coordinate with Sandra Bennett to send a memo to all department heads with employees in the MMEA for a meeting on May 6th at 6:00 p.m. to go over the employee evaluation process.
- The Board discussed the memo received from the Chairman of the Park Commissioners for pavement estimates for Choate Park and North Street Park. The Board requested the Administrative Assistant to request an explanation for this memo from the Park Commissioners.
- The Board discussed the copy of a letter sent to Gwen Hendry, Chairman of the Historical Commission from the Massachusetts Historical Commission regarding a \$6,000 grant awarded to the town for support in the completion of Medway's Comprehensive Historical Survey. Mr. Brodeur moved and Mr. Downing seconded the motion to have the Administrative Assistant check with Gwen Hendry to see if she had responded in writing to this letter with her intent to accept the grant allocation. If she had the board would like a copy of her response, all aye.
- The Board requested the Administrative Assistant find out from SWAP what town the chairman of SWAP represents.
- The Board discussed the letter from Marjorie Sanford, Treasurer/Collector regarding her frustrations with the town's computer system. She requested the Board reinstate the Computer Committee to resolve the problems with this system. The Board stated for her to hang in

[illegible]

the Board discussed the same subject in the  
Chairman of the Bank Committee. The Board  
estimated the total cost of the project  
at \$100,000. The Board also estimated  
the cost of the project at \$100,000.

The above discussed the copy of a letter sent to  
 Oscar Reisch, Chairman of the Historical  
 Commission from the Massachusetts Historical  
 Commission regarding a letter dated 1964  
 the court for summary and concluded that  
 Reisch's Commissioner Historical Society, Inc.  
 should have and the Commission should have  
 action to have the Administrative and  
 with the Reisch to see if the letter was  
 written to him. Letter was dated 1964  
 the above discussion. In the past the word  
 like a copy of the letter dated 1964.

The board requested the additional two members and recommended that one be sent from GMAI and one from the Division of WPA.

The report described one of the major problems of the National Bureau of Standards, the lack of a computer system for the management of the data. The report also described the work of the Bureau in the field of computer systems and the work of the Bureau in the field of computer systems and the work of the Bureau in the field of computer systems.

until the Town Administrator is hired so that he/she can be involved in making this decision.

- The Board requested the Administrative Assistant inform Sen. Magnani, in response to his letter dated April 14th, that beside the West/Granite Street intersection in the amount of \$40,000 the Board could also use \$75,000. to reorganize our town government.

- The Administrative Assistant informed the Board that she had contacted the Selectmen's office in Holliston as to what grant and from where they had received to help pay for the Town Administrator salary, as Paul DeSimone had stated at the Special Town Meeting on April 28th. After checking this out, it was found that the Town of Holliston did not receive any such grant monies for 75% the first year; 50% the second year and 25% the third year. Also, as stated at the Special Town meeting of April 28th by Mr. DeSimone that grant monies are available, he had checked with the legislators. The Administrative Assistant checked with Barbara Gardner's office and there is no grant monies available anymore, the State did not want to pay for personnel salaries anymore.

9:50 Mr. Brodeur moved and Mr. Downing seconded the motion to adjourn, all aye.

RESPECTFULLY SUBMITTED,

Ruth Allen  
Administrative Assistant

ra

*Approved  
5/6/97*



Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen, DPS Administrator Don Podgurski.

6:40 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

Mr. Henry told Mr. Podgurski he wanted some questions answered. First, he asked about the arrangement he worked out with Bay State Gas for some monies on the trench paving on Village Street going toward the paving that was going to be done on Village Street.

Mr. Podgurski said he was getting a donation towards the paving depending on what the job comes in at, according to Bay State Gas manager in the Brockton office, Bill St. Cyr. Mr. St. Cyr's engineer, Tom Sheehan, told Mr. Podgurski that Mr. St. Cyr was on vacation and would be returning the following Monday, and would be put in writing then.

Mr. Henry asked about the roadway access permit, and Mr. Brodeur asked if it was an unconditional permit, and Mr. Podgurski replied it was. He said calcium chloride has been requested to be put in the trench to keep the dust down.

- Mr. Henry asked Mr. Podgurski when Arthur Darley told him he had to do all the reimbursement forms for the PWED grant? Mr. Podgurski said it was in the contract.
- Mr. Henry said, at Mr. Podgurski's request, an investigation is being conducted on missing items on two trucks. Mr. Henry indicated the Board had received confidential sealed envelopes from the investigating police officer that day, and he had asked for copies of the report. Mr. Downing said if the case is on-going, they have to go into executive session. Mr. Podgurski said he was told today it was still on-going, so Mr. Downing said they couldn't open the envelopes here at this time.
- Mr. Downing went back to the reimbursement forms and asked Mr. Podgurski what was the text that generated the question that Mr. Podgurski was to do the forms? Mr. Podgurski told the Board that Arthur Darley told him that PWED grants have to be filed the same as Chapter 90 reimbursements. Mr. Downing said it does not say submission of the documentation. Mr. Henry questioned Mr. Podgurski being responsible for the filing of the paperwork. He wanted the wording of the contract; right now they were verbally being informed. Mr. Downing read that the Chapter 90 form had to be signed by Mr.



Podgurski; it does not say he has to prepare the supporting documentation; just review it. Mr. Podgurski would just go over it and certify that the expenses incurred on the project were justified. Whoever is responsible fills the form out, and then submits it to Mr. Podgurski for approval. It's protecting our interest to check it out.

- Mr. Henry stated it had come to his attention that allegations have been made that oil is being stolen from the Highway barn. He said the records from the oil company show this is false. Mr. Henry added anyone who represents the Town should not be accusing people without documentation.

Mr. Podgurski said it goes back to last July. He said Barbara Walls (the Town Accountant's Financial Assistant) questioned 56 cases of oil being bought from the supplier and a few barrels of oil, and then in December, 218 gallons. Mr. Podgurski said some of "his" friends said the oil is going out in pails. He went on to say that only people who have keys could get to the equipment and cut off parts, like on the snow plow. Ms. Walls questioned him yesterday. Mr. Podgurski asked "him" to do an inventory, and George said no, so Ms. Walls and Mrs. Mehta did it. Mr. Henry said they have to get together with Mrs. Mehta.

Mr. Brodeur felt the inventory forms were being done so CIPC and FinCom would know how much is being spent on each vehicle.

Mr. Henry said that Mr. Podgurski is to do the forms. Mr. Podgurski said no, "he" is to do them. Mr. Henry said, when they met jointly with Mrs. Mehta, it was decided Mr. Podgurski would do them. Mr. Podgurski said it was not in the agreement that he was to do the paperwork.

Mr. Henry told Mr. Podgurski not to accuse someone until you have all the facts, or know for sure. He said he was bullshit. Mr. Podgurski said he did not see the purchase of oil from Replacement Auto.

Mr. Downing asked how does George account for his time? He was told they all punch the time clock. He asked if there wasn't someone down there, how would you know what he was doing? Maybe he should fill out the form. There should be a record.

Mrs. Allen went back to her files and produced a separate folder for each vehicle George works on. In

the file were all the copies of the auto repair forms George fills out every time he works on a vehicle, indicating what he was doing and what parts have to be replaced or repaired. Mr. Podgurski said he never saw those before. Mrs. Allen said the forms were up to date through February.

Mr. Podgurski said he got a bill for batteries from Maine. They are \$4,500 overdrawn in repairs. When he went through the bills, he saw one that Wayne Vinton paid and he paid. According to Bob Power, Mr. Podgurski said that work orders went to Mrs. Allen. Mrs. Allen said that George or Bob would bring up the repair forms to her. Mr. Podgurski said the forms were created when the big orders for transmissions were seen. Mr. Downing said the inventory sheet could be a good summary, and Mr. Brodeur said it could be placed at the beginning of each folder as a summary of all the repair forms inside.

- Mr. Podgurski said they don't have a paving contract with Roads, and Roads won't honor the bid for supplying of material. He said that Mr. Sullivan of Roads sold the paving portion of the company to someone in New Hampshire as of April 1st. Mr. Henry said he wanted to see the specs Roads responded to and their response to us; and if they sold the paving portion of the company, it's their problem, just go to the second low bidder. Mr. Podgurski said that's what Town Counsel said. Mr. Henry told Mr. Podgurski that no one goes to Town Counsel without the Board's permission. Mr. Podgurski said he didn't know that; Arthur Darley told him to go to Town Counsel.

Mr. Henry said if they don't have a paving contractor, now can they even talk to the School Department? Mr. Podgurski said Roads was at \$25.88/ton; Bardon-Trimount at \$26.75/ton; and LaRusso at \$26.79/ton. Mr. Podgurski also said that Kevin Rooney of Bardon-Trimount told him they will honor their bid. Mr. Henry said they need something from Roads that says they refuse the award.

Mr. Henry asked Mrs. Allen to put a copy of Roads' paving bid to the Board and a copy of the letter of award in their packet when Mr. Podgurski got them to her. He said they also need another meeting to talk this over with the School. Mr. Podgurski said he did estimates for Center Street, Cassidy Lane, Cole Avenue, Prospect Street and Legion Avenue. He also said the curbing was broken on Center Street - does the Board want to do it?

Mr. Henry said the additional meeting they need is to

decide on the paver for the Town, and one of the projects they should be gearing up to do is Center Street and the roadwork on the other streets. Possibly some money could be pooled with the school. Mr. Downing told Mr. Podgurski to get the school contractor to work with him, doing the sidewalk and the curbing, and then we could get 70% reimbursable; still having 100% of Chapter 90 funds to put where it is needed. Mr. Downing wanted to have clarified what the subcontractor was awarded, and noted that the next School Building Committee wasn't until May 7th. They could call an emergency meeting. Mr. Brodeur suggested a meeting at the trailer on site with John Kubitzka for Monday morning, April 28th at 7 a.m.

- Mr. Podgurski brought up Country Lane and Village Street and the work done there on the trenches. Mrs. Allen said the permit requires the trench openings be maintained for at least one year. Mr. Podgurski said what happened to the street rules and regs. Mr. Henry said what they gave the Planning Board to review was paving guidelines, and they never got a response from them. Mr. Podgurski said Mike Perrault sent his response to the Planning Board. Mr. Henry said the Board never got anything from either one.

Fred Sanford stopped in and said he did not know where it stands, and they haven't gotten to the specs yet. Mr. Podgurski brought up the point that the Planning Board also does not have specs for manhole frames and covers and wanted to use LeBaron, but Mr. Brodeur said you cannot require or request a certain company; you have to state "or equal".

The Board felt it would be better to hold off on any paving and sidewalk schedules and information Mr. Podgurski gave them. A compactor or roller would be helpful, but Mrs. Allen said we don't have one. Again, it was felt they needed to meet with Mr. Kubitzka and coordinate everything. Mr. Downing said he does not want to go to the expense of granite curbing on Center Street, but for safety reasons, and to deter parking there; however, Mr. Henry said granite curbing breaks blades on snowplows.

- Mr. Podgurski asked how far did the Board want him to go with brush pickup? Mr. Henry said we were not supposed to be picking up brush, only what had fallen in the street from the storm.
- Mr. Downing said there was still a salary issue to resolve, but he had not seen anything in writing, except

the letter from Mrs. Mehta to the Board. Mr. Podgurski said that Mrs. Mehta has the letter from Norwood Retirement Board which states he cannot make more than \$49,100 or work more than 960 hours in one year. Mr. Downing said he had requested no more memos, but he wants a synopsis of what transpired. Again, Mr. Henry said they need to talk to Mrs. Mehta. Mr. Brodeur commented that if we get through six months of the year, does that mean Mr. Podgurski takes a six month leave of absence? Mr. Podgurski said this was similar to Tom Barry, Acting Fire Chief in Wellesley. Mr. Brodeur said Mr. Podgurski was in his fourth month at 40 hours a week. Mr. Podgurski said they could make up a contract for 20 hours a week and make no more than \$49,100. Mr. Henry agreed he wanted a conclusion on this. Mr. Downing's final comment was the Board didn't know where on the scale was the earning potential and maximum number of hours.

- 7:50 - The Board said they needed to now go into Sanford Hall for the public hearing on the Town Administrator articles for the Special Town Meeting on April 28th.

Prior to the public hearing, the Board agreed to have a short meeting on Tuesday, April 29th at 7:00 p.m., not to be televised, to go over the four evaluations of Jackie Ammering, Paul Keefe, M. J. Fredette, and Jimmy Smith. They would also go over any committee reports, sign the warrants, and agreed to have an executive session afterwards.

- 7:59 - Mr. Brodeur moved to adjourn to the public hearing in Sanford Hall; Mr. Downing seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved*  
*5/19/97*

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen, Secretary M. J. Fredette, Chris Lorenzen, Joe Dziczek, Marge Sanford, Fred Sanford, Paul Wilson, Paul DeSimone, Wendy Rowe, Dave Carter, Richard Maciolek, Milford Daily News reporter Julie Stuehser, Dave Carter of 103 Village Street.

8:01 p.m.-Mr. Henry opened the public hearing called for the purpose of the first three articles on the warrant for the Special Town Meeting to be held on April 28th.

Mr. Henry read the public hearing notice as it appeared in local papers, and stated that copies of the warrant were available for those in attendance. Mr. Henry stated the purpose of the public hearing was for discussion of the three articles on a Town Administrator. At this point, he turned the meeting over to Mr. Downing since he had spearheaded the project.

- Article 1.

Mr. Downing asked the general public if they wanted him to read the first article, or waive the reading of it. It was moved and seconded to waive the reading of Article 1.

Mr. Downing gave the background on the formation of the Town Administrator Review Committee, and the resulting report from the MMA Consulting group's Steve McGoldrick back in December of 1996. Mr. Downing said that Mr. McGoldrick made three recommendations, two of which would be discussed this evening. The third recommendation was placed as a citizens' petition on the Annual Town Meeting warrant.

Mr. Downing explained how the Board took the recommendations, discussed them further in a workshop, and drafted an up-to-date article and job description. The job description was not up for review this evening, however, as it was in draft form, would have to have a cost associated with it, and then submitted to Town Counsel for his review.

Mr. Downing said that the article was basically what was submitted in previous years, but without the specifics of job titles. He said the Board would entertain any questions.

Paul D. - Had been told that if Article 1 passes, it would not need to be on the ballot, and asked if this was correct? Mr. Henry said it was.

**Paul D.** - What was the difference between it being a town meeting vote and the ballot? Mr. Downing said he learned today of an act amended in August of 1996, Ch. 41, S. 23A of the MGL. It negates having to go to the ballot, and the need for passage of Article 2, which is the legislature's endorsement, because it has already been done.

**Richard M.** - The other proposals had the appointment of officials that were elected. It would have had to go on the ballot if that was the case, but the only position here is of Treasurer/Collector.

**Marge S.** - Spoke today to the Attorney in Local Affairs, Rep. Barbara Gardner and Local Services. They said the article can be amended on town meeting floor, and then can be ratified on the ballot.

**Richard M.** - That was not required.

**Doug D.** - Referred to page 2, section 23.5, powers of appointment in Article 1, which he said will be amended by the Board on Town Meeting floor to delete having the Town Administrator appoint the Treasurer/Tax Collector as proposed, but could be done by Article 3 if passed, and the Town so chooses.

**Fred S.** - The Town gave a resounding defeat to this four years ago at the ballot, and as one individual, he felt uncomfortable not discussing this issue at the Annual Town Meeting. He said he was coming around to see the need for it, but was not sure of the process.

**Doug D.** - His recollection of that process was that it was defeated because it was an all encompassing government restructuring.

**Richard M.** - It was not soundly defeated. It passed at Town Meeting and then lost at the ballot by 50 votes; the second time it lost by 16 votes.

**Paul W.** - The power still belongs to the Board. The people who go to Town Meeting are in tune to what's going on.

**Marge S.** - There is no removal process.

**Doug D.** - There will still be procedures just like for any other employee, and just cause for dismissal guidelines.

**Ruth A.** - Section 23.7 (c) under terms and conditions

of Article 1 covers it.

**Doug D.** - It would also be covered in the contract and the personnel by-law.

**Lee H.** - Section 23A of MGL also covers that the Board can remove this person at their discretion.

**Paul W.** - Section 23.1 of Article 1 also says the person is evaluated annually.

**Joe D.** - Section 23.4 of Article 1 mentions compensation - is this still subject to Town Meeting vote?

**Doug D.** - All contracts are subject to appropriation.

**Richard M.** - Town Meeting votes a line item for salary, and this person's salary would be included in that line item.

**James B.** - It would be included in the Selectmen's salary line item.

**Richard M.** - Then to be approved at Town Meeting.

**Paul D.** - There is a grant available for three years for a Town Administrator for 75%, 50%, and then 25% for three years.

**Ruth A.** - Not in the municipal grants.

**Paul D.** - The legislators say there is.

**Lee H.** - He is told there is a mechanism for a Town Administrator and some funding to establish the position. That would be one of the tasks of the Search Committee to get any available funding.

**Dave C.** - Does the Board feel it is wise to give the Town Administrator the power of appointments, and then also being in charge of wage review. Is that too much power?

**Doug D.** - As an individual, he is very comfortable with it. As an example, sales managers have to have a person who knows the day-to-day activities of the employees. This person would have that authority, but control is still with the Board of Selectmen.

**Lee H.** - We're taking a portion of the municipal side of a business and putting it in a managerial role. A Town Manager has different functions and responsibilities,

with a different degree of scope of services. This is to professionalize town government.

**Doug D.** - Control is with the Board and we would set policy. The Town Manager is like a mini manager by statutes; outside of the Board of Selectmen.

**Joe D.** - Section 23.6 (f) of Article 1 gives the Town Administrator the ability to respond to Town Meeting votes?

**Doug D.** - This person would make sure action is implemented and monitoring of the vote/

**James B.** - When the Board worked up the budget, they did an appropriation for a salary for one-third of the year. Since we don't have to go to special legislation, the process may go a bit faster.

**Lee H.** - Am I correct that the vote still has to go to the Attorney General?

**Richard M.** - Yes.

**Doug D.** - The Board appointed a Search Committee of five impartial people right away so we can get going on the process as soon as possible. We have to wait for the Search Committee's report to find out if additional funds are needed until the grant is finalized; or you can listen to the coffee shop talk where the choice is already down to one.

**Lee H.** - We need to see what the Search Committee says about salary once this passes; then give them a broad outline of tasks and a timeline.

**Joe D.** - Does the Town Administrator have the power to hire and fire?

**Lee H.** - Not necessarily.

**Joe D.** - Isn't an appointment is the same as a hiring?

**Ruth A.** - Yes.

**Doug D.** - The Town Administrator is hired by the Board of Selectmen, and reports to the Board of Selectmen, and has the right of appeal to the Board of Selectmen, and the Board of Selectmen sign the warrants.

**Joe D.** - With reference to section 23.5 of Article 1, are any other individuals left out?



Doug D. - Not on purpose, and I believe Wendy agrees.

Fred S. - I thought it says the warrants are to be signed by the Town Administrator.

Doug D. - This will be amended on Town Meeting floor. We found out that by Ch. 41, S. 56 of MGL, the Selectmen have to sign the warrants.

- Article 2.

Mr. Henry said they now understand that they do not have to have Article 2. Based on legal information they received tonight, they will move to dismiss Article 2 on Town Meeting floor since the authorization has already been given to the Board.

= Article 3.

Paul W. - Article 3 says nothing about having a public hearing to discuss positions - I suggest it would help.

Doug D. - This article is just an adaptation of previous articles of what other towns have had, and still requires passage by the legislature.

Fred S. - This looks like sweeping authority. It could abolish many boards.

Doug D. - That would have to go to Town Meeting to bring forward, and then brought to the ballot as well.

Fred S. - Would like to make an amendment to the wording of the article so that if passed at Town Meeting, then it goes on the ballot as a ballot question.

Lee H. - Regardless of the wording, it still has to go to the legislature.

Doug D. - Would be willing to work on the wording of the amendment with Fred, if he'd like to stay a little while longer.

Lee H. - As a result of this public hearing, and the 15 people present, an amendment of the wording of Article 3 was done for the Town's best interest.

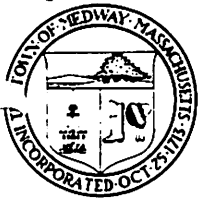
9:10 - It was moved and seconded the public hearing be closed.

Respectfully submitted,

M. J. Fredette, Secretary

mj





## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

April 22, 1997

7:00

Open Meeting, Sign Warrants

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 22, 1997.

1. Discuss letter from Senator Magnani on any budget requests.
2. Discuss letter from D. M. Moschos on Retiree Health Coverage.
3. Discuss letter from Cable Television Commission on "OVS" rules from FCC.
4. Discuss letter from John Jones, Tri-County School Supt. regarding regional school transportation funds.
5. Discuss quotes for appraisal of bank buildings.
6. Discuss emergency transfer requests for Selectmen and Law.
7. Appointment to fill vacancy on Council on Aging.
8. Discuss letter from James Boyan regarding redesign of Granite Street at West Street.
9. Discuss letter from Town of Erving.
10. Discuss note from Donald Podgurski on Planning Board specifications for castings.
11. Discuss letter from MHD on Landfill Grading Materials.

Actitems.doc

ACTION ITEM FOR SELECTIONS MEETING OF APRIL 22, 1987

1. Discuss letter from Senator Harrison on my budget request.
2. Discuss letter from D. M. Hopkins on Keweenaw Health Council.
3. Discuss letter from Gabe Television Commission on "GOW" rules from D.C.
4. Discuss letter from John Jones, Erie County School Super. regarding regional school integration needs.
5. Discuss notes for approval of new buildings.
6. Discuss emergency disaster requests for Salween and law.
7. Appointment to fill vacancy on Council on Aging.
8. Discuss letter from James Boyer regarding redrawing of Granite Street at West Street.
9. Discuss letter from Town of Keweenaw.
10. Discuss note from David Podorski on Planning Board. Specifications for building.
11. Discuss letter from Bob on Landfill Caring Association.

actions.doc

Present: Lee Henry, Douglas Downing, James Brodeur and Administrative Assistant, Ruth Allen.

7:06 p.m. Chairman Henry opened the meeting in Room 2 of Town Hall.

7:10 Firefighter Robert Reding met with the Board to request permission to have another boot drive on Medway Pride Day for the Steve Reding fund just like last year. Mr. Downing moved and Mr. Brodeur seconded the motion to permit the Fire/EMS and Medway Cares groups to hold a boot drive at the intersection of Holliston and Main Streets from 10:00 a.m. to 2:00 p.m. on May 17th, all aye.

Committee Reports: Mr. Downing reported he attended the Norfolk County Advisory Board meeting on Thursday, April 16th. He advised the Board that they had discussed the sale of the Norwood Hospital and Southwood Hospital and they also discussed putting together an RFP for the sale of the Norfolk County Respiratory Hospital.

- Mr. Downing spoke on having a Town Administrator Search Committee for the Town Administrator position if the article passes on April 28th Special Town Meeting. Mr. Downing moved to appoint: Paul Wilson, Mary O'Leary, Christine Lorenzen, Frank Alconada and David Consigli, Jr. as the committee, Mr. Brodeur seconded, all aye. The Board felt that this committee would need time for planning and requested that the Secretary make up five copies of the Peer to Peer report and the MMA Consulting report along with a copy of the Municipal Incentive Grant Program (to be considered for funding purposes, the Board would write the letter of interest).

- Mr. Brodeur inquired as to the deal the DPS Administrator, Donald Podgurski had made with Bay State Gas Company on offsetting the trench paving with money toward the paving of Village Street. The Board requested the Administrative Assistant find out what arrangements had been made, and that the Selectmen would like to meet with him on

that the defendant would like to meet with him on  
that out with the defendant in a room and  
the young woman in the defendant's apartment  
with money coming in the name of Mr. John Doe.  
There was a report on the defendant's apartment  
that the defendant, John Doe, had been with  
Mr. Doe, and had been with him for the last

MINUTES OF THE SELECTMEN'S MEETING APRIL 22, 1997 PAGE 2.

April 24, 1997 at 6:30 p.m. to discuss this matter.

- Mr. Henry stated that he had attended the Finance Committee meeting and then the School Committee meeting on Thursday, April 16th. He requested a copy of the minutes for the Finance Committee meeting.
- Mr. Downing brought up the suggestion of placing a Legal Notice in the newspaper similiar to the Town of Holliston notice listing the articles for the town meetings. Mr. Downing moved and Mr. Broduer seconded the motion to research the cost and timing of placing a notice in the newspaper for the Special and Annual town meetings. All aye.
- Mr. Henry stated the need for a final report, and any funds remaining, from the Town Hall Building Committee and the need for them to contact Tri-County School regarding the sinks in the Men's and Ladies restrooms on the first floor.
- Mr. Henry brought up the punch list that ~~the~~ Bob Speroni, MJ and he had done that morning for the first floor. Mr. Downing suggested the need for a floor layout to put a place with the sign. Mr. Henry requested the Administrative Assistant copy the plan from the Municipal Space Utilization Committee for their packets.

Action Items:

- The Board discussed the letter from Senator Magnani requesting any priorities the town might have that he could recommend for the FY'98 budget. The Board did not have anything this year except maybe the Granite/West Street intersection redesign.
- The Board discussed the letter from Attorney Dee Moschos regarding the Retiree Health Coverage under MGL Chapter 32B, Section 9. The Board requested that this be placed in the warrant folder for the FY'99 annual town meeting.

The survey showed that 10 had identified the financial  
 committee as the main body for the financial committee  
 meeting on Thursday, 10th April. The committee  
 was the main body for the financial committee  
 meeting.





- The Board discussed the letter from the Cable Television Commission - Bulletin 97-1 dated April 3, 1997 with regard to the FCC's rules on Open Video Systems or "OVS". The Board requested that a copy of this information be sent to the Cable Advisory Committee for their review and to advise the Board by June 30, 1997 as to what it is all about. As to the vacancy on the Cable Advisory Committee, Mr. Downing will contact Mr. Verdolino and Ms. Adler as to who would like to fill that vacancy.
- The Board discussed the faxed letter from Tri-County Regional Vocational Technical High School Superintendent-Director, John M. Jones, requesting the Board's support of the amendment filed by Representatives Steve Kulik, Shaun Kelly and David Peters, in support of a 20% increase of the unfunded gap to support regional school transportation for this pending fiscal year with a commitment to a five-year phase-in to fully fund regional school transportation. Mr. Downing moved and Mr. Brodeur seconded the motion to send a letter, over the Chairman's signature, to Rep. Barbara Gardner and Sen. David Magnani urging them to support this amendment. All aye. Copy the superintendent with these letters.
- The Board discussed two emergency transfer requests. Mr. Downing moved, Mr. Brodeur seconded, the motion to approve the request of \$800.00 for the Selectmen's budget to pay for the two training classes for sexual harassment due to the new Sexual Harassment Law, all aye. Mr. Downing moved, Mr. Brodeur seconded, the motion to approve the request of \$1,875.00 for the Law account for Special Counsel, all aye.
- Mr. Downing moved and Mr. Brodeur seconded the motion to appoint Robin Nelson to the Council on Aging, to fill the vacancy of Robert Clorite, through June 30, 2000, all aye.
- The Board discussed the letter from James Boyan regarding his request for the Board to redesign

REVENUE FOR THE DISTRICT OF COLUMBIA: 1964-1965

The Board discussed the matter from the Radio  
Religious Commission - Radio 97-1 dated April  
1, 1957 which stated that the Board had been  
advised by the Commission that the Board requested that  
a copy of this information be sent to the Radio  
Religious Commission for their review and to advise  
the Board by June 1, 1957 as to what it is all  
about. As to the matter of the Radio Advisory  
Committee, Mr. Downing will contact Mr. Downing  
and Mr. Adair as to what would like to do in that  
connection.

[illegible]

The Board of Directors of the company has approved the proposed plan of reorganization and the Board of Directors of the company has approved the proposed plan of reorganization.

On 11/11/68, the following was received from the  
Director, FBI, Washington, D.C. (100-442100):  
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Director, FBI, Washington, D.C. (100-442100):  
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Director, FBI, Washington, D.C. (100-442100):

the word "banned" the latter from being  
employed in any way for the purpose of

the Granite/West Streets intersection. The Board will request the Norfolk County Engineers design the intersection for the town. Mr. Brodeur stated the work should be around \$10,000 to \$20,000. The Board requested the Administrative Assistant advise the Police Chief of Mr. Boyan's letter so the Police Department could monitor this area with regard to the safety issues brought up in Mr. Boyan's letter and to notify Mr. Boyan of the Board's decision.

- The Board discussed the letter received from the Town of Erving with regard to the Legislative Hearing on H2417 "An Act Relative to the Taxation of Certain Corporations" on May 2nd. Mr. Henry will get in touch with Dennis Rindone and requested the Administrative Assistant contact the Town Administrator of Erving, that the Board is unable to attend this hearing, but will request the Town of Medway's legislator's to speak on their behalf. The Board requested the Administrative Assistant check with the Board of Assessor's to see if any of them are planning on attending the hearing.
- The Board discussed the hand written letter received from DPS Administrator, Donald Podgurski regarding specifications for castings, manhole covers and catch basin grates. The Board requested that a copy of this letter be sent to the Planning Board for their review and response and to also request a response, if any, on the paving guidelines that were submitted to the Planning Board Consultant. The Board requested that the Highway Department recheck the streets listed on the town meeting warrant for acceptance. The Board stated that they would like to meet with Mr. Podgurski on Thursday evening at 6:30 p.m. in their meeting room.
- The Board discussed the letter received from the Massachusetts Highway Department and Department of Environmental Protection regarding Landfill Grading Materials. The Board requested that a copy of this letter be given to the Board of Health and the DPS Administrator for their review

The Assistant Secretary presented information. The Board requested the Western County Emergency Health Unit be transferred to the County. Mr. Johnson stated the work should be around \$10,000 to \$15,000. The Board requested the Administrative Assistant advise the Police Chief of the Board's intent so the Police Department could monitor this area with regard to the safety issues. The Board also requested to be notified in the event of the Board's decision.

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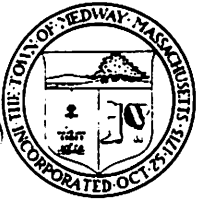
and that they get back to the Board with an update with regard to taking this material and capping the landfill.

- The Board discussed the letter Mr. Paul DeSimone Chairman of the IDC sent to Ms Eileen Thompson, PWED Coordinator regarding the traffic study for Trotter Drive, Milford St. The Board asked the Administrative Assistant to contact Mr. DeSimone and advise them that the Board would like authorization in writing from Ms. Thompson to do the additional areas.
  - Mr. Downing moved and Mr. Brodeur seconded the motion to approve and sign the proclamation for for John Dronzek, all aye.
  - Mr. Henry acknowledged receipt of the thank you letter the Board received from Mr. James Ladieu for the Board's help in reducing the sewer hookup fee for the Farm Street residents.
  - warrants were signed in the amount of \$806,478.72.
- 9:05 p.m. Mr. Henry moved to enter into Executive Session to consider the purchase, exchange, lease or value of real property and not to reconvene in Open Session - Mr. Downing, yes; Mr. Brodeur, yes; Mr. Henry, yes.

RESPECTFULLY SUBMITTED,

Ruth Allen,  
Administrative Assistant

*approved as amended  
4/29/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

April 14, 1997

6:00	Open meeting, employee evaluation
7:05	Open Solid Waste and Recycling RFP's
7:15	Sam Corda, Holliston Sewer Project Coordinator
7:45	Liquor License Transfer - Little Store
8:00	Joint Meeting with Planning Board to fill vacancy
8:15	Fire Chief Wayne Vinton, agreement
8:30	Wolfgang Bauer, Franklin Town Administrator
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 14, 1997.

1. Discuss Town Administrator job description.
2. Sign warrants, approve minutes of April 7th meeting.
3. Appoint Paul A. Goguen to the Building Code Board of Appeals
4. Discuss letter from Susan Cotter, Task Force for Fair Education Funding.
5. Discuss letter from Donna Robie, 16 Temple St.
6. Discuss letter from Fraser and Jean Geiwitz, 11 Carriage House Way.
7. Discuss and vote on new school building requisition.

Actitems.doc

6:25 p.m.-Present: Lee Henry, Doug Downing, Mark Flaherty. James Brodeur arrived at 6:40 p.m.

It was decided to waive the discussions on the problematic process, as held in the past.

Mr. Flaherty agrees that, although it might be political, he felt that the Commissioners should be part of the process. General discussion followed before addressing the point system.

	<u>Doug</u>	<u>Lee</u>	<u>James</u>
1.	3	2	3
2.	2	1	2
3.	2	2	2
4.	3	2	3
5.	3	2	2
6.	4	2	1
7.	2	2	2
8.	2	2	2
9.	2	2	2.5
10.	2	2	2.5
11.	2	2	2.5
12.	2	1	2.5
13.	2	2	2.5
14.	3	2	2.5
	<u>34</u>	<u>26</u>	<u>32</u>

Lengthy discussion was generated by the ratings disparity on item #6 with respect to perceptions of cross-department coordination and cooperation.

6:50 - The Board discussed Sandra Bennett's evaluation with the following results:

	<u>Doug</u>	<u>Lee</u>	<u>James</u>
1.	3	2	2
2.	3	2	3
3.	3	2	4
4.	2	2	3
5.	4	3	4
6.	3	2	3
7.	3	2	3
8.	3	2	2
9.	3	3	3



## MINUTES OF THE SELECTMEN'S MEETING

APRIL 14, 1997

PAGE 2.

10.	3	3	2
11.	3	3	3
12.	3	3	3
13.	3	3	3
14.	3	3	3
	<u>42</u>	<u>35</u>	<u>41</u>

7:01 - The Board moved to go to the regular portion of the meeting.

Respectfully submitted,

Doug Downing  
Acting Clerk  
DD/mj

7:03 p.m.-Meeting was reconvened with all Board members present.

- Mr. Brodeur read the ad that appeared in local papers for RFP's for solid waste and recycling. The ad reflected a three-year contract from 6/30/97 through 6/30/2000. Five RFP's were received - cost proposals being separated from the ten copies of the technical proposals - from:
  - Waste Management from West Boylston.
  - Advanced Disposal Services from Danvers.
  - Orlando Enterprises from Framingham.
  - BFI from Auburn.
  - C. B. Trucking from Medway.

Mr. Downing moved to turn the RFP's over to the Board of Health for their review and recommendation; Mr. Brodeur seconded; all aye.

7:10 - Committee Reports.

- Mr. Henry said he and Mr. Brodeur attended the planning and growth forum last Thursday. He also stated he had gone to Foxboro last Wednesday morning <sup>to represent Medway at the</sup> ~~informational session of Town Administrator Selectmen~~ <sup>forum sponsored by the</sup> ~~Chairman.~~ <sup>Franklin County Chamber of Commerce</sup> Mr. Henry noted he would be attending the executive committee meeting of the Norfolk County Association the next day.
- Mr. Downing said he could not attend the planning and growth forum on Thursday, but was able to see the presentation on TV. He felt that good issues were brought forward, but liked keeping the planning and growth committee as a separate committee, and not a sub-committee of the Board. Overall, he felt that it was a good presentation, and said many issues are sometimes driven by ego, and recommended keeping outside of that area.

Mr. Downing noted that Mr. Henry had been questioned about the Town Administrator issue at that forum, and was glad he chose not to discuss it at that time, <sup>so as not</sup> ~~to take away from intent of the citizen's forum.~~

Paul DeSimone, who was present, said he had also been in attendance at that meeting and agreed with Mr. Downing that the group should remain an adhoc committee without any direct supervision from the Selectmen.

- 7:17 - Sam Corda, Holliston Sewer Project Coordinator, and Dick Jubinville of EarthTech, came before the Board to update them on their progress with the project.

Mr. Corda said they are trying to develop a GIS system for Holliston, and at the same time, will be flying over Medway to map us out as well. Mr. Jubinville said he had spoken to Mark Flaherty but there was no ground control at this time. Paul DeSimone noted that Stone and Webster had flown the Town in 1988 with two-foot contours, and Mr. Henry added there were aerial photographs available for them to review. Mr. Jubinville said they were looking at multiple routes, and the aeriels will help.

When wondering who Mr. Corda and Mr. Jubinville should be speaking to, the Board felt it would be best to go through the District Commissioners. Mr. Henry said that Medway (the District) will pick the route, but CDM & Earth Tech will finalize it. Mr. Henry noted the three routes were: Holly Hill, Chicken Brook, and eventually Hoppin' Brook. Mr. Corda said he would be trying to submit state revolving applications this week for subsidy funding.

Mr. Downing requested that when press releases were sent to the local newspapers, the Board be sent a copy as well. Mr. DeSimone said they hope to be on the FY'98 fundability list, and Mr. Jubinville noted that July 1 - December 31 is the first round, with the second round set for January. Mr. DeSimone suggested they meet in Cambridge at CDM next time and go from there.

Mr. Henry asked about the status of the river study, but Mr. DeSimone said they were not in a position to discuss it, at least noting it was 99% done. The general conclusion is a positive attitude. Mr. Henry noted that before doing the independent evaluation of the plant, they want the results of the river study. Mr. Downing noted the process has started, but has not been completed. Mr. Wilson commented that anyone that goes through the interceptor through Medway will pay a service charge that will be assessed to them.

Mr. Corda asked if the Board had any other needs or concerns? Mr. Downing took this time to explain that Mr. Brodeur is an employee of CDM, which is why he and Mr. Henry have been the ones involved in all past discussions, and future ones as well.

7:45 -

Mr. Brodeur read the ad that appeared in local papers for a public hearing for a transfer of a wine and malt liquor license for The Little Store from Diane and Michael McManus to Jean-Paul Russo.

Several questions were asked of Mr. Russo, and he spoke

of his background as a mechanic until an injury forced him to seek other employment.

Mr. Downing, for the record, asked Mr. Russo to confirm that they had not met and spoken earlier, and Mr. Russo acknowledged that they had not. Mr. Downing suggested Mr. Russo take the TAMS program put on by the Mass. Beverage Association which helps to give a reduction on insurance, and also the ABCC looks favorably upon those who take the course. Mr. Downing said he would get more information to Mr. Russo on the subject.

There were no comments from the general public, neither pro nor con.

Mr. Brodeur moved to close the public hearing; Mr. Downing seconded; all aye.

Mr. Brodeur moved to approve the transfer of a wine and malt liquor license from Diane and Michael McManus to Jean-Paul Russo of The Little Store; Mr. Downing seconded; all aye.

8:00 - Committee Reports. (continued)

- Mr. Downing reported accepting an invitation on behalf of the Board of a "grassroots" group who were trying to form a coalition to protect the interests of communities that are serviced by Norwood and Southwood Hospitals. He noted that there were only two runs to each hospital last year, but felt they should make the appearance to recognize their efforts, and understand their concerns as to what happens to their assets, primary care, free care, mental health services they provide, etc. Mr. Downing said that basically eight communities utilize 80-90% of their services. He said that information will be available through the Office, or to contact the Board of Health in Norwood. Mr. Downing further said that, although we don't utilize all of their services as some other towns do, we have some Medway employees that work there, and we should protect those employees and the assets.

8:15- A joint meeting of the Planning Board and the Selectmen was scheduled to fill the vacancy created by the resignation of Sue Phinney until the May election 1998.

Mr. Brodeur moved that the joint meeting be opened; Mr. Downing seconded; all aye. Mr. Yorkis nominated Mr. Henry as chairman of the joint meeting; Mr. Brodeur seconded; all aye. Mr. Brodeur moved nominations be closed; Mr. Sanford seconded; all aye.

Mr. Henry said there were three applicants for the position, and asked if each would like to make an opening statement, and then they would go around the room to ask questions of the applicants - not more than two questions from each Board member.

Mr. Brodeur noted that Marcy Thomas was running for the Planning Board in the upcoming election, as well as applying for this vacancy. Mr. Henry said there was no law that you could not try both ways, but asked Fred Sanford, who was also running in the election opposite Ms. Thomas, if he had any problem with her applying. Mr. Sanford said he did not, but would abstain from the voting. Mr. Henry noted a quorum was present from both Boards, in fact, all members of both Boards were present.

Diane Borgatti is a practicing attorney. She felt her primary responsibility of being on the Board would be to try and manage growth on a pro-active basis rather than re-active. She felt they should scrutinize the by-laws continuously for now and the future.

Marcy Thomas is an instructor in biological sciences at Wellesley College. She said she recently got involved in the planning and growth committee and feels the need is there for the Planning Board to work closer with other boards and those on a regional level.

Sean McCormack is a senior mechanical designer. He wants to help the Town with growth, but still work with the developers and builders. He notes the Planning Board should work as a team, and is looked upon for their leadership and vision.

James Sia said he had been on the Planning Board for a year with many hurdles still coming before them. He said whoever is chosen needs a very strong time commitment, with expertise in planning, a commitment to be on sub-committees, and the desire to continue building bridges. Mr. Sia wanted to know what particular expertise or skills each would bring.

Mr. McCormack said, as a manager, he has helped to develop his company with vision and concern for the future. His skills were team orientation and new ideas.

Ms. Borgatti said she could help interpret the law, and possibly her legal background could help, not necessary with municipal law.

Ms. Thomas said she had an academic background, with

some knowledge of residential construction jargon, and the hope to be able to affect some change and represent the group.

Paul Yorkis noted that within the past 12-18 months, there had been a series of challenges for the Board, along with the concern of the right of the property owner to develop his property and rules and regulations affecting that. He asked how each viewed that issue, and how would they handle it as a Planning Board member still mindful of that individual and others.

Ms. Thomas said there was no easy answer, but to work with the regulations, try and come up with more creative solutions, look to the State for ideas, and look at impact development studies for larger developments.

Ms. Borgatti said you have to go by the current by-laws, for now, and realize the Planning Board's job is regulated by those by-laws.

Mr. McCormack said no two cases will be the same and some changes may have to be made, but suggested open communication between all and working within the rules and regulations, and seizing any openings visible in the future.

Mr. Yorkis asked each if they would run for re-election; they all said they would.

Fred Sanford re-emphasized to all the midnight meetings and the commitment, which is sometimes difficult. They all said they would be committed.

Donald Springer said there were three remaining members, and the number one priority is to update the rules and regulations, which they hope to have done by the end of summer. He stated that extra meetings will be needed over the next six months, sometimes 4-5 meetings per month, and possibly until 11:00 p.m. Again, they all said they would do it.

Mr. Downing and Mr. Brodeur did not have any questions.

Mr. Sia encouraged those that would not get appointed this evening to consider running for election, as he had to do when he was not appointed to the position.

Mr. Henry also reminded those that would not get appointed this evening that the Selectmen are always looking for people to fill the many vacancies that exist, and to consider them.

Secret ballots were passed out to all, and each Board member indicated on the ballot that this was the first go-round, and then signed the ballot. The Secretary read off the name on each ballot: Diane Borgatti received all six votes, <sup>with</sup> ~~and~~ Mr. Sanford's <sup>abstention</sup> ~~abstention~~. Both Boards signed her appointment slip, and urged she get sworn in as soon as possible.

9:00 - Franklin Town Administrator Wolfgang Bauer came before the Board just to discuss several issues of mutual interest. Mr. Henry further elaborated that some of the issues included the status of impact fees, the tower telecommunications by-law, being partners in the sewer district endeavors, and a well easement into Millis.

Mr. Bauer noted that Trudy Coxie of DEP has said no environmental impact study needs to be done for the river study.

With regard to impact fees, he said they are not an anti-growth tool; they want people coming to Town to pay their fair share; someone has to be charged for services; monies collected have to be used for schools, including roads; some of their major streets can still take increased traffic; monies can only be used for capital items, not general operation; they are out of fields to use. He indicated 300 homes a year at \$2,500 each was a good source of funds. He feels confident if they don't win in superior court, they will get in on an appeal basis. Many questions have been asked on the issue, so they have obtained a legal analysis and been told how to put it into use, which should be done if there are at least 100 new houses a year. The demand for services is great. If the by-law passes, he would send a copy to the Board.

With reference to telecommunication towers, Mr. Bauer said they cannot exclude them from coming in, but the Board can tell them where they go. His Council is indicating individual zones and in-town space or utility space. He said they did an RFP to lease space on the towers, which AT&T and Sprint have already received, and giving back to the Town \$50,000.

Mr. Bauer spoke about an easement for a water line with Millis, which Millis Town Administrator Charlie Aspinwall said could be made public. He said Mr. Aspinwall was asking if the Town of Franklin could help build the well and share the costs with them, and he indicated Franklin had agreed. He explained it was a 12" line to Village Street near Walker Street, which would help some of our residents to get gravity sewer.

The Board thanked Mr. Bauer for the helpful information and assistance.

9:55 - Warrants were signed totalling \$962,562.02.

- Remembering that it had not yet been done, Mr. Brodeur moved that the Board come out of the joint meeting with the Planning Board, Mr. Downing seconded; all aye.
- Chief Wayne Vinton came before the Board to discuss several issues, including his memo of agreement. Mr. Henry said he really did not want to have a contract discussion at this time, and the Chief agreed hoping they could pick a mutual date in executive session or not. The Chief said he was going on vacation in two weeks and hoped the meeting could be held before that.

The Chief said that this discussion has been pending since last year, and wanted to see some conclusion. He also had some concerns about his budget which he wanted resolved before the annual town meeting. Mr. Downing asked if he wanted to address any specific issue tonight, but the Chief said he would wait for when they could meet. The Board agreed to meet with the Chief on April 17th at 7:30 p.m. at Fire Station II.

The Chief noted that three individuals were taking EMT training at this time.

10:07- Mr. Downing reported attending the Cable Advisory Committee meeting last week where they discussed the renewal of the contract with CVI. He noted that there are only three active members with little expertise, and urged viewers to consider helping out. Even if they did not want a full-time appointment to the Committee, if they were willing to be used as a resource, that would be helpful. Mr. Downing said the Committee would like to get sample contracts from other Towns, and to also survey everyone in Medway, not just the subscribers.

- Action Items.

- Mrs. Allen clarified the Town Administrator's job description that they must sign the warrants (Ch. 41, S. 56), contrary to the line in the Special Town Meeting warrant article which asks that the Town Administrator sign them. This will have to be amended on Town Meeting floor. Also, the reference for the Treasurer/Collector to go from elected to appointed has to be done by legislation.

Mr. Brodeur moved to approve the draft of the Town



Administrator job description subject to Town Counsel's review, and as amended this evening; Mr. Downing seconded; all aye.

Two items to put on the back burner - policies and procedures from different towns and an orientation for new members to the Board of Selectmen.

- Mr. Downing moved approval of the minutes of April 7th subject to any revisions; Mr. Brodeur seconded; all aye.
  - Mr. Downing moved to appoint Paul Goguen to the Building Code Board of Appeals as the structural or professional engineer through June 30, 2001; Mr. Brodeur seconded; all aye.
  - The Board acknowledged receipt of a letter from Susan Cotter of the League of Women Voters of Medfield concerning inadequacies in the educational funding formula, and were looking for support for House Bill H1664. Mr. Downing moved that the Chairman review this information with the School Superintendent and then, if needed, send a letter to Senator Magnani and Rep. Gardner, with a bcc to Ms. Cotter; Mr. Brodeur seconded; all aye.
  - The Board acknowledged another letter dated March 27th from Donna Robie of Temple Street. The Board suggested that she obtain a copy of the Planning Board rules and regulations so that she could be familiar with their guidelines. They also noted that the Inspector of Buildings is governed by the State Building Code, and possibly she should see a copy of that book.
- Mr. Brodeur said that changes were made to her property when she installed an inground pool, and is looking to the Town for relief now that she has a problem with surface drainage.
- Mr. Downing felt this issue had been addressed, but asked Mrs. Allen to send Ms. Robie a letter asking her to tell the Board what the specifics are, and the Board would then advise if there was anything they could do.
- The Board acknowledged a letter from Fraser and Jean Geiwitz dated April 9th concerning a proposed road through a neighbor's property lot for a proposed subdivision on Carriage House Way. Mr. Downing and Mr. Brodeur said that Carriage House Way is not an accepted street; therefore, the Selectmen have no jurisdiction in this matter.

Mr. Brodeur stated that once the subdivision becomes part of a definitive plan, then the residents can go and have their say at that time.

Mr. Downing asked that the Planning Board deliberate on this issue and advise what action they deem necessary, if any; Mr. Brodeur seconded; all aye.

- Mr. Downing moved approval of the School Building Committee's requisition #13 dated April 8th in the amount of \$382,211.60; Mr. Brodeur seconded; all aye. He also noted that we were still below the contingency fund with 85% of completion. Mr. Downing stated there would be a final review to go over errors and omissions to possibly retrieve some of the money on change orders.
- The listing of salvage as prepared by the Town Mechanic, and in agreement with the Acting Highway Superintendent, was noted. Mr. Henry asked that Mrs. Allen send a memo to the DPS Administrator and the Acting Highway Superintendent to sell the junk scrap of municipal property to a salvage dealer in proper disposal and to let the Board know where and what goes exactly.
- Mr. Brodeur moved that the Chairman be authorized to sign, on behalf of the Board, a change order for \$18,000 for the School Building Committee for integrated technology system for education and furniture, furnishings and equipment as outlined in David Verdolino's memo dated April 9th subject to verification of an authentic signature of Nancy Lohrer; Mr. Downing seconded; all aye.
- The Board noted the agreement between the DEP and the Town of Medway for a grant for recycling and composting support materials. This had already been approved by Town Counsel and the Board, but just needed the Chairman's signature.
- The Board signed the contract for Vadar Systems for the Treasurer/Collector for tax taking.
- The contract with DCI was signed by the Board.
- The Board noted that the Town Hall would be closed on April 21st for Patriots Day, and suggested Tuesday, April 22nd for a short meeting with a light agenda.
- On a follow-up, Mr. Downing asked if a revised site plan for Medway Oil for the Board to look over, subject to the Building Inspector's approval, had come in and Mrs. Allen had said not yet.

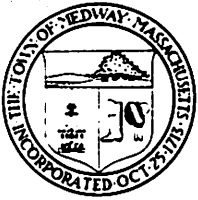
- Mr. Brodeur moved that the Board sign the Long Distance Tire site plan as revised April 8th; Mr. Downing seconded; all aye. Two copies were signed.

11:10- Mr. Downing moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved and  
signed  
4/29/97.*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

April 7, 1997

6:00	Open meeting, employee evaluation
7:05	Barry MacDougall regarding appointment to Finance Committee and discuss deregulation of electric utilities.
7:20	IDC recommendations on traffic study for PWED grant at Trotter/Alder Streets
7:30	Site Plan - Long Distance Tire
8:00	Discussion of FY'96 Auditor's Management Letter with town departments
8:30	Site Plan for Medway Oil, Broad Street
	Committee Reports
	Action Items

**ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 7, 1997.**

1. Approve appointment of Charlene Tingley as a dispatcher for Police/Fire Communications.
2. Discuss letter from Nancy Taylor, Director of Camp Sunshine
3. Discuss informational flyer for public hearing on Town Administrator.
4. Acknowledge letter from GCG Associates on Cottage Street Drainage project.
5. Discuss Town Administrator job description.
6. Bank buildings appraisals??????

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REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 7, 1997.

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2. Discuss letter from Nancy Taylor, Director of Camp Sunshine
3. Discuss informational flyer for public hearing on Town Administrator.
4. Acknowledge letter from GCG Associates on Cottage Street Drainage project.
5. Discuss Town Administrator job description.
6. Bank buildings appraisals??????
7. Discuss letter from Sandra Bennett for meeting minutes
8. Decide when to hold grievance hearings on week on April 21st.
9. Decide on date to discuss evaluations for MJ and Jackie Ammering.
10. Vote and sign municipal civil service requisition.
11. Vote and sign application for employer assisted education for William Kingsbury
12. Review warrants for Special and Annual town meetings.

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Present: Lee Henry, Doug Downing, James Brodeur.

6:06 p.m.-Meeting opened with the Board meeting with Robert Power.

Mr. Henry reviewed all problems which we have encountered with previous employee evaluations. Mr. Downing stated for the record that he wanted Mr. Power to understand that the evaluation process is not the only means of getting a raise of any sort unlike the JCRB process. A 4% negotiated raise is set by contract, and the evaluation process deals with awarding an additional 4% based on superior performance.

	<u>Bob</u>	<u>Doug</u>	<u>Jim</u>	<u>Lee</u>
1	4	2	4	3
2	3	3	2	3
3	3	3	3	3
4	4	2.5	4	3
5	3	2.5	3	3
6	4	3	4	3
7	3	2	3	3
8	3	3	4	3
9	4	2.5	3	3
10	3	2	3	3
11	3	2	3	3
12	3	2	2	3
13	3	2	2	3
14	4	3	4	3
		<u>34.5</u>	<u>44</u>	<u>42</u>

Mr. Power asked about the status of Acting Highway Superintendent and stated that this is perhaps more important to him than a merit raise at this time. Mr. Brodeur and Mr. Henry answered by saying that this function, as well as the DPS Administrator, is being reviewed, and that it will be resolved in some fashion shortly. Discussion continued regarding the likelihood of Mr. Power's salary being adjusted back to Assistant Highway Superintendent level. Additional discussion continued regarding general operation of the Highway Department.

Mr. Brodeur asked Mr. Power, "How would you develop your position, and what Title would you give yourself?" Same question if Park Department were to become part of DPS. Discussion followed - no resolution.

Mr. Henry called a time-out, and made a statement that the problem stems from the title Assistant Highway Superintendent who would assist a Highway Superintendent who no longer exists. To resolve this, we need to hire or assign someone to be Highway Superintendent and eliminate the Assistant and Acting positions.

Mr. Brodeur reviewed Article 20 - Salary Adjustments and Promotions, and stated that any changes must be negotiated and budgeted.

Mr. Downing also stated<sup>l</sup> that any new positions which might create a vacancy may then be subject to the provisions of Article 15 - Position, Vacancies, Promotions, with respect to postings, etc.

By a 2-1 margin, Mr. Power<sup>was</sup> awarded the performance increase. Then general department discussion followed until 6:55 p.m. when the Board asked for time to prepare for the televised portion of meeting.

Respectfully submitted,

Doug Downing  
Acting Clerk

DD/mj



7:00 p.m.-Meeting was reconvened with all Board members present.

- Mr. Brodeur moved to approve the minutes of March 31st with any revisions as required; Mr. Downing seconded; all aye.
- Mr. Downing moved to approve the executive session minutes of March 31st with any revisions as required; Mr. Brodeur seconded; all aye.

7:05 - Barry MacDougall came before the Board to request appointment to the Finance Committee. Mr. MacDougall spoke about his involvement with municipal accounting and his interest in serving the Town. He also spoke about his experience with the enterprise fund.

Mr. Downing moved to appoint Barry MacDougall to the Finance Committee though June 30, 1998; Mr. Brodeur seconded; all aye. The Secretary will advise the FinCom of his appointment. He was encouraged to get sworn in so that he could be a member of the Committee at their next meeting on April 9th.

Mr. MacDougall also spoke about his interest in the deregulation process of electric utilities. Mr. Henry shared the same interest and a mutual exchange of information was provided, with Mr. Henry mentioning that they might be interested in forming a Town ad-hoc committee to study this issue further with possibly 41 other communities. At first, Mr. MacDougall thought these 41 communities had formed a consortium, which would provide good buying power, but Mr. Downing clarified this group houses some sort of generating facility and have teamed up for a sharing of information; it was not a purchasing consortium.

7:25 - Paul DeSimone, Chairman of the IDC, came to meet with the Board and provide them with the IDC's recommendation for the company to do the traffic study for the PWED grant at Trotter and Alder Streets.

Mr. DeSimone felt the copy of the recent meeting minutes summed it up, and recommended Design Consultants Inc. of Somerville for \$29,400. Mr. DeSimone referred to page 12-12 of the contract between the Town and the State Department of Transportation, where it only specified the traffic study be done at Trotter and Alder Streets, but since there is additional funding remaining, the IDC would maybe like to do a traffic study at West, Clark Streets, and maybe at the connection with Bellingham, coming come back to the Board if those studies could be done as well, as the budgeted amount was \$50,000.

Mr. Brodeur moved to award the contract for the traffic count, study and design services to Design Consultants, Inc. on the recommendation of the IDC for \$29,400 as outlined in DCI's proposal dated March 31, 1997; Mr. Downing seconded; all aye.

Mr. DeSimone spoke about acquiring a grant writer for the sewer plan. Mr. Henry inquired as to why this area required a separate sewer plan, and Mr. DeSimone said the sewer dollars for the industrial park were separate, and there is no investment by the Town with the dollars that have been set aside. Mr. Henry said that they need the \$2,000 requested to prepare a grant for the design and construction of sewer in the industrial park with 0% funding.

Mr. Brodeur clarified that they want to be able to install the sewer now for temporary use, and then it could be shut off and eventually be gravity fed. Mr. Henry noted that this might require future negotiations with Milford down the line.

In order to consider the additional \$2,000 in their budget, it meant revising the IDC budget again. The Board was concerned about having these figures permanently in their budget, but it was understood this was a one-time expenditure. It was also noted that there was a special article on the Annual Town Meeting warrant for funding of brochures of the industrial park.

Mr. Brodeur moved to approve a revised budget for the IDC for an additional \$2,000, for this one-year budget only, for a grant writer for the Alder Street/Trotter Drive sewer project; Mr. Downing seconded; all aye. The revised totals were: salaries - \$756.80; expenses - \$2,665.00; total - \$3,421.80.

8:00 - Representatives from Long Distance Tire Company came before the Board, accompanied by Attorney Neil Roche, for a site plan for their proposed business at 85 Main Street.

The Board was concerned that the paved area meets the slope and that access is available through the parking areas on the east and west sides. Paul Saulnier, Resident Engineer, was also present to answer any questions, and felt their slopes were normal and there should not be any ponding of water in the parking lots.

Mr. Brodeur also expressed some concern about the trailer storage area, and recommended this be clarified with the Inspector of Buildings for approval.

Mr. Downing asked for assurances that there were no hazardous materials, and noted the trailer would be placed on a 25' x 25' concrete pad. The Board was told that the trailers would be registered trailer vehicles.

Mr. Brodeur said there should be a revised site plan with the Board's required conditions on it, but Mr. Roche asked for conditional approval.

Mr. Brodeur moved to approve the site plan for Long Distance Tire Company with the addition of the paved access to the east and west properties, and a final review and clarification by the Zoning Enforcement Officer/Inspector of Buildings of the trailer storage area, with a new site plan to be submitted; Mr. Downing seconded; all aye.

8:20 - Members of the Audit Committee, including Steve Barrasso representing the School Committee, Frank Danehy as citizen-at-large, George Hale as citizen-at-large, Sean Lynch representing the Finance Committee and Doug Downing representing the Selectmen, along with Treasurer /Collector Marge Sanford and Town Accountant Arti Mehta, came to discuss the FY'96 Auditor's drafted management letter.

Mr. Danehy acknowledged receipt of the Board's request for the Audit Committee to review the report, and noted it seemed quite similar to the report submitted last year, asking for any other comments from the Treasurer. Mrs. Sanford elaborated a bit further on her portion of the report, basically restating what was in her response.

Mr. Lynch suggested the different departments' responses be included in the management letter. Mr. Downing recommended the Audit Committee send the responses to the Auditors and get a revised management letter, and make it a more meaningful process. He also suggested seeing the revised management letter before scheduling a public hearing presentation.

Mr. Henry suggested the Audit Committee call a meeting and coordinate the responses received, send the action taken to the Auditors for review and a revised management letter, with a copy of that communication to the Selectmen. The Selectmen still need to submit a response, which Mr. Henry said would be done this week.

Mr. Henry clarified that the draft report should not be changed, but the responses from the different departments should be recognized and incorporated.

Mr. Henry asked Mrs. Allen to let Mr. Danehy know when the public hearing for the FY'95 audit was held last year.

8:37 - Treasurer Marge Sanford stayed for a little while longer to present to the Board several deeds of gifted properties, which Mrs. Allen said the Board accepts on behalf of the Town. The two lots are #129 and #130 on Shaw Street near the Charles River; and one lot is on Village Street from Village Woods Realty Trust near Sherwood Drive, noted as being on map 2B, parcel 88A of 1,589 sq. ft.

Mr. Downing moved to accept the two lots on Shaw Street; Mr. Brodeur seconded; Mr. Downing amended the motion to include the two lots on Shaw Street as being lots C and D, book 11511, page 489; Mr. Brodeur seconded; all aye.

Mr. Brodeur moved to accept parcel A on the sub-division plan of Village Woods, alongside Sherwood Drive, to become part of town land, consisting of 1,589 sq. ft., of book 11528, page 380; Mr. Downing seconded; all aye.

8:45 - Jeff Mushnick of Medway Oil came before the Board again for further clarification of his site plan. He stated that the plan he brought this evening indicated that he was at a minimum of 16 ft. or greater from the lot line.

Mr. Brodeur moved to approve the request for change in site plan to construct a canopy over the propane gas tank areas as presented in the application of March 31st; Mr. Downing seconded for discussion.

Mr. Downing said the date of 9/12/96 at the bottom does not indicate why it was updated to that date. He suggested a legend of action taken on the site and what was done and when be written up and given to the Office. It was also recommended that the plan indicate where the canopy is going.

Mr. Henry also brought up the piers for the roof, in particular the two back piers, saying he would like noted the distance from pier to pier and distance to the back wall.

For the record, it is noted William Caton of 39 Broad Street was present for the above discussion, and just questioned the distance of 16 ft. It was stated that they cannot argue with a registered surveyor's signature. Mr. Brodeur asked that Mr. Mushnick bring in the whole plan sometime so that he could just look it over, and Mr. Downing said he would like an updated

legend and clearer plan to review.

Mr. Brodeur amended his motion to also include that the Inspector of Buildings review the site plan and approve it to his satisfaction, with the inclusion of seeing the legend, canopy structure, side line requirements, and that the Selectmen have an opportunity to see the original whole plan; Mr. Downing seconded; all aye.

- 9:01 - Mr. Brodeur left the meeting to attend the Conservation Commission meeting in Sanford Hall.
- Committee Reports.
  - Mr. Downing reminded everyone of the Planning Board public hearings on April 8th, and Mr. Brodeur was attending.
  - Mr. Downing said he would be going to the Cable Advisory Committee meeting on Wednesday.
  - Mr. Downing noted that John Mullin's forum would be held on April 10th, and Mr. Brodeur and Mr. Henry would be attending. He would be going to the Norwood Civic Center for an organizational meeting on the coalition of services of Norwood and Southwood Hospitals.
  - Mr. Henry noted that the Board would be having a public hearing on the first three articles dealing with a change in government on April 24th.

At first Mr. Henry thought it would be good to pass out an old flyer with some updated changes reflected on it, but then Mr. Downing thought it might be best just to pass out the special town meeting warrant which explained everything in detail. His only concern was that the warrant would not be going to every resident like the annual would. He asked that copies be made and available to residents prior to the 24th, and additional ones for the 28th.

Mr. Downing moved to approve the special town meeting warrant as written; Mr. Henry seconded; all aye.

Wendy Rowe stopped in after hearing the discussion on Cable, because she was concerned that some of the information circulated was not what the Town Administrator Review Committee had proposed. Mr. Downing clarified that the document being referred to was an old informational document used back in 1992 when the Town Administrator issue first came up; however, the article as written is what the Selectmen have chosen to

appear on the warrant.

- Mr. Downing moved to approve the annual town meeting warrant as written; Mr. Henry seconded; all aye.

9:30 - Mr. Henry complimented the Highway Department for the good job they did with the storm, as he noted, so did the School Department.

- Action Items.

- Mr. Downing moved to appoint Charlene Tingley to part-time probationary dispatcher for the Police/Fire Communications Department at a grade 6, step 1 effective February 9, 1997; Mr. Henry seconded; all aye.

- The Board acknowledged receipt of a letter from Camp Sunshine Director, Nancy Taylor, noting her concern about being questioned for an invoice submitted for payment to the Town Accountant, which had been signed by the Park Commissioners.

Mr. Henry felt it should not be questioned if the appointing authority signed it and there was money available to pay the invoice.

Mr. Downing did say there was no date on the invoice, however, and that the note from the Town Accountant's office should be on the right letterhead. He did agree with Mr. Henry on the processing for payment procedure, and asked Mrs. Allen to so notify the Town Accountant's office and sign the letter on the Board's behalf.

- The Board acknowledged a letter from GCG Associates indicating the 2" gas main replacement on Cottage Street would be completed by May 1st.
- The Board did not have sufficient time to discuss the job description and day-to-day functions for the Town Administrator, and asked that it be placed on next week's agenda as the first action item.
- The two bank buildings were brought up, and Mr. Henry asked that Mrs. Allen contact the three firms that submitted appraisals of \$2,500 and \$3,500 and ask what they could do for the Town for \$1,000. He remembered a certain appraisal could be done for that amount and to contact Bob Ciavarra or Glenn Trindade to get that specific information.
- Mr. Downing moved that the Board approve the employer-assisted education reimbursement for William Kingsbury

for \$439.95 and \$457.50; Mr. Henry seconded; all aye.

- Mr. Downing moved that the Chairman be authorized to sign the civil service requisition dated April 7th for the appointment of permanent intermittent police officers; Mr. Downing seconded; all aye.
- With regard to outstanding negotiating session minutes as requested by Union Steward Sandra Bennett, Mr. Henry said Mr. Brodeur, as Clerk, has to provide them ASAP.
- The Board discussed the need to hold grievance hearings and the Union's suggestion that during the week of April 21st was good for them, since April 17th was not possible. The Board scheduled April 23rd in Room 2 of Town Hall beginning at 7:00 and one each half-hour thereafter at 7:30, 8:00 and 8:30 p.m.
- The Board decided to discuss the evaluation of Jackie Ammering on April 24th at 6:30, and M. J. Fredette at 7:00, allowing the Board some time to prepare prior to the public hearing on the first three articles of the special town meeting warrant at 8:00 p.m.
- Mr. Brodeur returned to the meeting.
- Warrants were signed in the amount of \$268,458.81
- Mr. Downing said he had not seen any written response from the DPS Administrator to the various questions posed by the Board in their typed March 12th letter to him. He noted that he went on vacation in March, but now it was April and he wanted Mr. Podgurski to respond. He asked Mrs. Allen to send him a follow-up memo requesting an official written response.

10:00- Mr. Downing moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved  
as amended  
4/14/97*



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

March 31, 1997

6:00	Open meeting, employee evaluation
6:45	Employee Hearing on grievance
7:05	School Committee, CIPC, Town Counsel and Finance Committee - discuss 2 1/2 override
7:30	Treasurer/Collector, Marge Sanford vote on and sign notes
8:00	Site Plan for Medway Oil, Broad Street
	Committee Reports
	Action Items



ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 31, 1997.

1. Review and vote on ATM warrant articles.
2. Review and vote on STM warrant articles.
3. Discuss letter received from the Town of Norwood.  
regarding Norwood & Southwood Hospitals
4. Discuss letter received from the Town of Agawam  
regarding a resolution to Attorney General
5. Decision on Town Accountant's performance evaluation.
6. Set hearing on Denial of Grievance filed 3/7/97 for  
Patricia Sampson.
7. Discuss letter received from Town of Millis regarding  
meeting held on March 26th.
8. Sign warrants, approve minutes of 3/24/97 meeting.

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7:03 p.m.-Present: Lee Henry, Doug Downing, James Brodeur,  
Administrative Assistant Ruth Allen could not attend  
because of the weather.

- The meeting had actually begun earlier, but the Secretary was not present.
- The Board noted that an employee evaluation and a grievance hearing that would have been held earlier had been cancelled, and need to be rescheduled.

Mr. Henry suggested meeting with the union on April 17th around 7:30 -8:00 p.m. to discuss the grievance procedure as stipulated in the contract. Mr. Downing suggested an agenda and to try and use the Police Station conference room. It was also asked that all the employee evaluation discussions with the Board be backed up one week.

7:05 - Treasurer/Collector Marge Sanford came before the Board to have them vote on and sign notes, however, the Town Clerk was not present for her notarizing with the seal. The Board agreed to vote this evening and sign tomorrow.

One series of notes, #1, 2-3, 4 were for \$230,000 for the new school at a rate of 4.08 dated 4/11/97 and due 9/19/97. The other series of notes, #1, 2-3, 4 were for \$230,000 for sewer connection on Holliston Street at a rate of 4.18 dated 4/11/97 due 4/10/98.

Mr. Downing moved to approve the request of the Treasurer/Collector to sign notes in the amount of \$230,000 for the new school, and \$230,000 for the Middle School/High School sewer project; Mr. Brodeur seconded; all aye. The notes will be signed tomorrow in the presence of the Town Clerk.

7:10 - Mr. Henry read a statement. As a result of a workshop held on March 29th with the Board of Selectmen, School Committee, Finance Committee, Capital Improvement Program Committee and the Treasurer/Collector, a consensus was reached that it was not necessary to consider a proposition 2-1/2 override, but the Finance Committee will continue to evaluate data and keep all advised of budgets and continue to monitor the figures.

Mr. Brodeur applauded all who showed up on Saturday from 8:00 - 10:00 a.m., including: Treasurer - Marge Sanford; from FinCom - Ed Hjerpe, John Collett, Carla Cataldo; School Committee - Steve Barrasso, Diana Faust, Cheryl Harvey, Dawn Boyan, Charlie Meyers, Leeanne Dickson; School Department - Art Bettencourt and Dave Verdolino;

CIPC - Fred Sanford, Henry Lewandowski, Dick Gildea, Bob Ciavarra; and the Board of Selectmen.

The Board felt it would be good to schedule future such meetings.

7:11 - Committee Reports.

- Mr. Downing said he attended the Norfolk County meeting last Wednesday and noted that there would be appreciable liability if county government were dissolved for 18 out of 25 towns. He said he did not want to see the services fall by the wayside, including the Engineering Department and the Sheriff's Office, as they provide zero cost service. He did not feel we could afford to give up and pass this on to the legislatures. It was noted that the Sheriff's Office was at Town Hall at this time, and the Engineering Department was doing surveying at Oakland field. Mr. Brodeur also reminded them about the services of Norfolk Mosquito Control.

- Mr. Downing said he attended the Planning Board meeting last Tuesday and one issue germane to the Selectmen would be Cider Mill II, which concerned the continuation of Fairway Lane.

- Mr. Downing said the MMA meeting in Mansfield was basically rehashing the same information. He said that he spoke to Wolfgang Bauer at the meeting and felt the Board could review the transmission tower information Franklin has at a future meeting. He noted they have an RFP, and possibly we could utilize some of their information as they have an annual renewal and increase built into their RFP. Mr. Henry asked that Mrs. Allen contact Mr. Bauer to get a copy of their RFP.

Mr. Downing said they were also looking at ways to locate these devices on easements if there is property adjacent that could be used, i.e. near the ~~water tower~~ <sup>high tension transmission lines</sup> instead of on the water tower.

- Mr. Henry told the viewing audience that trash pickup will be delayed one day because of the weather.
- Mr. Henry said the Board met with the Millis Board of Selectmen to come to closure on the Farm Street sewer issue. Confirming that meeting, Mr. Henry read into the record a letter from Millis Town Administrator Charlie Aspinwall (copy attached). He further stated this is an official negotiated document between the two Boards.

Mrs. Allen was asked to respond in writing to Millis

that Medway accepts these conditions. Mr. Downing also suggested advising the Water/Sewer Board of the agreement arrived at. Mr. Brodeur felt that the first condition outlined in the letter was conditional upon the endorsement of the Water/Sewer Board as they had not seen this letter yet. However, it was noted that it still is Millis' sewer, and therefore, Mr. Downing said they should endorse all five conditions as outlined in the letter.

Mr. Brodeur said that no application for roadway access had been submitted yet and proper bonding was needed to ensure that if there are any problems with settlement, we would have control under the permit. He wanted to make sure that the only things being waived were the fees and penalties; the contractor must get the permit, and suggested this be communicated to the contractor separately.

Mr. Downing said the Board is treating Millis as the contractor and we would be going to Millis if we need to recover any costs. He did feel that we could accept all the conditions but say that we still have that one concern about the permit. Mr. Downing moved that the Board authorize the Chair to send a memo to the Millis Board of Selectmen, accepting the conditions as stated in the March 27th letter, but noting our concerns just to protect our residents on Farm Street and the roadway; Mr. Brodeur seconded; all aye.

7:40 - Town Clerk Maryjane White came in with Treasurer/Collector Marge Sanford to have the Board sign the notes with her proper notarization and seal.

- Warrants were signed totalling \$645,021.68.

- Mr. Downing moved approval of the minutes of March 24th subject to revisions; Mr. Brodeur seconded; all aye.

- Mr. Downing asked that action item #4 be taken out of order. In reviewing the letter from the concerned citizens and businesses of Agawam, he thought it sounded more like a citizen's petition, and requested something more official. He and Mr. Henry both said they did not see an official vote of any governing body and wanted clarification. Mr. Downing agreed with the premise, but the Board asked that Mrs. Allen send a letter to them.

7:55 - Jeff Mushnick of Medway Oil met with the Board again to go over the site plan for the facility at Broad Street. Mr. Mushnick noted this was for a 12' roof to go over the existing gas pumping station, constructed with four

posts with four open sides, similar to a carport. Basically, he stated the reason for the roof is to keep rain and snow off of the valves for safety purposes.

Mr. Brodeur did not have a problem with the structure, but was concerned with setbacks which might require a variance. Mr. Downing noted they were referring to a most recent site plan dated 9/12/96, where it was still difficult to see what the setbacks were. Mr. Brodeur asked for a better drawing to see if the new structure encroaches on the setbacks. Mr. Mushnick said he would get his surveyor to do another drawing. He was placed on the agenda for April 7th at 8:30 p.m. Mr. Caton also came to the meeting, and will come back on the 7th as well.

8:10 - Action Items.

- The Board reviewed the Annual Town Meeting warrant articles.

They discussed the article having to do with allowing CRPCD to contract with Dover for receiving the septage. Mr. Downing thought they needed to talk to our Commissioners to get the right wording for authorization. He also wondered about making them designated funds, but was not sure of the language. The Board wanted to include that any monies received upon completion of a successful contract, as stated in the article, be used towards offsetting the sewer master plan. Mr. Henry was asked to try and clarify this.

- The Board reviewed the Special Town Meeting warrant articles.

The Board wanted the special act to be the article right after the town administrator article, followed by the article on special legislation.

On the landbank articles, Mr. Henry said they need clarification from ConCom to see if they were submitting them and supporting them.

Mr. Henry said they should have a public hearing on the three articles the Board is sponsoring for the STM. They suggested Thursday, April 24th at 7:00 p.m. in Sanford Hall.

With reference to the Fire Chief's request for an article on the enterprise fund, it was felt that everything is in abeyance until the Chief submitted another proposal on the EMT Department; therefore, Mr.

Downing moved not to include the article on the warrant; Mr. Brodeur seconded; all aye. Mr. Brodeur did note the enterprise fund may be the way to go when a plan has been submitted.

The Board had some concern about the article on the CIPC transfer of funds. The Secretary seemed to feel it was just a transfer from one line item to another. The Board felt if it was just a mechanical transfer, leave it in.

- The Board noted receipt of a letter from the Board of Health and the Board of Selectmen of Norwood asking the Board to support their coalition of services at Norwood and Southwood Hospitals. They noted an organizational meeting on April 10th at the Norwood Civic Center at 7:30 p.m., and Mr. Downing said he would attend as a show of good faith on our part. He asked that Mrs. Allen get some information from Chief Vinton as to how many runs Medway does to Norwood and Southwood Hospitals prior to that meeting.
- The Board discussed the Town Accountant's performance evaluation and her request for a decision from the Board. They stated she should be told she did not meet the criteria appropriate for an increase although doing a great job, and therefore, does not qualify for a merit increase, with the Chair signing the letter. Mr. Downing moved the letter be written; Mr. Brodeur seconded; all aye.
- The Board noted that they need to set a hearing date for the denial of grievance filed 3/7/97 for Patricia Sampson. Mr. Downing moved that the Chairman request the Association hold all grievances in abeyance until they have had the joint meeting on April 17th to discuss the grievance process; Mr. Brodeur seconded; all aye.

Mr. Downing also noted that he would like something in writing from the individual, not a directive from the Association, of an agreement of postponement of a hearing. The Secretary said one had been received from Mr. Sibley, but just had not been copied for the Board.

- The Secretary said the library contract needed to be signed, which had already been signed by the Library Trustees and Town Counsel. Mr. Brodeur noted that their signatures needed to be notarized; however, Mr. Brodeur moved to endorse the award of the contract to Michael O'Connor in the amount of \$1,183,303; Mr. Downing seconded; all aye. Mr. Henry and Mr. Downing will return to sign the contracts. Mr. Brodeur said that one

could sign un-notarized, but the other two would have to be notarized.

- Mr. Brodeur acknowledged a thank-you from John Phipps to Police and EMS for assisting with his wife's illness.
- Mr. Brodeur noted that the Board was meeting jointly with the Planning Board on April 14th at 8:00 p.m. to fill the vacancy due to the resignation of Sue Phinney.
- The Board discussed the Water/Sewer Superintendent's memo to the Town Accountant concerning salary adjustments for his men. Mr. Downing requested that a letter be sent to the Town Accountant noting there is a discrepancy in communication, and the topic needs to be reviewed before processing; Mr. Brodeur seconded; all aye.
- Mr. Downing asked that the job description of the Town Administrator be placed on next week's agenda as an action item.

9:15- Mr. Downing moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved  
as presented  
4/7/97*

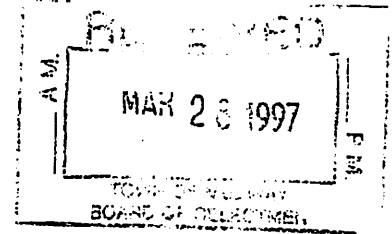


# TOWN OF MILLIS

## BOARD OF SELECTMEN

March 27, 1997

Mr. Lee Henry, Chairman  
Medway Board of Selectmen  
155 Village St.  
Medway, MA 02053



Dear Mr. Henry,

Last night, the Millis Board of Selectmen voted to offer the following conditions relative to the connection of the Medway residents at 1,3,5,7, and 9 Farm St. to the Millis sewer system:

- Millis will own and maintain the sewer
- Medway will waive street opening fees and penalties associated with the project and will issue a street opening permit for the project.
- With the exception of the betterment fee for this project, Medway residents shall be subject to the same rates and fees as Millis residents. The entrance fee each Medway resident will pay to the Town of Millis is \$1000. Millis recognizes the value of the easement as "due consideration" for waiving betterment fees to the above mentioned Medway residences.
- Medway will issue street opening permits and waive street opening fees if street openings are needed to maintain the sewer.
- Medway will issue a street opening permit for the Adam's residence in order that they may connect to the sewer system.

Please consider this offer as a recognition of the cooperation the two Towns have shown in settling this issue. We look forward to working with you again in the future.

Sincerely,

*Charles Aspinwall*  
Charles Aspinwall  
Town Administrator

*cc: Bof 5/3/97  
Jim Ladouceur*

*attach  
to minutes  
3/31*





## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

March 24, 1997

- 7:00 Open meeting, sign warrants, approve minutes of March 17th meeting.
  - 7:05 Martin Murphy regarding appointment as Zoning Board Alternate.
  - 7:15 Joanne Muench regarding appointment to Finance Committee.
  - 7:30 Site Plan - Long Distance Tire.
  - 8:00 Jeffrey Sloan, representing the NLS Group on leasing space at and on the Highland Street Water Tank.
  - 8:30 Budgets: Conservation Commission,  
Finance Committee and Open Space
- Committee Reports
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 24, 1997.

1. Review and vote on ATM warrant articles.
2. Discuss Patricia Sampson's grievance.
3. Decision on Water/Sewer employee and Acting Highway Supt. evaluations and acknowledge other Water/Sewer employees evaluations.
4. Discuss request from Holliston sewer project coordinator for meeting with Selectmen to re-open discussion and intros.
5. Rep. Barbara Gardner looking for any projects requests for FY'98 budget.
6. Meeting reminders - Millis Selectmen 3/26 at 7:30 p.m.; MMA Municipal update 3/27 in Mansfield at 6:00 p.m.
7. Discuss letter from Board of Assessors regarding space allocation.
8. Approve application for employee assisted education for Officer Boultenhouse.
9. Discuss letter from Mr. & Mrs. John Walsh regarding extension of sewer on Adams Street.
10. Approve and sign voucher and acceptance of Cert. of Substantial Completion of Holliston St. Sewer Project.
11. Discuss and vote on New England Telephone and Boston Edison petition #97-01.
12. Discuss memo from Chief Vinton regarding memo of understanding.
13. Discuss memo from Chief Vinton regarding underground tanks on Village Street.

AGENDA ITEMS FOR BOARD MEETING OF MARCH 14, 1987

1. Motion and vote on ATM terminal installation.
2. Discuss Patricia Campbell's resignation.
3. Decision on Water/Sewer employees and adding Highway Dept. employees and acknowledge other Water/Sewer employees' resignation.
4. Discuss request from Highway Dept. project coordinator for meeting with Selection Committee to discuss discussion and action.
5. Rep. Patricia Campbell looking for any projects responses for future business.
6. Meeting reminder - Mr. & Mrs. Seligman 3/23 at 7:00 PM. WMA financial update 3/23 in a meeting at 6:00 PM.
7. Discuss letter from Board of Assessors regarding space allocation.
8. Approve application for employees assisted education for Officer Spitznagel.
9. Discuss letter from Mr. & Mrs. John Walsh regarding extension of sewer on Adams Street.
10. Approve and sign voucher and acceptance of work on Substation Completion of Station St. sewer project.
11. Discuss and vote on New England Telephone and Boston Edison Station 3/23-01.
12. Discuss memo from Chief Vinton regarding memo of understanding.
13. Discuss memo from Chief Vinton regarding understanding tasks on Village Street.

Adjourned

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

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

- Mr. Henry took a few minutes to mention his recent heart attack and thanked everyone for their prayers and concerns.
- Warrants were signed totalling \$425,363.13.
- Mr. Downing moved approval of the minutes of March 17th from 7:05 to 9:00 p.m.; Mr. Brodeur seconded; all aye.

Mr. Downing moved approval of the minutes from 9:00 to the end; Mr. Brodeur seconded; Mr. Henry abstained; all aye.

7:10 - Martin Murphy came before the Board to request appointment as associate member to the ZBA. Mr. Murphy mentioned he was familiar with the process when he lived in Foxboro, and felt he could contribute in Medway.

Mr. Brodeur moved Mr. Murphy be appointed as associate member to the ZBA for the unexpired term of Daniel Hoban through June 30, 1998; Mr. Downing seconded; all aye.

7:15 - Jo Anne Muench came before the Board to request appointment to the Finance Committee. Ms. Muench noted her involvement in the community. Mr. Downing moved Ms. Muench be appointed to the Finance Committee through June 30, 1999; Mr. Brodeur seconded; all aye.

7:20 - Long Distance Tire came before the Board for a site plan represented by Attorney Neil Roche, and accompanied by Kevin Connelly, principal, and Dan Strahan, Vice-President.

Since the plans were just being submitted this evening, the Board did not feel they had received adequate time to fully review them, and asked that they return at a later time for this discussion. April 7th at 7:30 p.m. was set up for a site plan review.

Mr. Downing suggested the Board preview the plans and, if they had any questions, to submit them to Mrs. Allen who could forward them on to their office in Holliston. Mr. Roche suggested they be forwarded to his office. The two representatives clarified that this is a relocation, not an extension of the company in Holliston.

- The Board reviewed some additional budgets:

Department of Public Services.

Mr. Henry noted the Town Accountant's memo on snow and ice charges dated March 21st which was in response to a meeting that he had with her the previous Wednesday. He said they were still trying to get this issue clarified. Mr. Henry also said it was decided not to pull vehicle repairs out as a separate budget, but to leave it under DPS at this time.

It was noted that the budget set up two years ago combining \$47,500 from the various budgets for vehicle repair was based on fewer pieces of equipment with the Town, which since have been added to, and the other equipment the Town has that is aging. Mr. Downing recommended putting in \$60,000, noting it can always be changed.

Mr. Brodeur moved that the Board approve the DPS budget of \$303,278 for salaries; \$79,420 for expenses; \$122,000 for road repairs and \$60,000 for town vehicle repair; totalling \$564,698; Mr. Downing seconded; all aye.

Conservation Commission.

The Conservation Commission budget was reviewed. Mr. Downing moved approval of the ConCom budget of \$3,679 for salaries; \$3,000 for consultants; and \$3,400 for expenses; totalling \$10,079; Mr. Brodeur seconded; all aye.

Finance Committee.

Mr. Downing moved approval of the Finance Committee budget of \$2,120 for salaries; \$5,000 for expenses; and \$100,000 for reserve; totalling \$107,120; Mr. Brodeur seconded; all aye.

The Board noted that the FinCom secretary's evaluation was done on the old form. Mr. Brodeur suggested keeping hers on that form since she is part of JCRB. Mr. Downing noted the Town Accountant had the option of choosing which form to use.

- 8:00 - Jeffrey Sloan of the NLS Group returned to meet with the Board concerning the placing of an antenna tower on the Highland Street water tank.

Mr. Downing noted that a sub-committee of the Planning Board has been formed for discussion of this issue, and wondered if there should be a freeze placed on all telecommunication requests.

Mr. Sloan said that the Water/Sewer Board had questioned Town Counsel, and then it went to the Selectmen. He indicated they would have to do a RFP. Mr. Downing said that the two Boards have asked for further clarification on this from Town Counsel, but have not received a reply yet. Mr. Downing said that this issue was touched upon with Mark Flaherty, and he had felt it would be of benefit to the community and a source of revenue. He added that CVI is on the tower at this time but blends in.

Mr. Sloan further elaborated to the Board presenting a detailed book of pictures and information.

Mr. Henry asked about the Planning Board's clarification of the use of a public facility for private use, but Mrs. Allen said that the Planning Board was dealing only with zoning, with Mr. Brodeur adding that structures are limited to 40 feet. Mrs. Allen questioned if the first step was zoning or the RFP, and Mr. Sloan said the RFP is the way other Towns handle it.

Mr. Henry noticed that the PCS site agreement states the term is five years, and then the agreement is automatically renewed for four additional five-year terms. He had a problem with this, stating that nothing is done automatically. He also noted that the rent stays with the same increase for each five-year term with a maximum of up to 10%, or 2% each year. He felt that the minimum percentage needs to be re-negotiated after every term. Mr. Henry said he did have concerns with the terms between Sprint and Medway.

Mr. Downing stated that the Town could come up with a counter-proposal. The questions were: did we want to buy into the process? Were we opposed to the location? Could Town Counsel come up with a counter-proposal? Is this of benefit to the community?

Mr. Henry said he had no problem with the equipment or its placement, and if everything is clarified with Water/Sewer. Mr. Sloan stated that the 10% is a fixed increase, and this is an opening proposal to the Town. He also said that most RFP's are for \$18,000 for a community our size, and most are 20-25 year lease terms. He added that a set base minimum price with a set minimum increase is part of the agreement. Mrs. Allen noted the disk Mr. Sloan submitted to the Water/Sewer Board is still with them.

Mr. Downing moved to authorize the preparation of the drafting of the RFP for the location as outlined and

discussed in site documents dated October 21, 1996, and the follow-up memo dated March 3, 1997 to the Board of Selectmen, and any discussions pertaining thereto; Mr. Brodeur seconded; all aye.

Mr. Downing moved to request Town Counsel to draft a revised PCS site agreement similar to that submitted on October 21st on behalf of Spring Spectrum, and as outlined in the letter from Town Counsel to the Water/Sewer Board dated November 21, 1996; Mr. Brodeur seconded; all aye.

Mr. Downing recommended sharing with the Water/Sewer Board, who were also meeting this evening, of the action taken by the Selectmen tonight. Mr. Downing also added that Town Counsel be advised to expedite the RFP as time was of the essence.

- Mrs. Allen brought up the Senior Center and the question recently posed as to who has control of the 3.9 acres of park land where the Senior center is to be built. She said the Town just lifted the restriction, so she believed the Park Commissioners still have control of the land.

Mr. Henry wondered if the Board needs to request that the Park Commissioners submit a sub-division plan to the Planning Board? He thought the act of the legislature was to take it out of Park's hands to be given to the Board.

Mr. Downing said that the Park Commissioners conveyed the land to us, similar to "like kind donation", which had to be Board action taken to support the surrendering of property.

Mr. Henry asked what steps need to be taken to have control of the 3.9 acres? He asked that this be clarified and if a special act of the legislature is needed? a public hearing? registering of the land? sub-division plans?

Mr. Downing noted the County Engineers were down there staking the land.

Mr. Brodeur moved to request an opinion from Town Counsel to advise and clarify for the Board who has control of the 3.9 acres; Mr. Downing seconded; all aye.

8:30 -

Lisa Mawn, Chairman of the Open Space Sub-Committee, met with the Board to request they approve a budget for their committee.

She first questioned the appointment of their seven-member committee, and Mrs. Allen said the Board can appoint them in June for the next fiscal year under the Board.

Mrs. Mawn said their committee is trying to be an educational group as well, which is why they plan to be at Medway Pride Day again. Mr. Henry noted he had no problem with their being a committee of the Board with a budget. Mrs. Mawn said they were also a resource for growth issues, and hoped to get back to individual boards in April updating information generated by them. She also hoped everyone utilizes the open space plan as the information provided was input given by these boards.

Mr. Brodeur said that state law has set up the system so that ~~Open Space~~<sup>Conservation</sup> can set up an account and charge a fee, and what is spent on consultation review comes out of that fee. If they are not doing this, they should be.

Mr. Henry asked that the Open Space budget be placed on a regular budget form. Nonetheless, Mr. Downing moved that the Board approve the Open Space Sub-committee budget of expenses of \$2,700; Mr. Brodeur seconded; all aye.

8:55 - Committee Reports.

- Mr. Brodeur mentioned that he could not go to the School Building Committee on Wednesday, but nothing important occurred and Phil Poinelli could not attend anyway.
- Mr. Downing mentioned that he had just received for the Board this evening the contract documents for FFE for the new school, and the Committee was requesting the Selectmen's authorization to submit them to Town Counsel for his review.

Mr. Brodeur moved to submit the documents to Town Counsel for review as to legal form, and then to return same to the Committee; Mr. Downing seconded; all aye.

- Action Items.

- The Board noted the rough draft of the annual town meeting warrant articles, and quickly concluded that all the articles listed should be included in the warrant; however, the Board was still concerned about the amount of monies to place into the senior citizen tax relief program. Mr. Downing noted he did not feel the



concession stand was one area that seniors should be utilized, and how they were helpful for the Fire Department? Is this justified? What was the original intent? Are they displacing the work of others? He asked that clarification be obtained from the Council on Aging. What has been spent, and how has it been used? Do we still want to include the funding and at what level? Mr. Brodeur suggested just leaving the amount blank for now.

The Board requested that the bank buildings, the Dover article, and the police shed be placed on the warrant.

Mr. Downing authorized the chairman to prioritize the articles for the ATM warrant; Mr. Brodeur seconded; all aye.

- The Board discussed the grievance of Patricia Sampson, and it was noted that they went through the system with the department head. Mr. Downing moved to deny the grievance; Mr. Brodeur seconded; all aye.
- The Board discussed the two Water/Sewer employees' evaluations noting that the Board had come up with 32 and 38.5 instead of 42 for one; and 36.5 and 34 for the other instead of 42. Mr. Brodeur moved to disapprove the 42 score in each of the two employees; Mr. Downing seconded; all aye.
- The Board noted they still needed to do the evaluation for Bob Power and Mark Flaherty, and to also review the evaluation of Sandy Bennett by Mark Flaherty. The Board scheduled 6:00 p.m. appointments to review Ms. Bennett's evaluation on March 31st; Mr. Power's on April 7th; and Mr. Flaherty's on April 14th. Mr. Brodeur will provide his numbers prior to the meetings, as he will probably be unable to be there at that time.
- Mrs. Allen mentioned that Sam Corda, Sewer Project Coordinator for Holliston wanted to meet with the Board. The Board felt that the Water/Sewer Commissioners and our District Commissioners should be in on the meeting as well.
- Rep. Barbara Gardner was looking to the Board for any project requests for the FY'98 budget. Mr. Henry thought that information had already been provided, which included \$100,000 for roadwork engineering and design, and \$350,000 for the design of the sewer for the master plan. Mr. Downing added money for a lineal park, with Mr. Henry suggesting Bob Power be asked for a guesstimate.

- The Board was reminded of upcoming meetings in Millis and Mansfield.
- The Board noted the letter from the Board of Assessors who are concerned with the allocation of space on the first floor. Mr. Henry was not sure when the assumption of other space was made, but he would speak to the Chairman.

Mr. Downing noted that one of the members of the renovation committee had asked him to ask the Board to consider the certificate of occupancy; however, he was told the railings are not in yet on the back door ramp, and the certificate cannot be issued. He was also informed that Tri-County was doing the railings, so he asked if some pressure could be placed by our Tri-County rep, Bob Heavey, for some assistance.

- Mr. Downing moved approval of the employer-assisted education reimbursement for William Boultenhouse for \$500; Mr. Brodeur seconded; all aye.
- The Board noted the letter from Mr. and Mrs. Walsh of Adams Street, already acknowledged, regarding the extension of sewer on Adams Street, which Mr. Henry said is part of the master sewer plan. Mr. Brodeur asked that the Board of Health advise them as to the number of failures, and where they stand on priorities.
- The Board noted the request for payment to MPF Corporation for the sewer project. Mr. Downing moved that the Board sign the payment to MPF; Mr. Brodeur seconded saying this establishes the one-year guarantee starting this evening; all aye.
- The Board acknowledged the petition from New England Telephone Company and Boston Edison for petition 97-01, which does not require a public hearing for poles 1-6 to be placed on Puddingstone Lane. Mr. Downing moved approval of the petition; Mr. Henry seconded; all aye.
- The Board acknowledged the memo from Chief Vinton concerning a memo of understanding. They agreed they want to get together with the Chief sometime.
- The Board acknowledged the memo from Chief Vinton regarding underground tanks on Village Street. Mr. Brodeur said he was familiar with the issue and would follow-up on it. He did state they were on Town property.

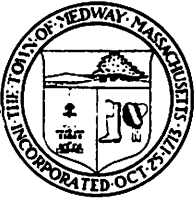
- 45 - The Chairman turned the meeting over to Mr. Downing.

- Mrs. Allen presented the Board with an emergency transfer for pre-employment physicals for the Police Department, stating this is usually a special article every year on the warrant. Mr. Brodeur moved approval of the emergency transfer of \$1,800 for pre-employment physicals; Mr. Downing seconded; all aye.
  - Mrs. Allen noted that Wayne Simpson from Norfolk County Sheriff's office would be coming to Town Hall next week with the prisoners to begin doing some work.
  - Mr. Downing asked Mr. Brodeur if he had completed the job descriptions for the DPS Administrator and the Assistant Highway Superintendent; Mr. Brodeur had not. Mr. Downing urged Mr. Brodeur to complete this asap. He also said that the Board has to offer the job description of the Assistant Highway Superintendent to the Union for acceptance.
  - Mr. Downing noted the sub-committee meeting of the Chair with the Bank Board of Directors on March 27th at 8 a.m.
  - Mr. Downing asked Mr. Brodeur to take over as liaison to the Planning Board; he agreed starting next week, and to let the Planning Board know.
  - Mrs. Allen said that an Environmental Certifying Officer is needed for the Senior Center Building Committee as part of the grant, and the Town Accountant was recommending that it be an employee, rather than a Selectman.
- Mr. Brodeur moved to authorize the Chairman to seek volunteers and/or assign a person as required by the grant; Mr. Downing seconded; all aye.
- Mr. Downing noted the rough draft of the Town Administrator article and job description, and asked the Board members to review them so they can be finalized.
- 10:00- Mr. Brodeur moved the meeting be adjourned; Mr. Downing seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved  
and  
3/31/97*



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

March 17, 1997

- 7:00 Open meeting, sign warrants, approve minutes of February 24th, March 3rd and March 10th meetings.
- 7:05 Chief David Lambirth to discuss addition of one Lieutenant and two more officers to the department
- 7:30 ~~Cable Advisory Committee regarding the contract and doing a survey.~~ *cancelled*
- 8:00 Steve Pedro, representing Ayoub Engr. for sign permits on canopy over the pump islands

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 17, 1997.

1. Appointment of Planning Board Representative to SWAP.
2. Review and vote on ATM warrant articles.
3. Vote on the following budgets: Conservation Commission, Cemetery Commission, DPS/Highway, EMS, Finance Committee and Open Space.
4. Discuss and vote on merit increase recommendations from JCRB.
5. Acknowledge letter from Edward Duggan regarding bank buildings.
6. Acknowledge annual franchise fee payment of \$1,557.00 from Cablevision.
7. Acknowledge letter from John Hancock regarding Cablevision.
8. Sign Senior Center Grant Administrator Contract.
9. Acknowledge letter from MEA negotiation committee regarding reopening of contract.
10. Acknowledge letter from March Thomas regarding appointment to Conservation Commission.
11. Discuss Design Consultants Contract for Alder Street design.
12. Discuss Patricia Sampson grievance; need hearing date for Fred Sibley prior to 4/4/97.
13. Decision on Water/Sewer employee evaluations and Acting Highway Superintendent.
14. Approve payment #12 for new elementary school.
15. Discuss construction of parking lot at high school - letter from Dr. Bettencourt.
16. Discuss Dover's request for septage space from Medway.

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17. Selectman Brodeur's report on four Conservation Commission matters(per last weeks meeting).

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Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:05 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. There was no live cable coverage this evening.

- Warrants were signed totalling \$1,134,185.66.
- Mr. Downing moved approval of the minutes of February 24th from entry 6:04 p.m. through entry 6:20 p.m.; Mr. Henry seconded; Mr. Brodeur abstained; all aye. Mr. Downing moved approval of the minutes of February 24th from after entry 6:20 p.m. to the end; Mr. Brodeur seconded; all aye.
- Mr. Downing moved approval of the minutes of March 3rd from entry 6:04 p.m. through entry 6:35 p.m.; Mr. Henry seconded; Mr. Brodeur abstained; all aye. Mr. Brodeur moved approval of the minutes of March 3rd from after entry 6:35 p.m. to the end; Mr. Downing seconded; all aye.
- Mr. Downing moved approval of the minutes of March 10th as amended with the corrections made; Mr. Brodeur seconded; Mr. Henry abstained; all aye.

7:17 - Chief David Lambirth came to meet with the Board concerning his budget which reflected, in part, a change in staff, including a Lieutenant's position and two additional officers. The Board had asked the Chief to come in so the viewing audience would be aware of the sharing of information prior to Town Meeting so the residents were not totally surprised.

Since we were not live on Cable, the Chief said he would be willing to return next week. Instead, Mr. Downing suggested issuing a press release to the newspapers for public relations information, and leaving him to explain the process to the public. The Chief agreed to this and will return if the Board so desires or residents have further questions.

Mr. Downing said he has explained to those he's talked to why it is important to support management and the leadership's decisions.

The Secretary was asked to contact Cable with regard to an incorrect advertisement that is being run.

With reference to a shed request in the Chief's memo, he explained how they have run out of room for the

impounding of items, such as bicycles, and for janitorial supplies, hard evidence, and the lawn mower. He felt he could get the volunteer labor but some funds would be needed. He is requesting this be a one-time article on the Annual Town Meeting warrant for funding.

This prompted a short discussion on the Chief's use of their prisoner for the cleaning and maintaining of the station, while Mr. Downing noted that the Board is trying to get into the maintenance mode for the physical upkeep of all the municipal buildings. One suggestion is to have a group assigned to different locations, and going back to a DPS operation to make maintenance a meaningful operation in the care of our buildings.

Mr. Downing also noted the new buildings still in the early stages, such as the addition to the library, the new elementary school, the new senior center, and the renovated area on the first floor of Town Hall. They need to plan ahead, with Mr. Henry adding they need to anticipate the future.

The Chief noted his cost is about \$1,500 a year, and has been in place since they moved to the new facility in 1991. Mr. Brodeur had concerns with the Board interceding in the Chief's area where something that has been set up is working. Mr. Downing did say, however, that other people could be utilized for some of the menial tasks the janitor is now doing. Again, he said the issue is preventative maintenance; custodial work could be out-sourced.

Mr. Downing voiced his concern with safety, and how we sometimes take for granted things that need to be done, and then don't do anything until it breaks. He noted it was not life-threatening, but life-taking.

On another subject, Mr. Downing asked the Chief did his cruisers utilize snow tires. The Chief said the snows are put on in November, but use all-weather year-round. Mr. Downing inquired if that was really necessary, and determined it was when the Chief said the vehicles were all rear-wheel drive. Mr. Brodeur asked about an option for front-wheel drive, but the Chief said no one makes them for cruisers.

8:00 -

Steve Pedro representing Ayoub Engineering came before the Board for sign permits on the canopy over the pump islands. The request is for two Shell signs east and west and two logo signs (pectens) east and west. Mr. Pedro indicated they were on the plan originally submitted, but need Selectmen's approval now, as the



only sign that is allowed is on the facade of the building.

Mr. Brodeur moved to allow Shell to place four pectens at their discretion east and west on the canopy instead of the word "Shell"; Mr. Downing seconded; all aye.

8:12 - Committee Reports.

- Mr. Henry brought up the on-going negotiation of the bank buildings. He noted that the Board members had met with members of the CIPC and FinCom, toured the facilities with Bob Stratton, and then further discussion was continued at Town Hall afterwards. All felt it was a meaningful dialogue and discussion.

Along with Lee Henry, Bob Ciavarra of the CIPC and Glenn Trindade of the FinCom, volunteered to be a sub-committee of the Chair and to act on the Board's behalf. Mr. Downing moved to allow Mr. Trindade and Mr. Ciavarra to be a sub-committee of the Chair and to continue discussions as needed; Mr. Brodeur seconded; all aye.

Mr. Henry said his participation is restricted and would ask that Mr. Downing represent the Chair in his absence. Mr. Downing noted he has been the most vocal of the Board members on this issue. A meeting has been sent up on March 27th with the Board of Directors, preceded by a sub-committee meeting on March 20th.

On further thought, Mr. Downing felt that it might be more advantageous for each Board member to concentrate on one major each, rather than each give one-third of their time to an issue. He recommended that Mr. Brodeur stay with the DPS issue since he was pulling that together; that he continue working on the Town Administrator article and job description; and that Mr. Henry take the lead with the bank buildings. The Board agreed this was the way to go.

Mr. Brodeur asked if they could take action item #5 out order, which was in reference to a letter from Ed Duggan on the bank buildings. Mrs. Allen was asked to acknowledge Mr. Duggan's letter. Mr. Brodeur felt that the Board was doing what needed to be done to let the people decide for themselves.

Mr. Downing agreed stating the Board would not cater to 1 out of 12,000 people, but would, however, send a copy of the press release to him to make the public aware.

With regard to Mr. Duggan's comment about doing a needs

and cost assessment of this property, Mr. Henry said that one of the responsibilities a Selectman is elected to do, is assess the needs of the Town. Mr. Downing agreed they are going through the process, with Mr. Brodeur saying they would be giving it to the voters.

Mr. Downing noted the meeting on March 27th would be in executive session, but Mr. Duggan was welcome to come to the open meeting on March 20th.

- Mr. Downing noted that the School Building Committee was meeting on March 19th at 6:30 p.m. at the Burke School, and Phil Poinelli would be attending. Mr. Brodeur will try and be in attendance.
- Mr. Downing reported that Norfolk County would be looking at hospital operations to prevent what happened to Middlesex County. If it is sold, you sell the obligations; if it is closed, then the debt service would be have be shared among 18 communities.
- A reminder that there is a legislative breakfast on March 21st at 8 a.m.
- Action Items.
- The Board noted the request from Planning Board member Paul Yorkis to be appointed as the rep from the Planning Board to SWAP. Mr. Brodeur moved to appoint Paul Yorkis to SWAP as the Planning Board member; Mr. Downing seconded; all aye.
- The Board started discussing budgets that still needed to be approved.
- Department of Public Services.

Mr. Henry said he had many questions on the DPS budget. He said if the Board wanted to go ahead and approve, fine, but he wanted to pull vehicle maintenance and the mechanic's salary out. This would affect line items 101, 105, and 106. In further reviewing the budget, it was noted that line 150 was not included as well.

Mr. Downing did not want to create a separate department feeling it would cloud the issue. Therefore, Mr. Henry said to leave it the way it was, but they still need clarification on snow and ice. Mr. Henry noted that there has not been one year where we have not over-expended the snow budget. He said he would be meeting with the Town Accountant and the Mechanic on Thursday to discuss the definition of what is allowable, with Mr.

Downing agreeing this needs to be resolved.

Mr. Henry said they could not approve the DPS budget as presented, and recommended they submit the budget on their own, as Mr. Podgurski would not be returning to work until the following Wednesday.

- Conservation Commission and Finance Committee.

The Board reviewed the ConCom budget, but noted that line 150 appeared incorrect for \$943.80, and obviously too much for the merit increase.

At this point the Board took action item #4 out of order, which was a memo dated March 12th from the JCRB concerning merit increase recommendations for the secretaries on the Planning Board, ZBA, ConCom, and FinCom.

It was noted that the FinCom secretary's evaluation was done on the form union employees are required to use, rather those on the form for non-union. Mr. Brodeur also stated that they can't approve the form because some of the numbers used in the evaluation did not have comments anyway. Mrs. Allen asked what was the anniversary date. It was also noted that the merit increase funding may not have been done properly as they reduced salaries while providing for the merit increase.

Mr. Downing asked that a memo be sent to JCRB secretary Arlene Doherty requesting all four committees use the old form and meet with the Board next week.

Mr. Downing said that the Board also needs to know how to handle the Open Space budget, prior to approving ConCom's budget. Mrs. Allen noted if the Board was going to appoint the Open Space Committee under the Selectmen, then they should have their own budget.

The two budgets (ConCom and FinCom) could not be approved.

- Emergency Medical Services.

The Board thought Chief Vinton was going to come to the Board with a revised plan; however, the budget as submitted by the Chief was the normal budget as in previous years. Mr. Downing thought if there was any restructuring to be done, it could be done at a STM.

Mr. Downing moved approval of the EMS budget of salaries for \$57,884; expenses of \$10,780; totalling \$68,664; Mr.

Henry seconded; all aye.

9:00 - At this point, the Chair turned the meeting over to the Acting Chairman, Doug Downing.

- Prior to Mr. Henry leaving, Mr. Downing said he would like to take action item #16 out of order concerning the Dover septage issue. He said he would like this resolved at the next meeting. Mr. Henry said they could maybe sell 25,000 gallons a day. Mrs. Allen noted approval would have to be received at a town meeting.

Mr. Downing moved to authorize Mr. Henry to continue a dialogue with the Commissioners and the District on this issue and report back to the Board; Mr. Brodeur seconded; all aye.

- Mr. Brodeur, at this time, realized an error had been made in the calculation of the EMS budget, and moved approved of an amended EMS budget of \$56,984 for salaries; \$10,780 for expenses; totalling \$67,764; Mr. Downing seconded; all aye.

- Cemetery Commission.

Mr. Brodeur moved approval of the Cemetery Commission budget level-funded of \$1,087; Mr. Downing seconded; all aye.

- Mr. Brodeur moved approval of a change in step for Arlene Doherty, ZBA secretary from grade 3, step 3 to a grade 3, step 4; Mr. Downing seconded; all aye. The other three secretaries are unresolved.
- Mr. Downing noted that the Town has received a franchise fee payment for 1996 of \$1,557 for 3,114 subscribers at \$.50 per subscriber.
- Mr. Downing acknowledged receipt of a letter from the Hancock family wondering why channel 19 (WOR) had been taken off the air. He asked that Mrs. Allen acknowledge their letter and to ask Steve Grossman from CableVision what are the Town's options, with a copy to the Cable Advisory Committee.
- The Board brought up the Senior center Grant Administrator Contract. They were still concerned about the Clerk of the Works position, but they needed to get Mr. Carlucci on board and the project going. Mr. Brodeur moved to sign the Grant Administrator contract for Gino Carlucci; Mr. Downing seconded; all aye.

- The Board acknowledged the letter from MMEA stating that, based on what was presented during the last negotiations, they did not feel the need to bring the re-opening of the contract back to the membership. Mr. Downing said they can go back at some point in time when they have something to consider.
- The Board discussed the request from Marcy Thomas to be appointed to the Conservation Commission. Since receiving her original request, ConCom members had spoken to her, and they felt she had withdrawn her request, but then after Mr. Henry wrote her a letter to clarify the situation, she wrote back with her continued interest.

Since that time, she took out papers for the Planning Board. Based on this recent development, the Board was unsure if it would affect her decision. It was noted, legally, she could do both. Mrs. Allen was asked to send a letter to Ms. Thomas on behalf of the Board asking her this question. Mr. Brodeur noted you can be appointed first, and then elected; but not vice-versa.

Mr. Brodeur had not been able to act on the other concerns involving ConCom yet.

- The Board discussed the Design Consultants contract for the Alder Street design. Mr. Brodeur moved that the Board request Design Consultants to revise their contract per Town Counsel's letter dated March 10th and re-submit it to the Board; Mr. Downing seconded with the addition of copying the IDC; all aye.
- The Board discussed the grievance of Patricia Sampson. Mr. Brodeur said that not everyone understands the Board's interpretation of the definitions. It was requested to place this as an action item on next week's agenda.
- With reference to a letter from Fred Sibley requesting a hearing, Mr. Brodeur moved that the Board set up March 31st at 6:45 p.m. for the hearing, and to so notify Mr. Sibley.
- With reference to the Water/Sewer employee evaluations, Mr. Downing thought they had agreed to disagree, but then said to review the evaluations as an action item on next week's agenda, along with the Acting Highway Superintendent.
- Mr. Downing moved approval of construction requisition #12 for the School Building Committee in the amount of

\$635,074.33; Mr. Brodeur seconded; all aye.

- The Board discussed the March 3rd letter from School Superintendent Art Bettencourt concerning the possibility of constructing a paved parking area in the lawn area off of Holliston Street where the sewer work project was done.

Mr. Downing said he had a preliminary discussion with Water/Sewer Superintendent Mark Flaherty about swapping or trading something with the contractor who did the sewer project, and asked what funds were remaining in the contract to finish the project. He also had a dialogue with the Bus Coordinator since the buses are presently being parked on Peach Street on Church property.

Mr. Downing asked that Mrs. Allen acknowledge Dr. Bettencourt's letter, and advise him that he is trying to coordinate some answers with Water/Sewer, Highway and DPS, and will get back to him.

It was also noted that the Norfolk County Engineers had surveyed that area some years ago when there were thoughts of putting a driveway along the Higgins' property, and Mrs. Allen was asked to mention to Dr. Bettencourt that a copy of that plan may be on file in the Business Office.

- Mr. Downing moved to appoint Flo Mucci to the Board of Registrars through April 1, 2000; Mr. Brodeur seconded; all aye.
- The Board said they would discuss the Annual Town Meeting warrant articles next week.

- 9:45 - Conservation Commission Chairman David Travalini stopped by, and the Board took this opportunity to discuss several pending issues with him.

The Board asked him about the Open Space Sub-committee's budget and if ConCom would be willing to take their expenses under the budget. Mr. Travalini said he would prefer they just came under the Selectmen, but would not be opposed to sponsoring them.

With reference to the open space grant for the purchase of land, Mr. Travalini thought it would be nice to have land that isn't swampland, but upland, such as Idylbrook. Deadline for the grant was noted as June 2nd.



Some discussion ensued with regard to one individual on the ConCom who the Commission would like not signing off on building applications. Various scenarios were given including two signatures on each application, or bringing a signing to a vote at a meeting. Both were dismissed by Mr. Travalini as being too time-consuming with the number of applications submitted for sign-off.

The only suggestion Mr. Travalini could go back to was not allowing that person to sign-off, so Mr. Brodeur just said they could restrict the rotation schedule to the other four members only, and any other signatures would be unauthorized signatures. Mr. Travalini said that could be done, and again, voiced his concern to want to keep the individual on the Commission for his input and comments; however, he was afraid of the Commission losing control and putting the Town at risk.

Mr. Brodeur asked Mr. Travalini to let him know some of the building permits he was aware of that we had problems with. Mr. Travalini said he would do that, and also have his Secretary prepare a new rotation schedule with only four members.

10:25- Mr. Brodeur made a motion to adjourn; Mr. Downing seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved*  
*3/24/97*



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### Agenda

March 10, 1997

- 7:00 Open meeting, sign warrants, approve minutes of February 24, 1997 meeting
- 7:05 Open RFQ's for traffic study - Trotter Drive/Alder Street
- 7:15 Gino Carlucci regarding Grant Administrator contract
- 7:30 Joanne Muench regarding appoint to fill a vacancy on the Finance Committee *CANCELLED*
- 7:45 Park Commissioners with regard to placing personnel under DPS/Highway
- 8:15 Sgt. Saleski, regarding Police/Fire Communication Budget
- 8:30 School Building Committee Chairman, John Boczanowski regarding PCO's for new elementary school building

Committee Reports

Action Items



ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 10, 1997.

1. Acknowledge letter to Chief Vinton from the Franklin Fire Chief.
2. Acknowledge letter to Council on Aging regarding funds for the Service Incentive Consortium Grant.
3. Acknowledge letter from Helen Luccio, Executive Director of Medway Housing regarding Fire Chief's proposal of two full time firefighter/EMT's.
4. Acknowledge letter from Frederic Sibley regarding grievance.
5. Acknowledge letter from Town of Millis to meet with Millis Board of Selectmen on March 26, 1997 to discuss tying in to the Millis sewer.
6. Acknowledge and discuss request from Jeff Sloan, The NLS Group, for leasing space on water tank.
7. Acknowledge discuss letter from Open Space Committee.
8. Discuss and vote on Emergency Transfer Request for Law/ Special Counsel.
9. Acknowledge letter from Trudy Coxé regarding 1998 grant round for the Self-Help and Urban Self-help program.
10. Acknowledge letter from Chairman of Conservation Commission regarding two issues.
11. Discuss and vote on Emergency Transfer Request for the Annual Town Report.
12. Discuss and vote on Application for employer assisted education for Allen Tingley.
13. Request from Planning Board for use of Town Counsel
14. Acknowledge MMA letter regarding update meetings.
15. Acknowledge Central Mass. EMS Corp. Annual Meeting.

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Present: Doug Downing, James Brodeur, Administrative Assistant  
Ruth Allen.

7:07 p.m. - Mr. Downing called the meeting to order in the  
Selectmen's Meeting Room 2 of Town Hall.

- Mr. Downing stated that Selectman Henry had taken ill with his heart and would not be in attendance this evening. We all wished him well for a speedy recovery.
- Mr. Brodeur read the notice that appeared in local papers for an RFQ for a traffic study. It was noted that 25 specs were sent out by the Office, and 8 received for this evening. James Mucci of the Industrial Development Commission was present for the opening of the RFQ's. Those that submitted qualifications included:
  - Edwards & Kelcey Inc. of Providence, RI
  - Bruce Campbell & Assoc. of Boston
  - Vollmer Assoc. of Boston
  - Tibbets Engr. of Taunton
  - Leuw-Cather & Co. of Boston
  - McDonough & Scully of Natick
  - HSA Corp. of Concord, NH
  - Design Consultants of Somerville

Mr. Downing read the minimum requirements as outlined in the specs. Mr. Brodeur moved to turn the RFQ's over to the IDC for their review and recommendation keeping one copy from each company for the Office files; Mr. Downing seconded; all aye.

7:17 - Gino Carlucci came before the Board again this week as requested at last week's meeting concerning the grant administrator contract.

In Mr. Henry's absence, Mr. Downing referred to a portion of last week's minutes and the concerns that Mr. Henry had voiced to him. Mr. Carlucci did state he did not receive a letter reiterating the concerns Mr. Henry had, and which, Mr. Downing explained was due to his sudden illness.

Unfortunately, some of the issues discussed he really could not respond to, i.e. the Friends of the Elders' commitment to funds.

The cost of utilities rests with the committee, but Mr. Carlucci said that will be determined during the design process.

Mr. Downing asked about funding built in for the Clerk of the Works. Mr. Carlucci said it was in the application; it is not a separate line item but is specified. It is also included in the management plan that has been revised.

Mr. Downing wanted clarified that the monies expended on the Clerk of the Works comes out of the grant money. Mr. Carlucci stated that was true unless the Town chooses not to and the \$600,000 is part of the building costs and the Clerk of the Works is extra. Mr. Downing felt firm costs needed to be established and full time supervision. He still did not know the parameters of the Clerk of the Works' salary.

Mr. Downing asked about the general administrative costs and Mr. Carlucci said it was submitted as part of the proposal and in the application. At this point, he noted he had the management plan the Board asked for last week, and that this plan addresses the delineation of the two positions. He indicated that what he was providing to the Board was verbatim out of the grant. Mr. Carlucci said his job as grant administrator is to make sure the state and federal laws are being followed and to process invoices.

Mr. Downing said how the Town was spoiled by the Clerk of the Works on the new \$10 million school, and how he has maintained a written and pictorial log. Again, he stated the Board just wants to protect the Town. He also stated that the Board took the heat for jeopardizing the project, and they don't want to be in the middle of any problems with the project now.

Mr. Carlucci said he gave the SCBC a memo about the next couple of steps that need to be followed, and that the designation of an environmental officer is necessary per documents he was given. Mr. Downing asked that the Board be copied on anything that Mr. Carlucci sends out.

Mr. Downing mentioned that during a workshop on Saturday Dick Coakley mentioned the County Engineers. Mrs. Allen said the request already went to the County Engineers and she had gathered the necessary information for Tony Ryan, copying Dick Coakley with that info.

Mr. Downing said he would review the additional documentation Mr. Carlucci just provided, and if something appears to be a stumbling block, the Board will ask Mr. Carlucci or the SCBC to meet with them. He asked that all three Board members be allowed to review the paperwork, and Mr. Henry could sign the

contract as Chairman. Mr. Carlucci said the contract has to be signed and sent to the State for approval. He asked if he could send a draft copy on ahead, and Mr. Downing agreed with that. Mr. Brodeur said this will all be discussed as an action item next week.

Mr. Carlucci noted he appreciated being able to receive for Medway \$1.7 million in grant funding working for the Town the past couple of years.

7:45 - At this point, the Board needed to take a recess and join the Water/Sewer Board in the opening of bids for *Cleaning of Village St. wells & water testing.*

8:05 - Park Commissioners Ellen Gove, Al Magliaro and Maureen Giles came to meet with the Board to discuss the possibilities of delegating the day-to-day operations of the Park Department to the Selectmen, and the development of a Recreation Department run by the present Commissioners.

Mr. Magliaro said he wanted to put the idea on the table which they feel is both economical and efficient. He stated they feel there is a duplication between the High School, Park and Highway on machinery. The Commissioners have tried to define responsibilities and were getting nowhere. They have two employees with their peak time between April and October, when they could use more people, so in July and August, they have an additional person. At other times, they felt they were killing time and it was not an efficient use of personnel. The two employees did a log, and after review, found that the Supervisor was doing mostly clerical work all year, and being taken off of field work. Mr. Magliaro said that clerical work should not be a part of their day-to-day operation. Mr. Downing asked if it was "meaningful" clerical work, to which Mr. Magliaro replied that they felt it was "making busy work" and not a necessity.

Mrs. Giles said they just have a recreation department in Millis. Fred Sibley does permits here where Janet does them in Millis. She felt we didn't offer a lot of programs in Medway. Mr. Downing inquired if they wanted to focus on recreation, and Mrs. Giles said they did.

Mr. Downing asked if at one time, they were under DPS, and they replied they were. Mrs. Allen clarified the employee was under Highway, not the Park Department. Mrs. Gove felt it was time to do it again. Mr. Downing said he agreed, and thought Mr. Henry would too. Mr. Magliaro felt they should get a larger scope and include

the schools. He also stated that the dollar line items to work with were unrealistic, and hadn't changed in five years. The youth organizations have been picking up the slack, i.e. soccer having given \$7,000. Baseball has an outside contractor take care of Cassidy Field. He stated he wants to see those fields kept up, and those groups utilizing them have given a lot to the Town.

Mr. Downing said a new configuration could add extra people, and he would support it if they wanted to dissolve the Commissioners and create a Recreation Department. Mr. Magliaro said they want a Recreation Department, but they still want to be able to call the Highway Supervisor and let them know if they need something to be done. Mr. Downing said they would then have to go through our office. Mrs. Allen stated we had added many fields, but no more employees. Mrs. Gove wanted to make sure that Choate Park was kept up during the summer even without additional funding.

In his official capacity, Mr. Downing believed a special act created the department, and things should stay the way they are now for now, but to come up with a plan for implementation for the next fiscal year. He doubted if they would get an increase in their budget, but to make it workable, put together a plan for the next couple of years, identifying the critical needs areas, i.e. between this date and that date - this needs to be done. Mr. Downing said to come back next year for the FY'99 budget and take the time now to plan.

Mr. Brodeur said he did not know of any other Town that did not have clerical help for DPS and Park, and it should be looked at. Mr. Downing said that clerical needs could possibly be turned into projects, and maybe the senior citizens could help. Mr. Brodeur noted there was no room in Town Hall to put extra help, but the bank buildings could provide that extra space.

Mr. Magliaro asked about their next step, and Mr. Downing said the Board would take everything under advisement as the employees are governed by contract, and they would get back to them. He said they would be willing to make adjustments, but they want to be fair to the employees, but it might be part of a larger resource.

Mr. Brodeur felt that ultimately Water/Sewer, Park and Highway would be under one umbrella, which was their goal when they changed from Highway Superintendent to DPS Administrator.

Fred Sibley stopped in having just understood that this subject was under discussion and didn't know anything about the meeting. He noted that before, when anything pertaining to Park was discussed, he was invited to those meetings. He felt it was bad management not to ask the people involved every day, and not to include the people that know the answers. Mr. Sibley said he was seeing his job, his integrity, and his performance being smeared on TV. There was misinformation being presented, and he didn't like it. He hasn't been asked to participate in any of these discussions.

Mr. Downing said if it had been a joint meeting, it would have been posted. The Board was just responding to a request. He told Mr. Downing the Commissioners were his bosses, and we have to rely on each other to share information. There was nothing willful or spiteful going on here; it was just two management groups meeting to look at an approach.

Mr. Brodeur stated that Bob Power writes notes to the Board explaining his position, and it was effective. You should write how you feel to your Board, with a copy to us. Mr. Downing said, however, they have to communicate among themselves, but, Mr. Sibley said they need information to make a decision.

Mr. Downing said there is a protocol to follow, and they have to adhere to it, and close this part of the agenda. If there is a problem with people and their subordinates, it's up to the Commissioners to resolve.

8:30 - Sgt. Bob Saleski came to meet with the Board, along with Dispatchers Jen Mitchell, Matt Reardon and John McLaughlin.

Sgt. Saleski wanted to say that Dispatchers have to be on 24 hours a day, 7 days a week. He had four full-time employees and one part-time. He indicated that they were on a 5-2 schedule, but about 5 years ago, the dispatchers asked him to consider a 4-2 schedule similar to what the police have, which would mean an additional day off on a 6-week rotation schedule, and they would have to put on an additional 10.6 hours each week.

(At this point, Mrs. Allen had to leave the meeting because of a coughing bout.)

Mr. Downing clarified that these employees were not salaried. Sgt. Saleski also stated that they are under the JCRB with different job descriptions and categories. He said they were not union people, and not part of the

Police Department or the Police Association or the MMEA; they are employees at will. They were willing to drop down a step in their grade for this adjustment to 4-2. It was determined that the additional 10.6 hours would be equal to \$7,400 over one year at the dispatcher's rate.

Sgt. Saleski said that there are different ways to break down the budget, and went over various scenarios with the Board, which included the 4% cost of living increase; the 4% +10; and 0% + 10.

Mr. Downing was unsure as to how the Board could implement this if the salary schedule is adjusted annually, and if legally as a municipality, they could do it. If the Board allowed the Dispatchers to waive their ~~4% cost of living increase~~ <sup>negotiated wage adjustment</sup> for FY'98, they would then realize ~~an 8% cost of living increase~~ <sup>a 4% wage adjustment</sup> in FY'99 because of the salary adjustment.

Of course, Sgt. Saleski said he would prefer his Dispatchers receiving the 4% without losing the step if the Board chooses. Mr. Brodeur asked if there would be an increase in the four individuals' income on the 4-2, and Sgt. Saleski said no; they would gain an additional day off. With reference to doing details, he said the Dispatchers were at the bottom of the list.

Mr. Downing said his gut reaction was that it was a direct benefit for the employee, and an indirect benefit to the community. He did not know if he could go along with the 10.6 hours and the 4%, and would have to go with the 0% + 10 and support that.

Sgt. Saleski said that prior to his coming here this evening, he had sent a memo to his employees to ask if they would sign a letter indicating their willingness to back down a step if the 4-2 was approved, and showed that memo to the Board. However, he stated, he did not feel they should sign it until after Town Meeting action. Mr. Brodeur read the memo dated March 10th for the record.

Mr. Brodeur moved to approve the Police/Fire Communications budget for FY'98 for 0% + 10 for salaries of \$142,895; expenses of \$6,130; totalling \$149,025 for a rate of 4.34%; Mr. Downing seconded; all aye.

9:10 -

Members of the School Building Committee, John Boczanowski, Linda Reynolds and Dave Verdolino joined the Board to discuss the progress of the new school as well as change orders that have and will be submitted.



Mr. Brodeur noted he had met with Ms. Reynolds and Mr. Kubitz last Thursday and requested that the Board be provided with copies of any future PCO's.

Mr. Boczanowski said he had an on-going list, which might involve 3 or 4 trades, where they hold PCO's pending further information, sometimes rejecting 50% of them. Ms. Reynolds also stated she has a spread sheet of all of them.

Mr. Brodeur said he wanted a copy of any PCO that the Board has not signed as a change order, and Mr. Downing should be able to bring them to the Office after the meetings he attends.

Mr. Brodeur complimented the Committee on keeping the total cost on change orders to \$150,000 so far. Mr. Boczanowski said they had cut some items out, but if the budget allows, he would like to put some of them back in. Mr. Brodeur said he would like to see items such as that. Mr. Boczanowski did note that the Committee did not expect the building permit fees and financing costs from the Treasurer.

Mr. Verdolino said he would get a package from Wednesday's meeting to Mr. Brodeur.

Mr. Downing noted that there will be a review of errors and omissions in the contract, but they have not had a problem as far as he knew.

Mr. Verdolino said sometimes there is a time lapse between when the Committee votes for changes; then the architect, contractor and Clerk of the Works haggle over prices and finally agree.

Mr. Brodeur thought that some funding might get rejected by the grant agency on a change order; however, Mr. Boczanowski said that the grant agency comes out one year after the school is completed and do an audit. People involved in the project know what the grant agency would reject anyway.

Mr. Verdolino said the school was 80% complete.

- 9:25 - Warrants were signed totalling \$517,718.92.
- The Board decided to hold off approval of the minutes of February 24th and March 3rd until next week.
- Mr. Brodeur noted there was information they were still looking for from the DPS Administrator, i.e.:



- paving deadline was due March 10th.
- Shaw St. Bridge questions.
- 5 yr. paving-chip/seal program.
- Stallbrook signs.
- The Board noted the joint meeting with the Planning Board on March 12th, as well as the FinCom, and Norfolk County Advisory Committee meeting.
- A reminder to ask Mrs. Allen if she sent out the memo on towers.
- Mr. Downing acknowledged the resignation of Sue Phinney from the Planning Board effective March 21st, and wished her well. It was not official, however, until acknowledged by the Town Clerk.

9:30 - Action Items.

- Mr. Brodeur read the communication from Fire Chief Keith Hoyle of the Franklin Fire Department thanking Medway Fire for their assistance at the Dean College fire.
- Mr. Brodeur read the communication from the Milford Council on Aging noting that Medway was part of the award of the Service Incentive Consortium Grant for medical transportation.
- Mr. Downing noted the memo dated March 6th stating the telecommunications sub-committee of the Planning Board would be meeting May 1st.
- The Board discussed the letter received from Jeff Sloan of the NLS Group dated March 3rd for leasing space on the water tank. Mr. Brodeur went over the letter which prompted some questions, such as zoning violations or going for a variance. He noted that it would bring \$18,000 income to the Town. His concern, however, was the method of attachment to the steel water tank, and does it jeopardize the steel? What was the height? Was Sprint a public utility?

Jeff Sloan was present to answer any questions when the Board addressed the letter, and therefore, told the Board that it is attached to the painters lip at the top of the tank. Their construction people would still have to come out and look it over. Mr. Brodeur felt their visit would be critical to the Board's approval.

Mr. Sloan said they would handle any zoning concerns, as he felt it would require going before the ZBA. They have also been deemed not to be a public utility, but it

was being revisited. He extended his company's willingness to work with the community and providing a source of income.

Mr. Downing noticed that this subject had been addressed with the Water/Sewer Board last November, and he apologized to Mr. Sloan for taking this long to discuss his concerns. Mr. Sloan said the Water/Sewer Board had thought they had control and were trying to get answers themselves. However, under the Procurement law, there has to be a RFP, a sample of which he gave the Water/Sewer Board. He said Spring would like to do this, and time is of the essence to have this site included.

Mr. Downing asked that this be placed on next week's agenda, and the Office would call him with a time so this can be resolved. Mr. Downing asked Mr. Sloan who NLS was.

Mr. Sloan stated they had been in business 10 years; they work for companies involved in transportation, electric restructuring, leasing. They research areas for sites, write up a report, get permission from the cities and towns for the lease, and then Sprint takes over since they were contracted by them.

Mr. Sloan said the Board could give them the lease or an answer prior to the site visit, but the Board would have the right to refuse, change or not accept once the site visit was done.

- The Board acknowledged a letter from Helen Luccio dated March 5th supporting Fire Chief Wayne Vinton's proposal to have two full-time firefighters/EMTs. Mr. Downing said this was discussed at great length at a workshop on Saturday with the Chief. He said he could buy in to support a proposal, but with a different slant. He said the Chief and some of his people will review it and come back with a new submittal.
- The Board acknowledged a grievance from Fred Sibley, and Mr. Downing said the Board would pursue this with Fred and respond in a timely fashion. Maybe this can be addressed next week, or at a special meeting, or discussed at the end of the meeting tonight.
- The Board acknowledged a letter from Millis' Administrative Assistant Jacqueline Anderson concerning her Board's request to meet with the Medway Selectmen on March 26th in Millis. Mr. Downing said he would attend; Mr. Henry had told the Office he would; and Mr. Brodeur also will try to attend. The Office will notify Millis

of this, but Mr. Downing asked the Office to inquire if this was a special meeting, or can the Board offer up other topics for discussion.

Mr. Brodeur noted from Medway Water/Sewer minutes that there are others requesting to tie in and a need for Medway to be utilized on sewers; this should be kept in mind.

- The Board acknowledged receipt of a request from the Open Space Subcommittee for their own budget of \$2,500. Mr. Downing said he would have preferred this on the regular budget format; however, to facilitate the committee, Mr. Downing would accept a motion to consider its approval except for the \$1,500 for printing and binding the open space plan book.

Mr. Brodeur did not think we could create a budget for a subcommittee; therefore, Mr. Downing suggested giving it to the Conservation Commission. Mr. Brodeur recommended asking ConCom if they have a problem absorbing Open Space's budget into theirs, or it would require a special article or going to the FinCom. Mr. Brodeur said he would talk to ConCom about the budget. Mr. Downing asked that the Office advise Open Space that the Board is interceding on their behalf to see if they can get the \$1,000 into ConCom's budget.

- On another related issue with Open Space, the Board acknowledged a letter from Trudy Coxé of the EOE A dated February 26th announcing a grant round for recreation land or facilities. Mr. Brodeur will also discuss this with ConCom and the deadline of June 2nd.
- Mr. Brodeur moved to approve an emergency transfer for \$953.12 for Special Counsel; Mr. Downing seconded; all aye.
- Another memo relating to a ConCom applicant and a Commission member from Chairman David Travalini and received March 3rd was acknowledged. Both issues Mr. Brodeur said he would also discuss with ConCom along with the other two noted above, and come back next week.
- Mr. Brodeur moved to approve an emergency transfer for \$875 for the annual town report; Mr. Downing seconded; all aye.
- Mr. Brodeur moved approval of the application for employer-assisted education for Allen Tingley in the amount of \$944; Mr. Downing seconded; all aye.

- Mr. Downing brought up a memo dated March 6th from the Planning Board concerning Claybrook II and the need to request the use of Town Counsel on a bonding issue. Mr. Downing noted Paul Yorkis was aware of the situation and that a change in general laws in the funding mechanism may affect the form of securing bonds, and this was an urgent need. Mr. Downing moved to allow the Planning Board to consult with Town Counsel; Mr. Brodeur seconded; all aye.
- The Board noted the MMA's letter dated February 28th concerning a series of update meetings that would be held in the Spring. Mr. Downing said he would attend the session in Mansfield on March 27th, and asked the Office to register him. It was unsure if Mr. Henry or Mr. Brodeur could attend.
- The Board acknowledged a letter from the Central Mass. EMS Corp. concerning an annual meeting being held on May 6th. The Board was unaware if Chief Vinton had received a copy of the letter, and who would attend. The Office was asked to follow up on it for next week.
- The Board noted the Town Accountant's memo dated March 6th concerning the FY'96 audit. The Office was requested to ask the various boards addressed in the memo if they felt a joint meeting was necessary to discuss this further, otherwise the public hearing and exit conference could be held. It was also noted the Audit Committee had not been referenced in the memo and should be made aware of the draft that was received, so the Office was also asked to contact them and see if they would like to review it at the joint meeting with the other boards. Once replies are received, a joint meeting can be held and placed on the agenda as an action item.
- School spending was discussed, and Mr. Downing said Medway did not qualify per the new criteria of 2.2% growth factor. He was unsure if Dr. Bettencourt knew that Rep. Gardner had informed the Board of this when she last visited. He asked the Office to inform Dr. Bettencourt of this information, and that the Board was concerned about this and to research this issue through their resources. No return response was necessary.
- The Board noted the letter received from Attorney Cipriani protesting a recent bid opening on behalf of his client, the apparent second low bidder on the project. Mr. Downing recommended acknowledging the letter and that the Board is waiting to hear from Town Counsel.

- The Board acknowledged a memo from ZBA Chairman Jan Morris requesting the Board place an article on the Town Meeting warrant concerning the deletion of the reference to a "general residential" district in the zoning by-laws, as it is not designated on the zoning map. Mr. Brodeur moved the article be placed on the STM warrant; Mr. Downing seconded; all aye. The Office was requested to advise the Planning Board to hold a public hearing.
- The Board acknowledged a letter from the Board of Health with a recommendation for the GIS mapping services. Mr. Brodeur moved to award the contract for GIS mapping services to DesLauriers & Associates for \$10,000; Mr. Downing seconded; all aye.
- Mr. Downing asked that the request of the Town of Dover for district usage be resolved at next week's meeting and a response sent to Dover. Once the Board decides what they want to do, they can meet with the District reps and discuss it further. Mr. Downing did not feel Mr. Brodeur could not be involved in the discussion, but if he felt so inclined, he could leave the meeting.
- With reference to the memo received from the Building Code Board of Appeals to fill a vacancy, the Office will get in touch with a possible applicant.
- The Board reviewed the Chapter 90 requests presented to them for signing. Mr. Downing noted that both the Town Accountant and the DPS Administrator had signed them, so there should be no problem.

Mr. Brodeur moved to sign the Chapter 90 request for \$88,476 on 85B #35951 for the sweeper; Mr. Downing seconded; all aye.

Mr. Brodeur moved to sign the Chapter 90 request for \$23,340.90 on 33B #35237 for Cottage St.; Mr. Downing seconded; all aye.

Mr. Brodeur moved to sign the Chapter 90 request for \$0 on 204 #36653 for Cottage St.; Mr. Downing seconded; all aye.

Mr. Brodeur moved to sign the Chapter 90 request for \$40,000 on #FA7642 for Cottage St.; Mr. Downing seconded; all aye.

The fifth request was a conflict for Mr. Brodeur to sign, so it will have to wait until next week so Mr. Henry can sign it, but to let Mr. Podgurski know that the Board did not have a problem with it.

- It was noted that the DPS and EMS budgets had not been approved by the Board yet. Mr. Downing asked the Office to forward a copy to the FinCom noting these were the budgets as submitted but not yet approved.
- The Board reviewed a letter that needed to be sent to MAPC's David Soule concerning the placement of Village and Summer Streets on the TIP list for the year 1999. Mr. Brodeur noted his surprise with this, thinking the streets were going to be repaired this year. Mr. Downing acknowledged that the work will be done with State funds, not Town money. Mr. Brodeur felt those streets would have to, at least, get a coating of oil and sand if they have to wait that long.

Mr. Downing moved that the Clerk of the Board be authorized to sign the letter on behalf of the Board to MAPC rep, David Soule, for the grant monies for the Village Street and Summer Street projects, and ask for their support in placing them on the 1999 tip list; Mr. Brodeur seconded; all aye.

- The Board was in receipt of a memo from the Water/Sewer Board asking the Selectmen to jointly sign a request to Town Counsel to clarify some concerns on policies and procedures on contracts and the bid opening process, and for personnel. It was noted that this was agreed to at the joint meeting held last week, and this memo endorsed that discussion.
- With reference to Fred Sibley again, Mr. Downing requested the Secretary to ask Mrs. Allen to advise him what the window was for any action to be taken, and he would talk to her the next afternoon. Possibly, something can be done during the day between he and Mr. Henry.
- It was noted that the Selectmen were going to try and meet at the bank property this coming Thursday for a site visit jointly with the FinCom and the CIPC. An alternate date was set up for the following Thursday.
- It was noted that the ATM articles will be discussed next week. Mr. Brodeur said he would pursue getting a sample article for the warrant from those Towns that had passed the Town Administrator.

11:20- The meeting was adjourned.

Respectfully submitted,  
M. J. Fredette  
Secretary

*M. J. Fredette*  
*3/17/97*

mj



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### REVISED AGENDA

March 3, 1997

6:00 p.m.	Open meeting, employee evaluations Arti Mehta, Town Accountant
6:30	Employee evaluations - Water/Sewer
7:05	Open RFP's for GIS mapping
7:15	James Mucci regarding IDC Budget
7:30	Steven Grossman regarding CVI Memo of Agreement
7:45	Library Trustees regarding recommendation to award contract for library renovations.
8:00	Gino Carlucci regarding Grant Administrator contract

Sign warrants, approve minutes of 2/10/97  
and 2/18 97 meetings.

Committee Reports

Action Items

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 3, 1997.

1. Fire Dept. Classifications, Fire Dept. and EMS budgets.
2. Approve the following budgets: Snow Removal, Police, Police/Fire Communications, Building Inspector, JCRB ZBA, Historical Commission, Council on Aging and Animal Control Officer.
3. Award appraisal service for 109 Corridor Project.
4. Acknowledge and discuss letter from Town Accountant regarding DPS Administrator position.
5. Discuss Aeronautical study of proposed construction or alteration for Skyline Communications, increase in height of three antennas.
6. Sabina Doyle's request for one-day entertainment license for Saint Patrick's Day, March 17th.
7. Acknowledge FY97 Municipal Recycling Grant Award.
8. Acknowledge and discuss letter received from Dale A. Gibson.
9. Acknowledge, discuss and vote on Change Order #6 for new elementary school building.
10. Appoint Paul Wilson and Paul DeSimone CRPCD representatives (one until 3/1/99 and one until 3/1/00)
11. Appoint Mary Ellen Lavenberg as MAPC representative
12. Award Tax Taking Services as per recommendation of Treasurer/Collector.
13. Acknowledge request for use of Town Counsel by School Department regarding override.
14. Acknowledge and discuss letter from Supt. of Schools regarding possibility of constructing parking area.

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- 1990-1991

1990-1991



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

March 3, 1997

- 6:00 p.m. Open meeting, employee evaluations  
Arti Mehta, Town Accountant
- 6:30 Employee evaluations - Water/Sewer
- 7:15 James Mucci regarding IDC Budget
- 7:30 Steven Grossman regarding CVI Memo  
of Agreement
- 7:45 Library Trustees regarding recommendation  
to award contract for library  
renovations.
- 8:00 Gino Carlucci regarding Grant  
Administrator contract
- Sign warrants, approve minutes of 2/10/97  
and 2/18 97 meetings.

Committee Reports

Action Items

*2/28/97*  
*Selectmen -*  
*Jim will not*  
*be here until*  
*6:30pm - Monday*  
*3/3 start without*  
*him - Ruth*

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 3, 1997.

1. Fire Dept. Classifications, Fire Dept. and EMS budgets.
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Actitems.doc

Present: Lee Henry, Doug Downing, Town Accountant Arti Mehta.

6:04 p.m.-Mr. Henry called the meeting to order.

Mr. Henry restated difficulties with the evaluation form with respect to being applicable to the administrative group as well as the other two. Discussion followed as to the rating of individual items:

	<u>Lee</u>	<u>Jim</u>	<u>Doug</u>
1.	2	2	2
2.	3	2	2
3.	2	2	2
4.	3	3.5	3
5.	3	2.5	3
6.	2	2.5	2
7.	3	2	2
8.	2	3	2
9.	3	3	3
10.	2	2	2
11.	3	3	2
12.	2	2	2
13.	3	3	3
14.	3	3	3

Statements supporting the points assigned by both sides during review of the form.

- 6:35 - Mr. Brodeur joined the meeting and offered comments prior to final tally. Totals: Mr. Henry - 36; Mr. Brodeur - 35-1/2; Mr. Downing - 33.
- 6:40 - Mark Flaherty, Water/Sewer Supt. joined the meeting and discussion followed regarding definition of "meets standards" and "exceeds standards". It was agreed that we would continue discussions on March 6th after the joint meeting with the Water/Sewer Board.
- 6:55 - The Board then moved to the agenda scheduled at 7:00 p.m.

Respectfully submitted,

Douglas M. Downing  
Acting Clerk

*upmed*  
3/17/97

7:00 p.m.-The meeting was continued, but now live on cable.

- Mr. Henry noted attending the hearing for a Keno license for Keystone Liquor on February 28th. He made a presentation as did Keystone Manager, John McDonnell.

Based upon all that was presented, the Commissioners upheld the Board's decision, but the applicant can appeal if he so chooses. A written opinion will be coming in 4-6 weeks. Mr. Henry stated that the Board has now established a policy for the Town in certain locations with this decision.

- 7:05 - Mr. Henry read the notice that appeared in local papers for the RFP for GIS mapping. Two bids were received: Stone Environmental of Montpelier, VT and DesLauriers & Associates of Walpole. The technical portions were received separated from the cost proposals.

Mr. Downing moved to turn the RFP's over to the Board of Health for their review and recommendation, and the Board of Selectmen will hold the cost proposal until requested; Mr. Brodeur seconded; all aye.

- Mr. Henry said he spoke to Millis Town Administrator Charlie Aspinwall and updated the Board on several matters:

- each Town will receive one-half of the trade-in value of the sweeper.

- they received the letter from Medway Selectmen on Medway residents' willingness to pay \$1,000 to tie into sewer on Farm Street.

- the ACO's budget will be reviewed later on this evening.

- on the Route 109 corridor project, 75% of the plans should be available by April 19th and started next year.

- Mr. Downing moved to accept part 1 (pages 1 and 2) of the minutes of February 10th; Mr. Brodeur abstained; Mr. Henry seconded; all aye.

- Mr. Brodeur moved to accept pages 3 through 12 of the minutes of February 10th as amended; Mr. Downing seconded; all aye.

- 7:15 - James Mucci of the Industrial Development Commission met with the Board to go over the IDC's budget. Paul Mitchell and Fred Rossetti were also in attendance.

Mrs. Allen was asked by Mr. Henry when the last time the IDC had a budget, and she noted it was in 1990 for \$500.

Mr. Henry said the intention of the IDC was to bring industry up and was, therefore, turned over to the IDC, who went after the PWED grant. He still, however, does not see a need for a \$5,515 budget.

Mr. Mucci stated the costs were mostly for marketing and advertising when things get going, and to provide information about the area with pictures and a brochure. But Mr. Henry said that there were funding available in Town Hall for marketing.

Mr. Mucci also said that \$2,000 was set aside for a person to write the grant for the design of the sewer system that is anticipated. Mr. Henry did note, however, that \$50,000 has already been allocated with another \$50,000 to come in preparation for the master plan. The infrastructure needs to be done first.

Mr. Downing felt a funding mechanism needed to be in place, and did not have a problem with the budget except for the consultant. He stated that they just appointed a person to the Water/Sewer Board who could be a no-cost resource. He felt they needed to identify the needs for the project, and had trouble establishing an ongoing budget. Mr. Downing thought if they could back out the \$2,000 for a consultant, and establish a special article for \$3,515, it has merit. He just did not want to set aside money for something that may not be needed.

Mr. Mitchell said the IDC would go back and consult as a group, as they were still in session, and return later.

7:30 - Steve Grossman of CableVision Industries met with the Board to further discuss the memo of understanding sent to them. Bob O'Neill of the Cable Advisory Committee was also present.

Basically, CVI would cover 20 hours and the Town would cover 20 hours for an individual to include benefits. He noted that she would be working for the company but would be based out of Medway. Mr. Downing clarified that there is nothing additional coming from the Town with respect to payroll; it was all CVI. He also asked the Cable Advisory Committee if a vote had been taken at their meeting, and Mr. O'Neill said it had.

Mr. Downing moved to accept the memo of understanding subject to Town Counsel's review and recommendation; Mr. Brodeur seconded; all aye. The Board will refrain from

signing until they have heard from Town Counsel.

- 7:45 - Library Trustees Wendy Rowe and Gary Binder, with Library Director Philip McNulty, met with the Board to provide a recommendation on the bidder for the library renovation project.

Mr. McNulty said that 21 bids had been received; 20 within their budget. M. O'Connor Construction of West Roxbury was the low bidder at \$1,130,000 plus \$53,303 for alternate 1, which they were recommending, for a total of \$1,183,303.

Mr. Downing moved to award the general contracting bid for the library renovation project to M. O'Connor Construction on the recommendation of the Library Trustees; Mr. Brodeur seconded for discussion, and asked if a background check had been done on them? Mr. McNulty said it had been done; all documentation was in order; and the architect had worked with him on the Whitman Library; all aye on the vote.

Mr. McNulty stated they had started their move this day, and hoped to open at the new location next Monday. He added there was nothing in storage at the Library; everything was able to be moved to the shopping center, with some reference material sent to the High School Library. He stated they would next look for a Clerk of the Works, and ads would be in the paper this week.

- Mr. Downing moved approval of the minutes of February 18th; Mr. Brodeur seconded; all aye.
- The Town Accountant was present to discuss her budgets.

Mr. Downing moved to approve the Town Accountant's budget of \$73,071 for salaries; \$3,150 for expenses; totalling \$76,221; Mr. Brodeur seconded; all aye.

With reference to the Information Center budget, Mr. Downing moved approval of \$41,700 for discussion; Mr. Brodeur seconded for discussion.

Mr. Downing questioned the need for \$7,000 for networking and moving the server. Mrs. Mehta said that was to cover the costs in the event of her having to move the computer system and the cable; it was a guesstimate. He also questioned the \$3,000 for equipment, which she said is to have an additional computer in the Building Department; right now, they are sharing one computer jointly. He wondered if the equipment that is there now could be used elsewhere.

The Secretary explained that, at times, each may need to access different information on the computer without interrupting what the other is doing, which is why they need two computers.

Mr. Henry reminded Mrs. Mehta that, until the Town accepts 30B, we still go by the Town by-law, and that if it exceeds \$5,000, it has to go to CIPC. He recommended putting the \$7,000 on a special article until the Selectmen determine how they will handle space utilization.

Mrs. Mehta asked the Board to consider a stipend for her doing extra work with the computers, and Mr. Henry asked her to put that request in writing.

Mrs. Mehta also noted that whatever room her computers are in must be air-conditioned.

Mr. Henry commented that he felt they will be through with the rest of the building by June 1998, and said they don't need the funds right now for the server; they can do a retrofit.

Mr. Downing moved to amend his motion and approve the Information Center budget for \$34,700; Mr. Brodeur seconded; all aye.

Mr. Downing also moved that, if the Town Accountant sees, after a review of increased demands of the server as it exists now, will need upgrading, that she submit a special article for the upgrade only; there was no second to his motion.

Mrs. Mehta will wait until the move to see what the situation is.

8:22 - Gino Carlucci came before the Board to discuss the Grant Administrator contract for the new senior center.

Mr. Henry brought up various concerns with the application and contract:

- In the application, Mr. Henry noted that furniture, fixtures and equipment would cost \$20,000; Mr. Carlucci said the Friends of the Elders were going to try and raise those funds.
- Mr. Henry noted concern for their funding utility costs of the building; what if they can't do it, and what about the cost to maintain?



- Mr. Henry clarified that with chapter 30B, we don't go by it; we go by the Town by-law in all bidding procedures.
- Mr. Henry said a site plan review and approval needs to be done.
- Mr. Henry said it was stated the Park Department would maintain grounds, but this might eventually fall under DPS.
- In monitoring costs, Mr. Henry said it was stated the Grant Administrator would do that; was he qualified? Mr. Carlucci stated he had a construction supervisor's license, and there would also be a Clerk of the Works.
- With regard to permit fees, Mr. Henry said they need to be included.
- With regard to furnishings again, Mr. Carlucci said if the Friends cannot provide them, then the construction budget will be cut back.
- Mr. Henry asked where the cost for the Clerk of the Works is included. Mr. Carlucci said it was under program delivery for \$13,500, not general administrative costs.
- Mr. Henry determined that the Grant Administrator's cost is included in the general administrative costs; however, there is no definition of what general administrative costs are.
- Mr. Henry said the Town of Medway is the contractor, and Mr. Henry is the Contract Manager according to documents submitted. Since the Board is the contractor, it has to be ensured that the whole project is part of the auditing procedure, and that the auditors for the grant are the auditors for the Town.
- Mr. Brodeur asked Mr. Carlucci about a contingency plan, and he said the bid documents will be drafted with alternatives. When asked, he admitted he must have included 1% in the application for that. He did state that they can't go over budget, and items will be eliminated if need be.
- Mr. Henry wanted to see a management plan before any funds were released. He also wanted to see a quarterly report, with a timetable of progress.

- Mr. Henry said the scope of services was not as detailed in the application. He said the Board of Selectmen is building the building and Mr. Carlucci is contracting with us to be the Grant Administrator on the Senior Center Building Committee's recommendation.

Mr. Downing commented there were many issues here, and they should be in writing to Mr. Carlucci so he knows the Board's concerns. Mr. Henry agreed and Mr. Carlucci could respond back to the Board in writing.

Again, Mr. Henry said he did not feel the Grant Administrator and the Clerk of the Works should be the same person. He also reiterated that some pertinent information is not in the contract, but Mr. Carlucci said he got the contract sample from DHCD.

Mr. Brodeur questioned who is being authorized to act on the Town's behalf, and Mr. Henry felt this needed to be clarified by Town Counsel.

Mr. Henry brought up the \$9,500, and asked where it was coming from? Mr. Carlucci said \$6,000 is from general administration and \$3,500 from program delivery. Again, Mr. Henry asked where is the delineation of the two positions?

Mr. Carlucci stated the process does not start until the contract is signed.

With reference to the letter received from DHCD to Mr. Henry, Mr. Henry asked Mr. Carlucci to, in the future, seek information in his own name, not his. Mr. Carlucci said he did request that information in his own name. Mr. Henry also clarified that the Board appointed five members; any others would be advisory. He asked Mr. Carlucci to return next week at 7:15 p.m. with answers to their questions.

- 9:00 - Fire Chief Wayne Vinton came before the Board on a continued discussion of the Fire Department classification, and the Fire and EMS budgets.

The Chief stated he had removed the stipends from the Fire Department budget, and it was based on the revised classification.

Mr. Downing moved to accept the classification as outlined in the Chief's memo January 10th; Mr. Henry seconded for discussion.

Mr. Brodeur clarified with the Chief that this reclassification does not affect him as a Firefighter. The Chief agreed saying Mr. Brodeur could vote on the matter.

Mr. Downing stated this was not so much a request of the Chief, as a request through the Chief. He recalled this discussion last year as part of the budget process, and that this has been an on-going discussion with the JCRB for two years. He felt that the JCRB would endorse this, and was happy to do so as a sitting member of the Board; all aye on the vote.

- With regard to the Fire Department budget, Mr. Downing moved to approve the Fire Department budget for \$120,243 for salaries; \$500 for inspection fees; \$59,000 for expenses; totalling \$179,743; Mr. Brodeur abstained; Mr. Henry seconded; all aye. Mr. Brodeur clarified that this shows an increase from 35 to 40 hours in the Fire Chief salary.
- With regard to the EMS budget, it was noted that the previous budget submitted did not include the line 150.

Mr. Henry said he had a problem with this and how to provide the service, and wasn't sure we were doing the community the right service. There were alternatives other than two full-time people. He, therefore, was not prepared to vote for this budget feeling it needed some repair.

Fire Chief Wayne Vinton said there were alternatives, but felt this was best for Medway right now, but he was willing to sit down and look at options. Mr. Henry felt this was a significant increase, and again not convinced of service delivery. Should we discuss next week again?

Mr. Brodeur asked about a mechanism for funding, i.e. the enterprise account. The Chief said he will back to the Board when the allowable rates change.

It was suggested the Chief be added to the Selectmen's workshop agenda on Saturday just to discuss EMS.

- The Chief said he had an emergency transfer for \$400 for an alternator for A-1. He and DPS Administrator Don Podgurski co-signed the request.

Mr. Henry noted the problem with the budgets for vehicle repairs and the snow removal account. He said we need a concise definition as to what can go under snow removal. Mr. Downing thought if it was a true emergency, it

should go under snow removal; maybe we need to get our house in order. Mrs. Allen said the \$5,000 emergency transfer signed by the Board came back from the FinCom because they wanted the backup. Mr. Henry said there was a difference in opinion as to what constitutes snow removal and they are waiting for a definition from the DOR. Mr. Downing suggested holding on to the transfer for now.

9:30 - The Board discussed several budgets:

Snow Removal: Mr. Henry noted that the snow removal budget changed in FY'93 for some reason. Mr. Brodeur moved to amend the request of the DPS Administrator for salaries from \$13,000 to \$18,000; leave expenses at \$40,000; totalling \$58,000; Mr. Downing seconded; all aye

Police: The Board noted the budget received from the Chief, noting it included the addition of two patrol officers, the creation of a Police Lt., and the promotion of one Sgt. to Lt., but it was recommended that the Chief come and meet with the Board. Mr. Downing felt they should vote a figure now, which could be amended on Town Meeting floor, and so moved the Police Department's budget of \$972,633 for salaries; \$68,507 for expenses; totalling \$1,041,140; Mr. Brodeur seconded; all aye.

Police/Fire Communications: Mr. Downing recommended tabling this budget until they have spoken to Sgt. Saleski. Possibly, this was an issue for Town Counsel since the dispatchers are in favor of foregoing their 4% increase for FY'98 in exchange for a 4-2 schedule, and is what is being proposed legal? He appreciated that this was a team approach, but this was a resolution, not a solution.

Building Inspector: In speaking with CIPC, Mr. Henry said they did not feel a motor pool was good as there was no fleet manager. Mr. Downing still felt it was a good idea, and that we are not always at the mercy of the department head to relinquish that vehicle. It can be assigned; it is a municipal vehicle, not a department vehicle. Mr. Henry said if we got a Town Administrator, then he would be the fleet manager. Mr. Downing agreed saying he could designate the vehicles for use by certain people.

Mr. Henry felt the vehicle repair budget should be under DPS, but separated. The mechanic would be in charge of scheduling the vehicles for service and maintenance, and

if there was a problem, he would contact the Board through Mrs. Allen. Mr. Downing felt the control and responsibility of vehicles if with the Board, not the department the vehicle is assigned to.

Mr. Downing moved to approve the Building Inspector's budget of \$55,730 for salaries; \$4,578 for expenses; totalling \$87,318; Mr. Brodeur seconded; all aye.

Job Classification Review Board: Mr. Brodeur moved approval of the revised budget of \$436.55 for salaries; Mr. Downing seconded; all aye.

Zoning Board of Appeals: Mr. Brodeur moved approval of the revised budget of \$3,404.80 for salaries; \$2,120 for expenses; totalling \$5,524.80; Mr. Downing seconded, but then amended it to be \$3,276.80 for salaries, with line 150 to be \$128, still totalling \$3,404.80; all aye.

Historical Commission: Mr. Henry said he had already authorized them applying for the survey and planning grant for \$6,000, with the town matching the \$6,000. Mr. Brodeur moved approval of the budget for \$6,000 for professional/technical services and expenses; Mr. Downing seconded; all aye.

Council on Aging: Mr. Brodeur moved approval of the revised budget of \$14,510 for salaries; \$26,640 for expenses; totalling \$41,150; Mr. Downing seconded; all aye.

Animal Control Officer: Mr. Downing moved approval of the budget of \$34,876 for salaries; \$11,586 for expenses; totalling \$46,462 with our cost being \$23,231; Mr. Brodeur seconded; all aye.

Industrial Development Commission: The IDC had submitted a revised budget of \$3,421.80, with the \$2,000 consultant figure being left in the hands of the Selectmen, and the salary portion was reduced to reflect a more accurate rate. They agreed that a separate special marking project could eventually be done to market the whole Town.

Opting instead of a budget, Mr Downing moved to prepare and submit an article for the ATM warrant for use by the IDC in the amount of \$3,421.80 as outlined in their proposal dated March 3rd, Mrs. Allen said it should be clarified with the Town Accountant to see if this can be done as a special article and a salary drawn out of it. Mr. Downing asked Mrs. Allen to write the article and send it to the FinCom; Mr. Brodeur seconded; all aye.

Other Waste Collection/Disposal: This was the budget for CRPCD, and Mark Cataldo had told Mrs. Allen to add 2-1/2% to last year's figure, with a definite figure coming at the end of the month. Mr. Downing moved approval of the budget for expenses of \$222,763; Mr. Henry seconded; Mr. Brodeur abstained; all aye.

- The Board discussed the RFP received for appraisal services for determining easements for the Route 109 corridor project. Mr. Downing moved awarding the bid to John D. Heaphy Associates in the amount of \$7,500 as stated in their proposal dated February 8th; Mr. Brodeur seconded; all aye.
- The Board acknowledged the memo from the Town Accountant concerning the DPS Administrator's position as it related to the retirement board. Even though Mr. Downing requested no more memos on the subject, there was this additional one. Mr. Henry noted the memo stated he could work no more than 960 hours, so the Board will have to do up a contract or Memo of Understanding.

Mr. Downing suggested holding off any decision until next week, as they would be discussing this position and the Assistant Highway Supt.'s position at the workshop on Saturday. They would then need to speak to Mr. Podgurski, as if he goes full time, he would have to forego his retirement. Mrs. Allen was asked what he has been drawing, and she stated \$806.80 per week or \$20.17 per hour. Mr. Brodeur wondered if he should just be employed for 20 hours a week. It was determined about 16 weeks have elapsed so far out of the 50.

Mr. Downing said he was not willing to negotiate a draft, but asked that Mr. Podgurski be sent a copy of Mrs. Mehta's memo telling him that within 10 days to 2 weeks, they will sit down with him and resolve this, and authorize the Chairman to sign the letter.

- The Board acknowledged receipt of a communication from the Air Traffic Division concerning the increasing of the height of antennas in Needham. Mr. Downing said the Town was notified of this since we are an air-space abutter. The Board did not have a problem with this, and Mr. Brodeur moved Mr. Henry sign the attachment indicating they reviewed the proposal and no comments were being submitted; Mr. Downing seconded; all aye.
- The Board acknowledged receipt of a request from Sabina Doyle's for a one-day entertainment license for St. Patrick's Day on Monday, March 17th.

At this point, Mr. Brodeur noted that the Board had not set a date of when the new license fees would be effective, and therefore, moved that the Board set the effective date as of January 1, 1998; Mr. Downing seconded; all aye.

Mr. Downing moved approval of a one-day entertainment license for Sabina Doyle's for Monday, March 17th from 1 p.m. to 11 p.m.; Mr. Brodeur seconded; all aye.

- The Board acknowledged receipt of the FY'97 municipal recycling grant award of A, and \$2,434 in grant monies for educational material, compost bins and set-out containers as announced by Trudy Coxé of EOEa.
- The Board acknowledged a letter from Dale Gibson dated February 21st. Mr. Downing agreed we should acknowledge the letter, but that it is not within the purview of the Board to address her problem. His suggestion was for her to contact the Better Business Bureau if she wanted to pursue it.
- The Board noted Change Order #6 for the new school in the amount of \$42,504. Mr. Downing moved approval of the change order as submitted; Mr. Brodeur seconded for discussion.

Mr. Henry and Mr. Brodeur were concerned about the date on the change order, and wondered if something was in error. Mr. Downing said he would pursue this with Mr. Verdolino at their next meeting, and ask that the Board be given copies of the change orders to review prior to the final check being issued.

Mr. Brodeur had an area of concern in that he felt the owners were the only ones who could approve change orders; not the architect and not the building committee. He was also concerned that it appeared all the work had already been done and that this could be a legal problem. He was not prepared to vote on this. Mr. Henry agreed it needed clarification.

Mr. Downing stated that many of the decisions are made by the Clerk of the Works, but Mr. Brodeur felt he should have come to us first. Mr. Henry said that he probably recommended approval of the change order, with Mr. Downing adding that the Committee would make a judgment call on the Board's behalf. Mr. Brodeur again said the Board should see the change orders before the work is done and the change order approved.

Mr. Downing said he did not have a problem approving the

change order, and maybe Mr. Brodeur should attend those meetings. Mr. Brodeur commented he was only saying the Board should see the PCO's when issued, and would be willing to approve this change order as long as the Board sees all the other current PCO's that have been issued but not yet on a change order.

Mr. Henry recommended asking John Boczanowski and/or John Kubitzka to meet with the Board at 8:30 next Monday to discuss this issue further. Mr. Brodeur seconded Mr. Downing's motion to approve the change order; all aye.

- Mr. Brodeur left the room for the following action. Mr. Henry moved approval of Paul Wilson as rep to CRPCD through March 1, 2000; Mr. Downing seconded; all aye. Mr. Henry moved approval of Paul Desimone as rep to CRPCD through March 1, 1999; Mr. Downing seconded; all aye. Mr. Brodeur returned to the meeting.
  - Mr. Downing moved approval of Mary Ellen Lavenberg as rep to MAPC through April 1, 2000; Mr. Brodeur seconded; all aye.
  - Mr. Downing moved approval of the awarding of the bid on tax taking services to VADAR Systems for a cost of \$40 per parcel upon the recommendation of the Treasurer/Collector; Mr. Brodeur seconded; all aye.
  - The Board acknowledged a memo from Supt. Bettencourt requesting permission to confer with Town Counsel about a possible override. It was felt that possibly a joint meeting between the School Committee, CIPC, the Selectmen, FinCom and Town Counsel might be best. Mrs. Allen noted that the question of override would have to appear on the ballot.
- Mr. Henry asked Mrs. Allen to advise Dr. Bettencourt of the intent of a joint meeting and to ask for several possible dates.
- The Board acknowledged receipt of another memo from Dr. Bettencourt asking that the Board consider investigating the construction of a paved parking area near the high school in the vicinity of where the sewer project was. It was recommended that this be a part of the discussion with the Water/Sewer Board at their joint meeting on Thursday.

Mr. Downing suggested the need to discuss where buses will be parking. He said he would be willing to have crushed gravel brought in to repair the snow storage area near the landfill for the buses. This could be a



cooperative effort by all, with everyone directly involved possibly donating something.

Back to the high school area, Mr. Henry said they need to look at the drainage issue and the impact on the area if they pave. This would need to be discussed with the DPS Administrator as well. For the time being, further discussion on this issue is held off.

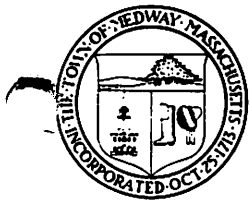
- Warrants were signed totalling \$595,667.14.
- Committee Reports.
- Mr. Brodeur said he had attended the Planning Board meeting last week, and they agreed with the Selectmen to change the 120 days to 90 days as discussed on the site plan review. Mr. Brodeur also noted that there is a plan before the Planning Board for the extension of the loop on Cedar Farms Road.

12:00- Mr. Downing moved that the Board adjourn to Executive Session for the purpose of discussing contract negotiations with union and non-union personnel, not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved*  
*3/17/97*



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

February 24, 1997

6:00 p.m.	Open meeting, employee evaluations Clerk - Town Clerk's office
6:20	Employee evaluations - Water/Sewer
7:00	Open bids for Tax Taking Services
7:05	Donald Podgurski and Robert Power regarding Sweeper and Roller.
7:45	Rep. Barbara Gardner - update the Board
8:00	Joint meeting with the Water/Sewer appointment to fill vacancy plus other agenda items per memo.
8:30	Paul LaPerriere, rep. Medway Shopping Plaza - Site Plan and Sign Permit

Sign warrants, approve minutes of 2/10/97

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 24, 1997.

1. Fire Dept. Classifications, Fire Dept. and EMS budgets.
2. Discuss revision to "Site Plan" by-law.
3. Discuss license fee schedule.
4. Acknowledge letters on OVS certification.
5. Sign contract for grant administrator services for the Senior Center Building project.
6. Award appraisal service for 109 Corridor Project.
7. Acknowledge letter from CRPCD regarding Dover septage.
8. Acknowledge letter from Mr. Duggan regarding bank buildings.
9. Acknowledge letter from MMEA union stewards regarding evaluations.
10. Acknowledge letter from Paul DeSimone on IDC matters.
11. Discuss draft of job description for Assistant Highway Superintendent.
12. Discuss UCC letter regarding regional economic development conference steering committee.
13. Approve the following budgets:  
Building Inspector, Town Hall, Emergency Management, traffic signals, and Snow Removal
14. Discuss meeting of Board on Tuesday, February 25th at 8:30 a.m. (DPS Adm., Mechanic, Acting Hwy. Supt and Town Accountant) to discuss vehicle maintenance account.
15. Discuss town hall office remodeling plan (financial) that was submitted to CIPC.

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16. Discuss Equipment Committee requests to CIPC for FY'98
17. Discuss possibility of a need for an Prop 2 1/2  
override for FY'98
18. Discuss and prepare article for Town Meeting warrant for  
the position of Town Administrator
19. Approve use of Town Counsel by CIPC chairman regarding  
control of Article expenditures; and Finance Committee  
and School Committee regarding override issue.

Actitems.doc

Present: Lee Henry, Doug Downing.

6:04 p.m.-Meeting called by the Chair.

Town Clerk Maryjane White was present to discuss her employee's evaluation.

Mr. Henry explained some of the difficulties which we have experienced reviewing employee evaluation forms submitted for approval. What the Chair hoped to bring forth was how to judge a "real good" employee and an employee who performs above the set standards, who may be defined by performance an exceptional employee.

6:20 Mr. Brodeur joined the meeting.

Mrs. White held to her comments with respect to Pat's dealings with the public in person and on the phone.

Item 5 - Mr. Downing again stated that the comments indicate that the individual meets the standard as noted in the first sentence of the comment. Mrs. White agreed that, based on sentence text, it would require a good (2) on the rating scale.

Item 6 - Mr. Henry stated that this, as well, would indicate a learning curve which would then be a good (2) rating.

Item 7 - Mr. Henry voiced the same concerns as those outlined in #5. Mrs. White stated that Pat has not only prepared the records but has also streamlined the process based on suggestions presented to the Town Clerk for consideration. Mr. Downing stated that, based on comments submitted, it would seem to meet the job requirements.

Item 8 - Similar issues with respect to previous items regarding performance standards and the learning curve.

Items 10-11-12 - Will be adjusted to good (2) per discussion and Town Clerk is in agreement; however, she wanted to go on record as saying the form is unfair and would like to know when, and if, the form is revised, would she be able to resubmit. At this time, she was told that any revisions made would probably be effective when agreed and ratified, not necessarily retroactive.

At close of discussion, it was agreed that the score total would be 39. (Item Nos. 1-3, 2-3, 3-4, 4-4, 5-2, 6-3, 7-3, 8-3, 9-2, 10-2, 11-2, 12-2, 13-3, 14-3.)

Mrs. White left the meeting at 6:55, and Mr. Henry talked to Mark Flaherty regarding a new schedule for Water/Sewer personnel evaluations. It was agreed to review same on 3-3-97 at 6:30 p.m.

Respectfully submitted,

Doug Downing  
Acting Clerk

*assd 3/17/97*

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-The meeting which had started earlier at 6:00 p.m., was continued at this time, but now on cable.

- The warrants were signed totalling \$325,232.68.
- Mr. Henry read the ad that appeared in the local paper for tax taxing services. Two bids were received: from JCG Associates for \$65 per parcel; and from Vadar Systems for \$40 per parcel.

Mr. Downing moved to turn the bids over to the Treasurer/Collector for her review and recommendation; Mr. Brodeur seconded; all aye.

7:05 - Mr. Henry brought up the subject of the street sweeper being considered for purchase with Chapter 90 monies. This joint meeting with DPS Administrator Don Podgurski and Acting Highway Supt. Bob Power was an outgrowth of a discussion last week with reference to usage, contract usage, and a joint purchase with Millis.

Mr. Podgurski said he was trying to set up a program where they can begin paving and chip/sealing on May 1st. after the streets are swept. Without the sweeper, Mr. Podgurski said their hands are tied with the catch basins and drain lines full.

He stated that the Safety Officer had written a letter stating that the sand on the streets caused an accident.

Mr. Podgurski went on to quote different companies and their prices for doing the sweeping. They included:

(name) - \$18,000 for 20 days without trucks.  
Kalistia Bros. - \$45,000 with their trucks.  
Golden - \$70-100/hr. + trucks at \$45/hr.  
EMP - \$22,500 flat for 150 miles + \$450/day for trucks.  
GMW - \$22,500 for 6 weeks; \$45,000 for 12 weeks.

Mr. Power commented that it usually takes 16 weeks to do the whole Town.

Mr. Podgurski said if we don't have the money, we can't sweep and it stops the paving program until July when funds become available. He said the State already approved the purchase of the sweeper, with the money back to the Town in eight weeks after proof of purchase.

Mr. Power added that for convenience, safety, and the elimination of drainage problems, the sweeping needs to be done and projects coordinated. He also noted that most towns now have their own sweeper.

Mr. Podgurski said they could contract out for three weeks to do the Town once, and then our sweeper could take over. He and Mr. Power agree that Elgin is the best.

Mr. Brodeur asked about Millis sharing with Medway, and he was told they want their own sweeper.

Mr. Brodeur said he was a little upset to hear administration admitting to liability of an accident in February because of sand at a four-way intersection. He thought it was out-of-line to say that the Town was in legal liability because the street wasn't swept.

Mr. Power stated he was concerned about emergency vehicles and the problems with sand, as was the Chief.

Mr. Downing said he was aware of the neglect of Town streets and that the \$90,000 could help take care of those streets. He asked where the paving program was, noting that thousands of dollars have been spent on the reconstruction of Village Street. Mr. Downing said if we don't take care of our streets, the sweeper would be picking up crumbling pulverized hot top.

Mr. Downing stated he had different paving plans from Mr. Power dated October 7th and October 16th. and wanted to know what we were going to do to take care of the streets. Why waste brushes sweeping streets? He said this was where his concern was; it was not a criticism. He wanted to see a plan of which area would be swept, and then what streets in that area would be taken care of by chip/sealing or paving/refurbishing.

Mr. Downing asked where they would park the sweeper, and Mr. Podgurski said there is space in George's stall.

Again, Mr. Downing reiterated that he was trying to ensure that everything be done systematically, especially since we were committing \$60,000 to a grant for engineering and \$90,000 for a sweeper. Mr. Podgurski said no costs had been committed for engineering yet.

Mr. Downing said he was aware of that, but if it does go through, those monies need to be put aside; then we have to determine what's left in Chapter 90 and its use.



Mr. Podgurski said he told Mr. Henry when they get the grant, they can put a package for paving together. He said the Board can pick the streets in 2-3 weeks; however, Mr. Downing said for him to pick the streets - he was the expert. Mr. Podgurski said he would have the paperwork to the Board in two weeks so they can start on May 1st. He also stated that as soon as Cottage Street is done, they will get that money back.

Mr. Henry and Mr. Brodeur agreed we need the sweeper, but Mr. Henry felt Mr. Downing was right that we need a plan for road repair to be in place, and he wanted to see it prior to May 1st; in fact, he wanted to see it 3-5 weeks ago.

Mr. Podgurski said he wanted to see the report from the State first as to which roads they would be willing to do.

Mr. Henry added that he wanted to see the \$565,000 minus the above items they wanted, but agreed with Mr. Downing that there appears to be two lists of streets to be done, but still no paving plan for those streets; as well, as which streets need to be reconstructed, and which need to be chip/sealed. He had to agree with Mr. Downing that he did not feel he could approve the sweeper until he saw the paving plan.

Mr. Podgurski said he wanted to get the streets swept to see the condition of the streets. If they postpone things, it'll be July 1st, and they don't have any money in the budget to sweep before July 1st.

Mr. Brodeur asked if the present sweeper was dead, and Mr. Podgurski stated it was leaking bad. They had thoughts of splitting the cost with Millis and rebuild it utilizing their mechanic and George, but we can't spare George. Mr. Henry said George can't do any better than the state bid list and not delay getting it.

Mr. Downing again said that he was not against purchasing the sweeper, but he wants a plan in two weeks. If a plan is not in place, the Selectmen's Office will be getting the phone calls wondering when their street will be swept.

Mr. Podgurski said he was going to get together with the Cable people and let them know the schedule. In looking over his figures, with carryover from previous years, he thought they would have between \$300,000 and \$350,000 to spend. He said he would return in two weeks with a plan, and that all Chapter 90 forms will be filled out.

Mr. Downing also noted that there is no five-year plan in place yet, and Mr. Power added that there is some concern that some streets that would have been chip/sealed may have to be reconstructed. Further discussion on this in two weeks.

Mr. Downing moved to approve the request to use Chapter 90 funds (under 85B) to buy an Elgin sweeper off the state bid list for \$88,476; Mr. Brodeur seconded; all aye.

Mr. Brodeur asked about the old sweeper, and Mr. Power felt that it would probably be traded in. Mr. Brodeur suggested this be a future agenda item for Administration to take care of so that we can be assured half of whatever it is traded in for.

Mr. Downing asked about the roller. Mr. Henry said the cost was about \$20,000 and, in talking to the Equipment Committee first and then the CIPC, they could not come up with a reason as to why it was needed, and he was against spending money on something that may not be needed. Mr. Power added that the roller they have is older, but it works.

Mr. Brodeur asked that CIPC be advised that the Board of Selectmen want to remove the roller off the CIPC list; Mr. Downing seconded for discussion. Mr. Downing wanted to be assured that this would not come as a surprise to the Equipment Committee. Mr. Henry stated that this was an item for discussion with the Board, but they were aware of his feelings. Mr. Downing seconded the motion; all aye.

Mr. Podgurski inquired if he needed purchase orders to order equipment, and Mr. Henry suggested he speak to the Town Accountant.

7:45 - Rep. Barbara Gardner came before the Board for some updates in advance of budget time.

- she has been following concerns of the community and to let her and Sen. Magnani know if either one can assist with grant agencies.

- she said if the Town needed assistance for street funding, i.e. Village Street, now was the time to get involved with the transportation bond issue.

- in discussing the Big Dig, Mr. Henry noted concern for Towns west carrying the burden of cost and the project having very little cost control. Rep. Gardner said she

hoped the bill would freeze tolls for awhile and get more accountability with the Port Authority carrying most of the burden.

- on county government, she noted the Town enjoyed their relationship with Norfolk County, and felt it might be best taken on a case by case basis so that those towns that want out of county government, i.e. Middlesex and Worcester, could take that option.

- on unemployment compensation relief, they had voted to reduce rates for small businesses; the Senate did not go along with it, so they will see what happens.

- she noted that during the third week in April, they will be taking up the budget on capital requests, and if the Board had any specifics, she needed to know asap.

- she brought up utility deregulation, and recommended they stay on top of it, as it will happen; the question is when.

- on school building assistance, it has decreased, but Medway got in under the wire.

- she was working on enrollment aid, but Medway does not fit so far as enrollment growth has to exceed 2.2% to get some of the funds.

- Mr. Henry asked if anyone was evaluating ed reform as to where the dollars have gone and how effective it really was. She said no review commission was appointed until recently, but are now trying to ensure all funds didn't go to salaries; auditors will be reviewing.

- on Mr. Downing's question on regionalization of schools, she felt there needed to be strong educational incentives and a K-12 system.

8:40 - A joint meeting of the Water/Sewer Commissioners and the Selectmen to fill the vacancy created by the resignation of Gardner Rice was next on the agenda. Present on behalf of the Water/Sewer Board were Ron Wilson and Bob Heavey, and former Board member Gardner Rice.

Mr. Heavey moved that a joint meeting with the Water/Sewer Commissioners be called; Mr. Brodeur seconded; all aye.

Mr. Brodeur nominated Mr. Henry as chairman of the joint meeting; Mr. Heavey seconded; Mr. Brodeur moved nominations be closed; Mr. Downing seconded; all aye.

Mr. Heavey and Mr. Wilson noted that there was one applicant for the position, Paul Goguen, present at this meeting. Mr. Downing commented for the record that the vacancy had been advertised and Mr. Goguen was the only one to respond.

Mr. Heavey said he had spoken to Mr. Goguen and was comfortable that he could actively assume the position, along with a recommendation received from Mr. Rice for Mr. Goguen. If the Board had no questions, he was prepared to nominate Mr. Goguen to the Water/Sewer Board to fill the vacancy of Mr. Rice until the May elections; Mr. Wilson seconded the nomination; all aye. Mr. Brodeur moved nominations be closed; Mr. Wilson seconded; all aye. Mr. Goguen fully intends to run in May for the position, and spoke for a little while about his background and qualifications.

Gardner Rice was acknowledged with applause for his 20 + years of service to the Town.

Mr. Wilson noted his Board had other issues they wished to discuss; however, Mr. Henry said those issues would take time. Mr. Heavey suggested a workshop, and the Board agreed to set up March 6th at 7:00 p.m. in the Water/Sewer room.

Mr. Wilson did note some of his concerns, such as the sewer master plan. He felt Town Counsel needed to rule if the Selectmen have to get involved with the contract and be responsible for it or not. Mr. Wilson stated that some of Town Counsel's rulings are different here in Medway than they are in other Towns he knows about. Mr. Downing suggested getting a copy of those rulings from Town Counsel before the workshop.

8:30 - Paul LaPierre came before the Board on a continued discussion of his site plan and sign permit for 114C Main Street.

Mr. LaPierre stated he had tried to comply with all of the Board's requests by, first of all, putting up "do not enter" signs where asked. Mr. Brodeur asked that an additional sign be placed on the wall near the entrance of the double doors.

Mr. Henry said he was still uncomfortable with putting a business location at the rear of the store, but he saw his revised plan and noted that the Fire Chief, Safety Officer and Boston Edison had all been involved in the revision as presented.

Mr. LaPierre also stated that, after all the improvements have been made, he is willing to meet with the Safety Officer again to see if there is anything else he needs to do.

Mr. Downing had a question on the location of the dumpster and asked if it could be placed elsewhere, but Mr. LaPierre stated it really was in the best area. Mr. Downing asked if an additional sign could be placed on the retaining wall indicating the way out; this was not a problem with Mr. LaPierre.

Mr. LaPierre also assured the Board lights will be localized; however, some concern on the lights remained to which Mr. Brodeur said any vote they take would reflect any light modifications made in the future, or at least, the next six months. Mr. LaPierre said any work would not begin for 60 days.

Mr. Henry asked if the Board was creating a precedent so that other stores could sub-divide. Mr. Downing said the Board has to approve site plans, but he felt it was unlikely. Mr. LaPierre agreed that only a couple of locations could attempt it.

Mr. Downing brought up the lights again preferring some of the rear lights on a single timer, rather than motion. Mr. LaPierre said the lights are leased by Boston Edison on a five-year contract, but would work with Boston Edison and the Safety Officer to come up with a workable arrangement. Mr. Downing still hoped that additional lights would be installed for security. The Board discussed the time they wanted the rear lights to go off, from 11 p.m. to 11:30 p.m.

Mr. Downing moved to approve the site plan as submitted by Mr. LaPierre with the Fire Chief's and Safety Officer's recommendations noted thereon and as modified and presented on February 24th; Mr. Henry seconded for discussion.

Mr. Brodeur moved to amend the motion to include that the two 25,000 lumen lights that will be installed are to be turned off at 11 pm., and that an additional one-way sign be placed opposite the van handicap space; there was no second to his amendment.

Mr. Brodeur moved to amend the motion to include that the Selectmen reserve the right to modify the lights if need be within the next six months, and to add an additional one-way sign opposite the van handicap space on the plan as submitted on February 24th; Mr. Downing

made a friendly amendment to that to be, six months after installation instead of the next six months; Mr. Brodeur seconded Mr. Downing's amendment to his amendment; all aye. Mr. LaPierre added that he will letter the wall as requested by Mr. Downing.

With reference to the sign permit, Mr. Brodeur moved to authorize the installation of the retail sign as submitted on plan SP-2 dated January 30, 1997 for 114C Main Street on the side of the building; Mr. Downing seconded after he was told that the sign had a changeable insert; all aye.

Mr. Henry brought up historical background for the shopping center, and Mrs. Allen said it was the island in the center of the parking lot that was in question.

Mr. LaPierre said in reviewing the old plans, he went back to October 12, 1988 when a site plan was proposed and approved, but the proposal for an additional 15,000 sq. ft. of building was to be built in the alleyway and the back of the building was to be squared off. When the construction was not done, they did not follow up on the plan.

Mr. Henry was under the impression that commitments were made over the years by the owner that the owner had not complied with; but Mr. LaPierre assured the Board that the owner is receptive to working with the town.

9:35 - In reviewing the minutes, the Board said they would hold off approval of the minutes of February 10th and 18th until next week.

- Mr. Downing said he had received an invitation from the Norfolk County Commissioners to attend a legislative breakfast on March 21st at 8:15 a.m. in Walpole. Mrs. Allen was asked to make a copy of the invite for the rest of the Board and discuss who would go another time.
- Mr. Henry noted a luncheon on March 21st also for MMA. He felt it was more for the finance people, but thought he would like to go. He asked that copies be given to the rest of the Board and to our financial people.
- Mr. Downing noted the Planning Board meeting on February 24th, with Mrs. Allen mentioning the Building Inspector was going on the signage issue. Mr. Downing said a rep from Bellingham's Planning Board would be attending as well since a preliminary plan was submitted to Bellingham for 50 houses - 13 in Bellingham and 37 in Medway - near Granite Street in Medway. Mr. Downing

felt someone from the Board should be in attendance.

- Also upcoming are the final bid openings for the Library and the Norfolk County Selectmen's Association meeting on Wednesday, and the MMEA meeting and school committee negotiations on Thursday.
- Mr. Brodeur mentioned advertising for the Building Code Board of Appeals vacancy, but Mrs. Allen said she was aware of someone who may fit the bill.
- Mr. Henry said he met with the Equipment Committee and CIPC on Thursday.

9:50 - Action Items.

- The Board met with Chief Vinton to discuss the Fire Department classifications and the Fire and EMS budgets.

Mr. Brodeur clarified that, as a firefighter, he wanted to avoid a conflict of interest and make several statements. He said he was at the bottom of the ladder and has chosen to stay there for as long as the conflict of interest law says he must do so. Anything that is agreed to here does not affect the payroll he receives.

The Chief presented information as requested to the Board. He said he took the actual full payroll for FY'96 and changed it to the requested rate of pay and the difference would be \$6,200, and on top of that would be the 4% for FY'98 of \$3,500.

Mr. Downing felt that one of the figures was built in twice, and after further review, the Chief agreed. He was asked to rework the figures and come back to the Board. Mr. Downing said it does not mean that he is not buying into the process, but wants the actual dollar impact to reorganize, and isolate that if need be.

- Mr. Henry stated that, last week when Marcy Thomas met with the Board, she had said she had not received a response to her request to serve on the Conservation Commission. He said he received the minutes of January 22nd and noted how Mr. Travallini had spoken to her, and on February 3rd, Mr. Padien had spoken to her; but the Board was always looking for volunteers.
- The Board discussed the proposed revision to the site plan by-law. Mr. Henry felt the only item to be included at the end would be the non-criminal disposition fees.

Mr. Brodeur suggested that the number of days for a recommendation to the Selectmen be 90 days instead of 120 days upon receipt of the site plan in section (f), and that the Selectmen have the right to deny as well as approve the site plan.

Mr. Brodeur moved to approve the revised proposed site plan dated 2/18/97 with the 90 day change and option of denying added along with non-criminal disposition fines; Mr. Downing seconded; all aye.

- The Board discussed the license fees charged by the Town for alcohol, etc., and decided to compromise on the figures proposed by each Board member. Once this was done, Mr. Brodeur moved to approve the revised license fees as discussed this evening, 2/24/97; Mr. Downing seconded; all aye. Mr. Downing also suggested that we notify all concerned of the new fees in advance so that they are aware of the increases. It was suggested one form letter be sent to all stating all the fees.
- Mr. Henry acknowledged letters received from CVI on OVS certification, and wondered how they affect negotiations with Time-Warner. He also questioned what the Cable Advisory Committee's recommendation would be. Mr. Henry suggested they meet with the Board once they have reviewed the documentation.
- The Board reviewed the contract for Grant Administrator for the new senior center. Mr. Henry stated he had a problem with some of the information contained in the grant application and some of the information in the Grand Administrator's contract. He also had a problem with receiving a letter from DHCD addressed to him and referring to a letter he had written. Mr. Henry said he learned the letter had been written by Mr. Carlucci, and not himself, and that the Board had appointed five people as outlined in the application, not eight.

Mr. Henry also wanted to know who would be overseeing the building of the building? Who was going to be the Clerk of the Works which you need, as there was nothing in the contract about that, just the services of a consultant? Mr. Henry was also concerned about a reference to a management plan that Town Counsel had seen referenced in the contract.

Additionally, Mr. Henry wanted to know who was the Project Manager? He stated he found in the application that the Board of Selectmen have direct control, and are helped by the Senior Center Building Committee. Then is the Grant Administrator the Project Manager? The Board



is asked to sign a contract without a management plan and without knowing what this person is doing and what are his qualifications?

Mr. Brodeur noted the cost of \$9,500 allocated, but Mr. Henry said how the contract be signed when the contract said we were spending \$6,000? Mr. Brodeur also inquired about program delivery as noted and what was it? He also stated that the Grant Administrator is not the Clerk of the Works, and who pays for the Clerk of the Works?

Mr. Henry asked Mrs. Allen to request Gino Carlucci attend the next Selectmen's meeting so these questions could be answered and clarified.

- The Board discussed appraisal services for the 109 Corridor project. Mr. Henry looked for a motion to award the contract to John Heaphy, the only bidder for the project for \$7,500 which included a 10% overrun. However, Mr. Downing felt that before the bid was awarded, could we get an update from the State on the current situation of Route 109, and suggested we write to them and tell them we were withholding any action pending a response from them.
- The Board acknowledged a letter from CRPCD on Dover septage. Mrs. Allen said she had spoken to the Administrative Assistant at CRPCD, and he had said it was because they were under the consent order from DEP, and Dover was not alone. She further stated we didn't sell a portion to Dover; they are on their own. Mr. Downing said he would like to speak to Bob McRae about the situation and get an update on the modification and results of the Conservation Commission hearing.
- Mr. Henry acknowledged a letter from Ed Duggan, and asked Mrs. Allen to inform Mr. Duggan there was nothing to share with him about the bank buildings at this time, but did apologize for the delay in acknowledging his letter.
- The Board acknowledged a letter from MMEA union stewards on evaluations, and said they would discuss this further on February 27th.
- The Board acknowledged a letter from Paul DeSimone on IDC matters basically indicating that the additional \$50,000 grant cannot be used for construction. A time line for the RFQ was also given.
- The Board noted the old paving costs for the Town Hall

parking lot, and Mr. Henry asked Mrs. Allen to request the DPS Administrator to update those costs by Friday for their weekend packet.

- The Board discussed the job descriptions for DPS Administrator and Assistant Highway Superintendent that Mr. Brodeur was working on. He said it was not completed yet, but it should be done within two weeks. He was compiling job descriptions from other towns, and suggested a follow-up on March 10th.
- The Board brought up the Union Chamber of Commerce letter on the regional economic development conference coming up, and Mr. Henry said he would attend that in June.
- The Board went over several budgets for approval.

Inspector of Buildings.

Mr. Brodeur asked if travel was included in the inspection costs, and Mrs. Allen said Mr. Speroni has never charged for mileage.

Mr. Henry said that the CIPC is recommending the purchase of a truck for DPS' Bob Power for \$19,000; along with \$2,000 for two cruisers - 1 for the Building Inspector and 1 for the DPS Administrator; and \$1,500 to repaint and refurbish the vehicles. Mr. Henry said he spoke to George about the cruisers and they were in excellent condition.

Some conversation ensued about the use of the vehicles, and it was felt that neither individual needed a vehicle all the time for travel. Mr. Henry noted that CIPC had eliminated the request for the second truck for \$19,000 and a roller for \$20,000. He also stated that CIPC recommended not pooling the vehicles, but to assign them. Mr. Henry stated that if the Board approves the CIPC budget, then the Building Inspector's budget gets changed.

Mr. Henry was also recommending that the town vehicle maintenance budget and the mechanic's salary come out of a separate budget. He stated that, originally, a \$20,000 emergency transfer had been requested. He understands that there is a definite conflict of definition of what constitutes vehicle maintenance and snow removal and equipment repair. He suggested a meeting with the Arti Mehta, George, Bob Power and Don Podgurski, as everyone has a different interpretation, and this needs to be discussed so they can work on the

DPS budget and vehicle maintenance. In discussing the snow removal budget, Mr. Henry said that the law states the cost has to be maintained every year and not lowered, but somehow it 1992 that occurred.

At this point, Mr. Henry suggested a separate meeting on budgets dealing with snow and ice, vehicle repair, DPS and Building Inspector. Mr. Downing suggested meeting after the joint meeting with Water/Sewer on March 6th to discuss these issues.

#### Town Hall.

Mr. Brodeur moved the Board approve the Town Hall budget of \$15,472 for salaries; \$47,439 for expenses; totalling \$62,911; Mr. Downing seconded; all aye.

#### Emergency Management.

Mr. Brodeur moved the Board approve the Emergency Management budget of \$800 for expenses; Mr. Downing seconded; all aye.

#### Memorial Committee.

Mr. Brodeur moved that the Board approve the Memorial Committee budget of \$2,750 for expenses; Mr. Downing seconded; all aye.

#### Traffic Signals.

Mr. Brodeur moved that the Board approve the Traffic Signals budget of \$2,500 for expenses; Mr. Downing seconded; all aye.

- The Board brought up the Town Hall financial office remodeling plan that was submitted to CIPC with a presentation by Mr. Henry. At that time, he was requested to get a cost for a sprinkler system for Town Hall. All in all, he felt it was a positive meeting.

Mr. Henry did say that a Clerk of the Works would be needed for the rest of the work to be done at Town Hall. He noted that in speaking with Mr. Speroni, the Local Building Inspector could be the Clerk of the Works. Mr. Speroni was recommending a person who was not a builder in Medway to be appointed another Local Building Inspector, who could, as well, be the Town Hall Clerk of the Works. This would not eliminate the position of Steve Reding as Local Building Inspector, as the Building Inspector can have as many Local Inspectors as he wants.

Mr. Downing moved to approve the appointment of Kenneth Lane as Local Building Inspector through June 30, 1997 as outlined in Mr. Speroni's memo of February 24th; Mr. Brodeur seconded; all aye.

- The Board noted the Equipment Committee's request to CIPC for FY'98 dated February 20th.

It was requested that Mrs. Allen send a letter to CIPC saying not to include the roller on their list, with a copy to the Equipment Committee.

- The Board discussed the possibility of a need for a Prop 2-1/2 override for FY'98. Mr. Henry said this needs to be considered in light of the new school opening, which is estimated to include \$500,000 for staffing; about \$392,000 for the technology plan; plus additional funds for extending of the new contracts; plus an approximate \$196,000 for old contracts.

Mr. Downing was unsure of some of the agreements being discussed, but if funding was for something that had been dealt with for a number of years, then he had a problem with it. He also did not feel they were ready yet to discuss an override until they have met jointly with the FinCom, CIPC, and the School Department. It was felt that a collective effort needed to be presented to the Town by the different Boards.

- Two requests to approach Town Counsel about an override were submitted by the Chairman of the FinCom and the School Department. Mr. Henry said he had given verbal approval pending the Board's vote.

Mr. Downing stated that the MMA should have information to offer on overrides, along with the different organizations that the School Department belongs to. There are many resources to utilize for them to both go to before we have to expend monies for Town Counsel's research. If they were approaching Town Counsel with reference to our By-laws, that would be different, but not for general information. Mr. Downing felt that too many people were approaching Town Counsel, and he had a problem with that. This was spending the taxpayer's money. Even though Medway has never had an override, there is a network out there for information.

Mr. Henry also noted that there is some difference of interpretation on control of article expenditures between the CIPC and the Town Accountant. Mr. Henry agreed this needs to be worked out, but neither are to approach Town Counsel in this regard.

The Board brought up change order #6 received from the School Department for \$42,504. It was felt this needed clarification from Dave Verdolino, and Mr. Downing was requested to discuss this with him.

Mr. Henry requested Mrs. Allen to advise Mr. Verdolino that, in the future, not to include these costs on the next pay system until after the Board approves it. Mr. Brodeur said that the Board could always delay approval of the change order.

- The subject of an article on the Town Meeting warrant for the Town Administrator. Mr. Henry noted they have a sample job description of a Town Administrator, and the information as submitted for the position in 1992. He said the Board needs to discuss the recommendations of the Town Administrator Review Committee, and the placement of it on the STM for April 28th, which needs to be submitted by March 21st. He suggested a Saturday morning workshop, which was agreed to for March 8th at 7:30 a.m.
- Mrs. Allen said the Board needed to respond to a grievance they received by March 3rd.
- Mr. Henry suggested adding to the workshop discussion the subject of the DPS Administrator and the Assistant Highway Supt.

12:07- Mr. Brodeur moved to adjourn to executive session for the purpose of discussion of contracts for union and non-union personnel, not to return to open session; Mr. Downing seconded; all aye. The vote: Mr. Brodeur - yes; Mr. Downing - yes; Mr. Henry - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*amended*  
*3/17/97*

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

6:05 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Mr. Henry noted receipt of a letter dated February 13th from Robert Shumeyko, Program Manager of Community Development Fund of DHCD. The letter was in response to a request from Mr. Henry to expand the Senior Center Building Committee from five to eight. Mr. Henry did not recall sending such a letter, and requested Mrs. Allen contact Mr. Shumeyko for a copy of that letter.
- Mr. Henry mentioned that the Town Accountant had been scheduled to meet with the Board for her evaluation, but has been postponed to March 3rd at 6:00 p.m.
- The Board was meeting with Fire Chief Wayne Vinton and Officers of the Department including: Deputy Chief Mickey Rojee, Captains Fred Tingley and Harry Lynch, Lieutenants Steve Reding, Donald Brinkman, and Allen Tingley to discuss Fire Department classifications, Fire budget and EMS budget.

Chief Vinton stated that at an earlier meeting with the JCRB in January, they recommended job descriptions and a salary schedule be redefined for all the different positions of the Department, with the Officers agreeing. He also submitted a survey prepared by Lt. Tingley of seven area towns showing a comparison between them of how each town operates.

Mr. Downing wanted clarification if the stipends were to be replaced by the hourly wage; Chief Vinton said no. Mr. Downing noted that the wages would be as follows if implemented: Firefighter/EMT - \$12.41; Lt. - \$13.42; Capt. - \$14.54; Asst. Chief - \$15.78; Dep. Chief - \$17.20; but then it was felt the figures needed to be reviewed again to make sure the correct amount for merit increases and cost of living increases were included.

Mr. Downing commended Lt. Tingley for his survey, but wished the survey had also included information such as, which towns had full-time and which towns had part-time; were they call; the number of personnel. He also felt there was duplicity in the Captain and Assistant Chief position, and wondered if they still needed all the positions. Mr. Downing asked if his interpretation was correct, or was he "all wet", to which Capt. Tingley responded he was at least "damp".

Chief Vinton said part of the structure was from the old regime, but since 1989, have tried to work the department in this fashion. He also explained the Deputy Chief is the only one in charge if the Chief is not here, with the Assistant Chiefs helping the Deputy Chief.

Mr. Henry asked if there was a breakdown of who reported to whom, and the Chief stated it's always in the Annual Town Report.

In reviewing the job descriptions, Mr. Downing thought that the minimum requirement for a firefighter should be included as part of the requisite for each of the positions above it. He also thought there should be a certain minimum amount of education and experience required.

Mr. Downing also felt that if the Department wants to provide the best service, they should show the progression of how one could be elevated to the next level, i.e. to the front line, supervisory, etc. Capt. Lynch said appointments are usually done through seniority.

Mr. Downing felt it would be good to have guidelines in place prior to a possible new personnel person or Town Administrator coming on board. Capt. Tingley thought all the necessary requirements were in their rules and regulations. Mr. Downing, however, said it should go by the job description, not necessarily the regulations. You could, although, he said include in the job description what is in the regulations/by-laws.

Another change Mr. Downing recommended was making the reference to the different positions gender neutral.

Mr. Brodeur did note that indicating the specific qualifications for each position could make a new person jump over others who have been there longer. Mr. Downing said he didn't want language in there to remove someone, but does want to justify a person being elevated to that position.

The Chief clarified that seniority will not be the only factor for consideration for promotion. He stated that they usually get a consensus of the Officers on an appointment.

With regard to merit increases, the Chief stated that last year, it was across-the-board, but were told by the JCRB to go to the Selectmen now since they were

restructuring. Mr. Downing felt the men should not be remunerated just by stipends, but also by level of qualifications.

Mr. Henry questioned why the structure of the Department was the way it was, i.e. different Lieutenants and Captains in each station. Capt. Lynch stated that two years ago, the JCRB made recommendations which they applied to the Department, and now they were looking to the Selectmen for their support.

Capt. Tingley explained the Department tries to operate with care, concern, and compassion, and some of their forms back this up. Mr. Downing suggested those forms be a part of this submission.

Mr. Henry asked that the Chief come back with a table of organization and an actual step process documented, with the recalculated numbers from the 12/2/96 town meeting action. He asked that this be given to the Board by Monday night, and then they could discuss it as an action item.

Lt. Reding said they need the Selectmen to sanction the salary and grade schedule, not the actual numbers; they can come back later for that.

Again Mr. Henry said to come back next week with more information and they can vote on the classification and the budgets. Mr. Downing said they would have voted tonight, but they need more information and will be in a position to move on the proposal next week. Mr. Henry agreed saying he was not ready to vote until he saw the whole picture.

The Chief said he would try and put it all together this weekend, and make sure the budget reflects the figures with increases, and a description of the stipends. The Chief also stated that the new rules and regs were never approved after being given to the Selectmen over a year ago. Mr. Henry said that was another issue.

7:50 - Town Clerk Maryjane White met with the Board to discuss the new voting process she would like to see in place.

First, Ms. White wanted to mention that Administrative Assessor Paul Keefe had spoken to her earlier that day about the computer wires not being hooked up to anything downstairs so they can be ready to move in. It was felt that the Board needed to discuss this with the Computer Systems Manager and let her know she has to hook it up.



She also stated that Joe Dziczek had stopped in and said that some of the budgets the FinCom received did not have separate line items for merit increases.

Mrs. Allen stated that a memo had been sent to all departments asking them to revise their budgets to break out the salary line item to reflect the regular salary budget and the potential merit increases. It was noted that the Board does not see the elected officials budgets - that they go directly to the FinCom, so they were not aware of what they had presented.

Ms. White explained that she would like to demonstrate the new voting system at the May elections. Since it is computer-generated, it is quicker and more accurate. She noted Medway is still one of 31 towns in the Commonwealth still going with the punch-card system.

She further noted that the cost to demonstrate is \$250 and will be burdened by her budget. The actual cost to the Town would be \$18,000 which could be purchased with a low interest loan if needed.

Mr. Henry inquired about the cost savings to the Town, and Ms. White felt it was there with maybe police details. It was noted that some tallying will still have to be done.

Mr. Downing moved that the Board vote to change the voting procedure and utilize the services of LHS Associates to conduct the May 1997 election for \$250 plus ballots; Mr. Brodeur seconded; all aye. Mr. Downing moved to authorize the Chairman to sign the letter of approval; Mr. Brodeur seconded; all aye.

7:03 - At this point, the Selectmen's meeting went live.

- Mr. Brodeur read the advertisement that appeared in local papers for appraisal services. Only one bid was received from John D. Heafey of Danvers for \$7,500.

Mr. Downing moved that the Board take the bid under advisement; Mr. Brodeur seconded; all aye. Mr. Henry noted the cost could come under Chapter 90 funds. The Board requested a copy of the documentation to be discussed as an action item next week.

7:10 - Marcy Thomas and Barry Armet met with the Board as reps of a Committee on Planning and Growth. Also in attendance was a quorum of the Planning Board including Paul Yorkis, Fred Sanford and Jim Sia; as well as Medway resident and Franklin Building Inspector Allan Fraser.

Ms. Thomas gave out a position paper of her group (copy attached) for the Board outlining their goals and concerns. She said they felt the Town was a little out of balance, and that Town government was in support of developers. She noted they have gathered information from other Towns, and the group has met a few times and found many problems.

Ms. Thomas stated about 20 people at the meeting thought a charter commission was a great idea, and since no one wanted to run around and pursue the issue, they did it. If the Town Administrator did not come through, they felt the charter commission would be good. She stated that have also thought about a master plan, and that we should update what we have from 1977.

Mr. Armet said he knew the master plan won't happen overnight, but maybe a growth by-law could help for now.

Ms. Thomas stated that, at the February meeting with the Planning Board, so much time was spent on site plans when she felt they should be focusing on groundwater, wells, contamination, sub-division regs - these were the giant issues. She said many felt the Town was not working for them, and they need a change and a vision to get things accomplished.

Mr. Henry asked Ms. Thomas what was she suggesting the Board of Selectmen do? She suggested giving official status for them to work with different Boards. They need to communicate and get problems fixed.

Mr. Henry inquired if they understood our Town government? He said there were many boards in Town, and some of what Ms. Thomas said touches the those Boards' authority.

Mr. Armet felt that things get kicked around. He thought there was too much power on the Planning Board. He asked who decides what goes on in sub-divisions?

Ms. Thomas added that other Towns use boards to work cohesively. As an example, Mr. Armet noted how blasting was done in his area, and no one knew about it.

Mr. Henry asked if these issues had been brought to the Planning Board's attention; and Mr. Thomas said yes, they had. She said she finally got a call from Mr. Sanford last week, but she felt there was no structure.

Mr. Henry disagreed saying the Town election and Town meeting is the structure.

Ms. Thomas said the Town Administrator worked well in towns she has been in.

Mr. Brodeur said Medway is a small Town, and a Town Administrator may not be a "cure-all". That person won't be in charge of the Planning Board or other elected boards. He stated that what they were doing as a citizens group was the best they could do and having people involved as a "grass-roots" group was good. Mr. Brodeur said not to become a town board, but to work from that group.

Ms. Thomas again said she felt the charter commission could help if the Town Administrator goes down. She thought it had to be a total community effort, and that master planning was long-range.

Mr. Downing encouraged the "grass-roots" group, but noted there has to be a planning cycle. The charter commission was looking at restructuring town government. He noted they would have eighteen months to put it before the voters if it goes through. Mr. Downing mentioned how Many people spent time trying to fix the zoning by-laws, just to have it voted down because there was too much. He recommended letting the Town Administrator question go forward in May, and then use the next twelve months for additional planning time.

Mr. Downing noted he has held an elected position for nine years in Medway, but noted he was part of another "grass-roots" group, WE CARE, back then and ran for School Committee to continue that group's efforts.

Mr. Downing noted the dialogue with the Planning Board last week was timely. If they don't address issues, such as cellular towers or adult themes, then they will be thrust upon us. He said Mr. Fraser is well aware of such issues and what the impact of impact fees can do.

Mr. Downing said the Board wants to preserve the quality of life in Medway, and they are trying to do things, with the cooperative nature of Boards that exists now, and are working on a common cause. Groups of elected and appointed officials are sharing their successes and miseries now.

Ms. Thomas said she could not believe anyone would be against restricting adult themes, but had a problem with the issue of the hot dog store.

Mr. Downing said that was part of the site plan review and they are trying to tighten standards. They are

taking a step further to go through the planning process as well by accepting a site plan and then passing it on to the Zoning Enforcement Officer, or the Planning Board, or engineer for review, with the appropriate public hearing and notification to abutters. Mr. Henry stated the Board does not have the right to just cease and desist someone or prevent them from opening a business.

Ms. Thomas said that sometimes they feel there are bigger issues. Mr. Henry said he could appreciate that, but they are looking at the zoning by-laws in pieces and taking the important ones first that need to be reviewed and discussing them together, and bringing them forward on the Town Meeting warrant, one by one.

Mr. Yorkis had some comments to offer. He, first of all, disagreed with Ms. Thomas that the Planning Board had been contacted on numerous occasions by her; he said they only got one written letter on Cedar Farms, and that issue belonged to the Board of Health. Mr. Yorkis said the Planning Board does not have the authority to regulate water quality, and it was referred to the Board of Health.

Mr. Yorkis also stated that whether a lot is unbuildable because of a perc test is not the Planning Board's problem; it is the Board of Health's responsibility, but she certainly had the right to question why something has changed from what it was.

Mr. Yorkis brought up the water protection by-law. He said that the Zoning By-law Revision Committee had formally requested the Water/Sewer Commissioners to draft a by-law, but it is a difficult issue to respond to. You have to identify water resources and identify areas for different sites. The Planning Board does not have the expertise to do this by-law and the mapping to protect those areas.

Mr. Armet asked who can propose a growth rate by-law? Mr. Yorkis responded that anyone can propose a by-law to be passed on the Planning Board and then a public hearing would be held. He stated that these three Selectmen, the Planning Board, Park Commissioners, and Conservation Commission were trying to look at issues and get some viable solutions, sometimes with many other Boards.

Ms. Thomas commented that aquifers are mapped by MAPC. To this, Mr. Yorkis said that the quantity of resources is different, but again, this is under the jurisdiction

of the Water/Sewer Commissioners, not the Planning Board. Ms. Thomas still said that no one looks at private water, but Mr. Yorkis noted that the by-law is designed to protect the Town's water supply system. Ms. Thomas pursued that if an area has septic problems, how can more houses be built there? Mr. Yorkis responded that the area is an approved sub-division. A septic system is the citizen's responsibility; if it is failing, they need to approach the Board of Health for assistance. He commented that if someone can do a deep-hole test and it passes, you can build a house on that lot, and since they have continued to build in that sub-division, there is no time limit.

7:55 At this point, Allan Fraser was introduced and asked to contribute to the discussion.

Mr. Fraser said he had dealt with land use law for twenty-five years and knows a lot about it. He has learned a great deal about growth, and noted it was a process of development and progress. To the question of what can a community do, he asked what is the saturation point?

He spoke about land use regulation and many factors relating to growth and growth control (documents attached).

Some comments made not contained therein:

- Sub-division rules and regs pertain only to roadways - you can't look outside of that area.
- Impact fees still in litigation; however, if utilized, these fees could be charged to new developers and allocated for town services.
- Ch. 40A works well, but it does not address the speed of development.
- Challenge Boards if need be.
- The more roads, the fewer cars will use those roads.
- Change the zoning mix if you want to have less growth.

To this, Mr. Yorkis said that 2/3 passing vote is required at Town Meeting for changing a by-law, which is again under the jurisdiction of the Planning Board. Mr. Fraser also said it could be

presented as a citizens petition.

- With reference to Franklin's zoning by-law amendment defining lot dimension, yard, lot area, and build factor, Mr. Fraser said will alone reduce 1000 lots in Franklin.

Mr. Yorkis commented that many of the above definitions were included in the proposed zoning by-law changes that did not pass.

- Three groups have to buy into the master plan issue: Board of Selectmen, Board of Health and Planning Board.
- Any zoning by-law changes made won't affect anything in the pipeline now as it's grandfathered; but will in 3-5 years.
- Zoning by-laws are in force until court action overturns them.
- The desirability of a community will drive up the price of land, not inflation.

Mr. Sanford suggested the group delve into one issue at a time, and focus on that problem.

Mr. Henry said that the Board is no different than Ms. Thomas' group; the Board members are citizens too. Things are done slowly, however. "We are you, and you are us", and encouraged their participation.

Mr. Downing said that, in their discussions with CRPCD, the number one issue is, what to do if we don't have a water supply. Mr. Henry added that the EPA and DEP need to get involved for aquifer use.

Mr. Downing said to Ms. Thomas and Mr. Armet that if they wanted to be a sub-committee, he would recommend they go under the Planning Board, but to take personal agendas out and think of the community.

Mr. Henry said not to be afraid to come to the Board.

Mr. Sia stated that the Planning Board was looking at the idea of a part-time planner, as their Board meets 2-3-4 times a month, and sometimes until midnight or 1 a.m.

Mr. Fraser commented that the Town of Franklin has a full-time Planning Department.

Ms. Thomas said that she had applied for a vacancy on the Conservation Commission, but had heard nothing. Mrs. Allen and the Secretary were sure her resume had been passed on to the ConCom for their recommendation, but they had not responded. It will be checked out.

It was noted that there is another joint meeting of the Planning Board and the Selectmen scheduled for March 12th.

- 8:50 - Warrants were signed in the amount of \$703,330.72.
- Approval of the first part of the minutes of the meeting of February 10th by Mr. Downing will be held off for the balance of the Secretary's portion.
  - The Board decided to place a discussion of the proposed site plan approval by-law change on next week's agenda.
  - On a follow-up, Mr. Henry spoke about the original request to the FinCom for a \$20,000 emergency transfer. He said that \$15,000 has been identified charged to the wrong accounts.
  - Mr. Henry said he will be making a presentation on Town Hall refurbishments to the CIPC on February 20th for approximately \$47,990.
  - Mr. Henry brought up a letter dated February 10th sent by Donna Robie. In looking at the letter, he said it is mostly Planning Board-related. He asked Mrs. Allen to acknowledge this letter as well, and to advise her that no one, other than the voters, are over the Planning Board because they are elected officials.
  - Mr. Henry noted Acting Highway Supt. Bob Power's breakdown of the mileage of Town streets.
  - Mr. Henry brought up an invitation to attend a ceremony on our new K-9 police dog on March 7th. He said he would tentatively be going.
  - Mr. Henry said that later on tonight, the Board should address the absentee ballot.
  - Mr. Henry brought up the document on land banks, and asked how David Hoag had submitted it. The Secretary said that Mr. Hoag had asked that the Board review it, and felt it had been brought in by Mr. Hoag as an individual, not as part of the Open Space Committee. Mr. Henry wondered if the Open Space Committee had seen it, and who was the present Chairman?

- The Board thought the follow-up on action items was useful and good.
- Mr. Downing said he would follow up on a Town of Mansfield CIPC by-law.

9:00 - Committee Reports.

- Mr. Downing said he and Mr. Henry attended the candidates' forum in Wellesley for the MPO, where seven out of the eight candidates were present. Mr. Downing also said Raphaela Rozanski was there representing SWAP.

The Board then discussed which City and Town should get Medway's vote, and it was their consensus that they should support the City of Newton and the Town of Framingham for reorganizing the State process for transportation.

Mr. Downing moved to authorize the Chairman, as rep to the MPO, to vote for Newton and Framingham; Mr. Brodeur seconded; all aye. An absentee ballot will be sent in.

- The Board reviewed the suggested draft for the annual town report, and made some recommendations for the final submission.
- The Board discussed at length the Building Inspector's request for a vehicle for FY'98. Mr. Henry reported that the CIPC was probably going to offer two vehicles for use by the Town instead of trading them in. He said he was aware of three people that were requesting a vehicle: the Building Inspector, the DPS Administrator, and the Acting Highway Supt. Mr. Henry, therefore, asked the Board members if they would support the use of a Town car by the Building Inspector?

Mr. Brodeur said that the Planning Board dictates binder paving be down before any building is done, therefore, a truck for 4-wheel vehicle is not needed. Looking at it as an economic option, he felt that both the DPS Administrator and the Building Inspector should just use their own vehicles and be reimbursed for mileage, as well as when attending seminars. If there isn't money in the budget for mileage, there should be. If there is a conflict and both individuals need the vehicle, one would take the car and the other would charge mileage.

Mr. Downing noted that the issue was brought forward because the Building Inspector's insurance carrier is telling him if he has an accident on Town business, it will go against him. Mr. Brodeur disagreed saying it



would go against his license, not the Town, if he is at fault.

This prompted Mr. Downing to suggest a motor pool for a fleet vehicle, and the car could be parked out back.

Mr. Henry said the first priority should be the Acting Highway Supt.'s. The Board agreed, with Mr. Downing suggesting they avail themselves of both vehicles: one for the Acting Highway Supt., and the other to be shared among the other two individuals as worked out by the Chair. Mr. Brodeur suggested a log book be placed in the vehicle, and said he would get one.

- With reference to the by-law on signs, it was noted that it needs to have the non-criminal section added, but the different areas of Town need to be made clear for distinction.

Mr. Downing asked why have a by-law if it is not enforced, such as craft signs on poles in Town; they should pay for their advertising.

Mr. Brodeur moved to authorize the Chair to notify the Zoning Enforcement Officer to warn and fine those with signs in Town enforcing non-criminal disposition within the next thirty days; Mr. Downing seconded; all aye.

Mr. Henry asked Mrs. Allen to send a letter to the Planning Board noting the Board's concern of the different districts that have not been approved, and the non-criminal section.

- The job descriptions of the Acting Highway Supt. and the DPS Administrator were brought up. It was again noted that there is no description for Assistant Highway Supt., but we do have one for Highway Supt. and DPS Administrator.

Mr. Downing said as Senior member, he would like the Junior member to take the Board's collective thoughts and draft a composite.

Mr. Brodeur said he would be willing to do that, as he had a different theory of trying to categorize the different responsibilities of the various positions down the ladder. He said he would aim for next week's agenda.

- The Board discussed the letters received from the Burrs and Jim Ladieu concerning Farm Street sewer tie-in. Mr. Brodeur said that four homes would be capable of being

serviced by gravity; the Burr's home may be capable by pump. He said the easement granted by Medway helped Millis, and did not feel the residents should pay more than the \$1,000 other Medway residents have had to pay.

Mr. Brodeur also said we have to ask our Water/Sewer Commissioners as to the feasibility to extend the sewer line. The Town needs to negotiate with Millis to extend 6" service to #13 Farm Street in the road to their property and cap it.

Mrs. Allen was requested to send a letter to Millis saying Medway would pay \$1,000, but the Board would be willing to sit down and discuss this. With #13, we have to work with the Water/Sewer Board, and a letter was asked to be sent to them about extending the line. Mrs. Allen was asked to send a copy of the letters to the DPS Administrator, the Water/Sewer Commissioners, the Burrs and Mr. Ladieu. Then, we wait to hear from Millis.

- The Board discussed the Ch. 90 request for a street sweeper. Mr. Henry said the DPS Administrator could get one from C. N. Wood for \$88,476, utilizing Ch. 90 funds out of road maintenance.

He further said Millis and Medway have been jointly using a sweeper for 12 years, but now the amount of roadway for both Towns is too much (72 miles in Medway).

Mr. Henry asked though if we could possibly do better than the bid list? Mr. Brodeur suggested asking the DPS Administrator if the statement from C. N. Wood is a true one, or can someone else go lower? If so, we could go out to bid instead of the bid list.

Mr. Downing said he was not ready to spend that much money this year at this time, feeling we should still go out on contract. He said he would rather see the streets taken care of with that \$90,000 and to prioritize the capital equipment.

Mr. Henry said he still has to go to CIPC after the Board approves it.

Mr. Brodeur then asked where would this piece of equipment get stored, as we don't have the space now?

Mr. Henry recommended turning this back to the DPS Administrator unapproved to look at other options, as well as possibly contracting out for street sweeping services, with the thought of coming up with a ten-year plan to include storage, maintenance, etc.

- The Board acknowledged receipt of the most current Zoning By-laws and General By-laws from the Town Clerk.
- With reference for a second request from MMEA on the negotiation session minutes, Mr. Brodeur said he was working on them. Also noted was that the Board would be meeting with the negotiating team on February 27th at 7:30 p.m. at the Police Station conference room.
- The Board noted receipt of an invoice from Tornare Construction for the monthly estimate #2 for \$50,992.06 for the Cottage/Evergreen Streets drainage project. Mr. Brodeur moved to approve the invoice; Mr. Downing seconded; all aye.
- The Board noted the anniversary date of March 11th for Paul Keefe for an evaluation. Mr. Henry suggested the evaluation form be sent on to the Board of Assessors for input to assist the Selectmen at the moment; all agreed.
- The Board acknowledged receipt of a letter from the United Chamber of Commerce dated February 12th for regional conferences, with assistance from Norfolk County, on economic development. Meetings were scheduled for March 5 and 26th, with the regional conference on June 6th.

The Board asked that this be placed on next week's agenda to see which Board member could attend.

- The Board also acknowledged receipt of a letter from the United Chamber of Commerce dated February 5th relative to a Town Administrator's forum to be held on April 9th. Mrs. Allen was asked to call and see if the Chairman of the Board should go to represent the Town since there is no Town Administrator, or just submit questions.
- The Board discussed several budgets.

- Board of Selectmen.

Mr. Henry asked that this be reconsidered to include the potential Town Administrator's salary. In anticipation of the length of time involved to go through the process and hire an individual, he felt \$20,000 should be sufficient to carry through the fiscal year.

Mr. Downing moved that the Board of Selectmen's FY'98 budget be reopened; Mr. Brodeur seconded; all aye.

Mr. Brodeur moved that line 101 full-time salaries be \$91,636; consultant's \$2,500; expenses \$7,850; totalling \$101,986 as the amended budget; Mr. Downing seconded; all aye.

- CIPC.

Mr. Downing moved to approve the CIPC's budget for \$505 for salaries; \$170 for expenses; totalling \$675; Mr. Brodeur seconded; all aye.

- The Chairman was asked to sign the prepared Schedule F and Form 5500 to be submitted to the IRS. Mr. Downing moved that the Chair be authorized to sign the documents covering July 1995 to June 1996; Mr. Brodeur seconded; all aye.
- The Board acknowledged receipt of the resume of a candidate for the Board of Water/Sewer Commissioners to be discussed on February 24th.
- With reference to the hearing being held in Braintree with the Mass. State Lottery Commission on February 28th for the Keno application of Keystone Liquor, Mr. Henry said he would attend.

11:05- Mr. Brodeur moved the meeting be adjourned; Mr. Downing seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Downing*  
3/2/97

## Committee on Planning and Growth

A citizens group has formed to discuss issues of importance to the future of our town. A primary concern is lack of adequate planning. Many communities have developed or are in the process of developing a master plan. This document serves as a blueprint to address issues of open space, water needs, and sewage control. Moreover, with a master plan, zoning by laws can be crafted to meet the identified goals. The master plan is a logical approach to try to bring a group of citizens together to form a consensus on the future of our town.

A 13% growth rate in the face of a predicted water shortage and ongoing septic failure is threatening our future. Economic, health, and quality of life concerns mandate we begin to control the process. citizen input.

The Committee on planning and growth supports:

1. A collaborative effort among citizens and town officials to develop a comprehensive master plan.
2. Zoning by-law changes to include impact studies on water supply, sewage, traffic, and the environment on all new subdivisions.
3. Increasing acreage on all subdivisions requiring wells and/or septic systems.
4. Implementation of a comprehensive open space plan and participation in a land bank.
5. Continuation of the work begun by the town administrator Review Committee to revamp our town government
6. Zoning by-law changes to restrict adult entertainment

# Land Use Regulation Relating to "Growth" & "Growth Control"

For Medway Board of Selectmen Meeting 2-18-97

By Allan B. Fraser, CBI, CPCA

- **What is "Growth"?**
  - Growth is defined as:
    - *The process of development*
    - *Advancement*
    - *Improvement*
    - *Progress*
- **What can a community do to control growth ("Growth Control")?**
  - "Controllable" areas:
    - *Total "Build-out"*
    - *Who pays the "Cost of Growth"*
    - *Long Term Tax Rate Stability*
  - "Control Tools"
    - *Zoning (Chapter 40A MGL)*
    - *Wetlands Protection (Chapter 131 MGL)*
    - *Subdivision Rules & Regs. (Chapter 41 MGL)*
    - *"Growth Fees"*
    - *Accessibility (Traffic flow)*
- **Total "Build - Out"**
  - Simple math calculation (# available acres / # units allowed per acre)
  - Can Change By:
    - *Buy land*
    - *Up the lot size*
    - *Change the use*
- **Cost of Growth**
  - What new buildings, utilities or roads, etc. are needed ?
    - *(new or upgraded in capacity not maintenance costs)*
  - Cost divided by units served and paid by user.
- **Long Term Tax Stability**
  - Tax money used only for maintaining existing infrastructure;
  - Rises at a rate equal to or less than the growth of housing values;
  - Is spread over several use categories thereby not relying on one economic segment of the community.
- **Zoning Controls:**
  - **Chapter 40A:**
    - to lessen congestion in the streets
    - to conserve health
    - to secure safety from fire, flood, panic and other dangers
    - to provide adequate light and air

- to prevent overcrowding of land
- to avoid undue concentration of population
- to encourage housing for persons of all income levels
- to facilitate the adequate provision for transportation, water, water supply, drainage, sewerage, schools, parks, open space and other public requirements
- to conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment
- to encourage the most appropriate use of land throughout the city or town including recommendations of the master plan, if any, adopted by the Planning Board and the comprehensive plan, if any, of the regional planning agency, and
- to preserve and increase the amenities by the promulgation of regulations to fulfill said objectives.
- **Main Areas for Zoning Controls:** *(All based on desired Total Build-Out)*
  - Lot size in relation to use, area and economic target
  - A Diversity and Balance of Uses based on economics, desirability and aesthetic qualities
  - An absolute minimum of variances from the standards
- **Main Areas for Subdivision Controls:**
  - Roads designed to maximize access thereby minimizing use
  - Road construction based on POTENTIAL use and of highest quality methods and materials
- **Growth Fees: (Impact Fees)**
  - Can run the full gamut
    - *Schools*
    - *Parks*
    - *Water/Sewer*
    - *Fire*
    - *Police*
    - *Roads*
    - *Other*
- Growth is vital to improving the lifestyle and the economic well being of any community!
- Changes need to be made in the above areas when growth is causing unwanted pressure on:
  - *Cost to Taxpayers from new infrastructure*
  - *Total "Build - out" Numbers*
  - *Excessive Tax rate increases for maintaining existing infrastructure*

## TOWN OF FRANKLIN

### ZONING BY-LAW AMENDMENT 96-325

#### AMENDMENT TO ZONING BY-LAW - CHAPTER 185-3 LOT DEPTH, BUILD FACTOR AND LOT AREA

(Code Book Page 18510, 18511, 18516 and TOWN OF FRANKLIN SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS)

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

1. The following definition is added to §185-3. Definitions.:

LOT DIMENSION - The minimum dimensional figure, commonly known as a circle, regardless of the orientation of such dimensional figure to street frontage. The area of the circle shall exclude wetlands and easements, and the minimum diameter requirements of the circle shall be found in Chapter 185 of this code in the "TOWN OF FRANKLIN SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS".

2. The following definition is amended in §185-3. Definitions.:

**YARD** - An area open to the sky, located between a street or other property line and any structure or element thereof other than a fence, wall, other customary yard accessory or projection allowed to encroach on building lines by the Commonwealth of Massachusetts Sate Building Code. ~~Depth is to be measured perpendicularly to the street or property line.~~

3. The following definition is amended in §185-3. Definitions.:

**LOT AREA** - The horizontal area of the lot, exclusive of any areas in a street or recorded way open or proposed to be open to public use. For lots created subsequent to the adoption of this provision, at least ninety percent (90%) of the "lot area" required for zoning compliance



shall be contiguous land other than that under any body of water, including watercourses, or any bog, swamp, wet meadow, or marsh, as defined in MGL. C. 131 § 40, and exclusive of any easements.

4. The following definition is added in §185-3. Definitions.:

BUILD FACTOR - A ratio of lot perimeter to lot area which limits the degree to which a lot may have an irregular shape according to the formula set forth in Section §185-15A.

5. Section §185-15 is hereby amended by adding A. and moving the current paragraph into B. as follows:

**§185-15. Build Factor and Lot Size Reduction Exceptions.**

A. Build Factor - A ratio of lot area which limits the degree to which a lot may have an irregular shape according to the following formula:

$$\text{BUILD FACTOR} = \frac{(\text{Lot Perimeter})^2}{\text{Actual Lot Area} \times \text{Required Lot Area}}$$

The maximum allowed is 20.

B. Lot Size Reduction - No lot on which a dwelling house is situated, whether heretofore or hereafter placed, shall be reduced in area if such lot is smaller than is hereby prescribed or if, by such reduction, it would be made smaller than is hereby prescribed, except in either case by taking by eminent domain or by conveyance for a public purpose.

6. The TOWN OF FRANKLIN SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS is amended by deleting the column entitled "Depth" and adding a new column entitled "Lot Dimension", all as shown below:

District	Depth	Lot Dimension
RRI	200	<u>200</u>
Residential VI	200	<u>200</u>
RRII	200	<u>150</u>
SFR III	400	<u>125</u>
SFR IV	400	<u>100</u>
GR V	400	<u>100</u>

Comm. I	<u>—0</u>	<u>50</u>
Comm. II	<u>200</u>	<u>175</u>
Business	<u>160</u>	<u>125</u>
Industrial	<u>200</u>	<u>175</u>

This By-Law shall become effective according to the provisions outlined in the Franklin Home Rule Charter.

DATED: \_\_\_\_\_, 1996

VOTED:

UNANIMOUSLY: \_\_\_\_\_

A True Record Attest:

YES: \_\_\_\_\_ NO: \_\_\_\_\_

Deborah L. Pellegrini  
Town Clerk

ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Judith Pond Pfeffer, Clerk  
FRANKLIN TOWN COUNCIL

1

## Growth Control Measures

- Lot Area Computation
- Building Envelope
- Build Factor

## Why We Need A New Lot Area Computation

- Ensures Sufficient Upland area to permit siting of a house in addition to a well and septic, if required.

## Lot Area Computation

Lot Area would be defined as  
90% of Contiguous Upland  
exclusive of wetlands and  
easements.

2

## How The Lot Area Computation Works

- Roadway ROW
- Flagged Wetlands
- Parcel Boundaries
- Contiguous Lot
- Non contiguous Lot



## Why We Need A Building Envelope

- Ensures Sufficient Upland Area in a Reasonable Configuration to permit siting of a house in addition to a well and septic, if required.

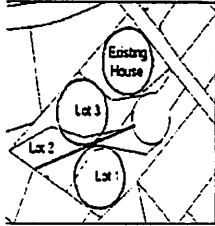
## Building Envelope

- A circle with a Diameter Equal to the Frontage would be able to fit into the lot.
- Would be Computed Exclusive of wetland and easements.

3

## How the Building Envelope Works

- This subdivision would be permitted to build 2 New Houses.
- Any Wetlands or Easements might reduce the number to 1 New House



## Why We Need A Build Factor

- Eliminates Small Irregular shaped lots.
- Permits irregular shaped lot provided Extra Area over the minimum is added to the lot.

## Build Factor

- A Ratio of lot Perimeter to lot Area.
- Build factor Limits Irregularly Shaped lots
- A Square Lot in a RRI Zone has a Build Factor of 16
- A Build Factor over 20 would not be permitted

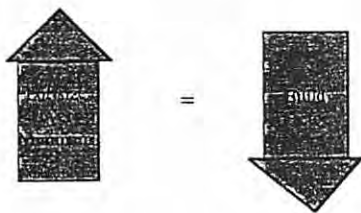
4

## Build Factor (BF)

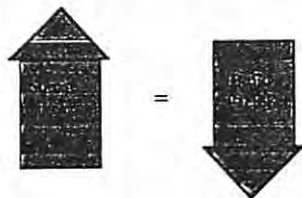


$$BF = \frac{\text{Perimeter}^2 / \text{Actual Lot Area}}{\text{Actual Lot Area} / \text{Required Lot Area}}$$

As Lot Size increases  
the Build Factor decreases



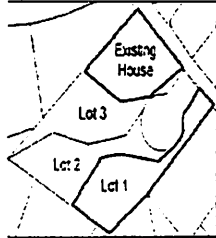
As lot becomes more square the  
Build Factor goes down



~~5~~ 5

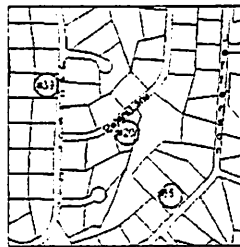
## How the Build Factor Works

- Innkeeper Estates Example
- Existing House Lot has perimeter of 708' & Area of 30,196 sf
- Lot 1 has a perimeter of 1091' & an Area of 31,907 sf
- Existing House Lot has a Build Factor of 16
- Lot 1 has a Build Factor of 35
- Lots 2 & 3 have similar Build Factors



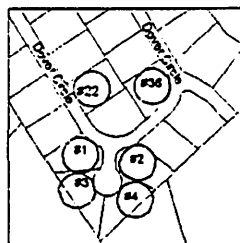
## Examples of Application

- Dianna Estates
- #39 - Circle Fits - Build Factor - 16
- #20 - Circle Does Not Fit - Build Factor of 21
- #65 - Circle Fits - Build Factor - 8



## Application Examples

- Franklin Chase
- #22 & 36 Circles Fit Build Factor 16
- #1 & 2 Circles Do Not Fit - Build Factor <16
- #3 & 4 Circles Do Not Fit - Build Factor >24
- all lots at 30,000 sf



Paid By:	Mail Address:	Street and Number:	Lot No	Date Paid	ck#	Fee Amount:	District	C.O.N.
VICTOR CONST CORP	1275 MAIN ST MILLIS MA 02054	6 KARA LYNN DRIVE	L-6	6/28/96	238	\$2,500.00	South	96390
VICTOR CONSTRUCTION	1275 MAIN ST, MILLIS, 02054	L-7 KARA-LYN DRIVE		8/5/96	711	\$2,500.00	South	97062
WHITE OAKS DEV CORP	PO BOX 292 FRANKLIN MA 02038	7 TYLER RD	L-40B	12/27/96	2423	\$2,500.00	North	97228

Total Count: 172 Total Amount \$422,112.00





## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

February 10, 1997

6:00 p.m. Open meeting - evaluations  
7:00 Sign warrants, approve  
minutes of 1/27/97 and 2/3/97 meetings.  
7:05 Medway Shopping Plaza - Site Plan  
Paul LaPerriere also for sign permit

Committee Reports

Action Items

Executive Session

ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 10, 1997.

1. Special Town Meeting on April 28, 1997 - no dollar items????
2. Acknowledge copy of letter from Planning Board regarding signage.
3. Award bid for Movers for the Library and authorize chairman to sign contract. (already approved by Town Counsel as to form).
4. Acknowledge letter from COA regarding SCBC.
5. Acknowledge letter from Barry MacDougall regarding electric utilities.
6. Acknowledge and discuss letter from Dover Board of Health Chairman.
- 7 . Acknowledge and discuss memo from Town Clerk regarding voting machines.
8. Discuss employee evaluations for Sucharzewski, Peters and Sampson.
9. Review Budgets: Registrars, IDC, COA, Emergency Management, Accountants, Information Center.
10. Vote Emergency Request for Law in the amount of \$1,234.36
11. Open ATM Warrant.
12. Discuss License Fees.
13. DPS Administrator - questions from Town Accountant.
14. Acknowledge and discuss memo from town department heads regarding town procurement by-law.
15. Acknowledge letter from Medway Permanent School Building & Site Selection Committee.

ACTION ITEMS

February 10, 1997

page 2.

16. Acknowledge and vote on Change Order #5 - New School Building in the amount of \$7,951.88.
17. Acknowledge and vote on payment for New School Building in the amount of \$469,366.08
18. Acknowledge letter from Library Director on surplus items that are available.

actitems.doc

Present: Lee Henry, Doug Downing.

6:10 p.m.-Mr. Henry opened the meeting in the Selectmen's Meeting Room 2 of Town Hall.

The Chairman explained the process (similar to discussions with Ruth Allen), to Town Accountant Arti Mehta, and reviewed the "new" form and numbering totals.

Mrs. Mehta asked about the possibility of review and reconsideration based upon discussions and updates. After general questions and answers, and a review of the Town of Medway personnel policies as used in the past, Mrs. Mehta asked what would be the basis for forwarding the request to the JCRB for a review as done in the past?

Additional questions and answers followed prior to the evaluation, and it was decided that Mrs. Mehta would perform her own evaluation, and then notify Mrs. Allen for a time on the agenda for a meeting with the Board of Selectmen in either open or executive session - her option. (secretary's note - cannot be exec. session.)

Additional discussions took place between Mrs. Mehta and Mr. Henry seeking help to resolve the cash balance problem between the Town Accountant's books and the books of the Board of Water/Sewer Commissioners, and outlined in the numerous memos. The sense of the Board to Mrs. Mehta was - no more memos - meet and discuss the issues outlined in the memo of February 7th.

6:35 - Don Podgurski, DPS Administrator joined the meeting. Discussions followed with Mrs. Mehta with regard to budgets in general, and specifically, the Town Accountant's budget with respect to \$3,000 for computers. After review, the Chairman apologized to the Town Accountant because this line item now appears in a different budget for possible use by night board secretaries.

6:40 - James Brodeur joined the meeting.

General discussion took place and then Mr. Podgurski requested action item #13 be taken out of order because of a conflict with his scheduling this evening.

Mrs. Mehta, Mr. Henry, Mr. Downing, Mr. Brodeur and Mr. Podgurski discussed the memo from Mrs. Mehta regarding the DPS Administrator received February 7th. Various options were offered and discussed, and Mr. Henry requested Mrs. Mehta contact Norwood Retirement Board

and get answers on items 1-6 for future consideration.

Mr. Podgurski then read his memo to Ms. Margaret O'Meara, District Highway Director, Mass. Highway Department seeking consideration and funding for roadway projects identified as priority Nos. 1 and 2.

Site approval has been received by a rep (Mr. Regan, District 3) of Mass. Highway; however, this should not be considered formal approval.

Discussion followed with reference to the availability of Chapter 85B monies for use to fund the engineering costs associated with these projects. Mr. Henry updated the Board about Chapter 90 commitments to date, and the process which would be used to fund projects from old articles, funding voted at previous town meetings.

Mr. Downing moved, and Mr. Brodeur seconded, to authorize the Chairman to sign and submit the letter to Ms. O'Meara on the Town's behalf, voted unanimously. Mr. Downing moved, and Mr. Brodeur seconded, to sign the \$35,000 Chapter 90 request for Cottage and Evergreen Streets as required, voted unanimously.

Also, Mr. Podgurski passed out information on a street sweeper, and discussion followed.

7:35 - Taking of minutes was passed on to the Board's secretary from this point on.

Respectfully,

Doug Downing  
Acting Clerk

DD/mj

*[Handwritten signature]*  
3/3/97

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:35 p.m.-Paul LaPierre, Manager of Diversified Funding for the Medway Shopping Center, came before the Board to get sign and site plan approval.

Mr. LaPierre explained they wanted to sub-divide a leased space at the Plaza, specifically 114C behind West Street Hobbies. The area in question is 34' wide x 245' deep; 100' in depth would still remain West Street Hobbies; the other 145' is the retail space for the other store. He noted the key issue is signage for the retail space indicating the location of the rear store.

The Board indicated concern that they need to add a public entry, that doesn't exist, to the rear of the store, as well as parking, that doesn't exist. Mr. Henry added that he felt the sign and the re-configuration alters the site plan, even though the inside renovation is allowable - this was not on the original plan.

Mr. LaPierre thought meeting with the Board was the next step in getting the additional sign, but Mr. Henry felt there was now a need for a new site plan for this location. He also indicated that a historical background check would show not everything that was promised by DFI has been accomplished.

Mr. Brodeur indicated that the area between the stores was never designed as public space; only as an emergency access, or for trash pickup or truck deliveries.

Mr. Downing said the width was in excess of 23', and confirmed that the defined parking spaces as indicated on the presented site plan do not exist now. He assumed that the Hobby Store was downsizing and appreciated the revised site plan with hopes of improvement. Mr. Downing made mention of additional lighting needed at the rear for security, the hopes of more parking on the side, and the clarification of some safety issues. It was noted that the paving had been done out back, but had not been striped. Again, Mr. Henry said there are some issues that have not been resolved from the past.

Mr. Henry asked Mrs. Allen to go through the files, and see what there is to document the situation at the Plaza from the Shell Station all the way down. He noted that previous plans at different locations have been denied with a side access. He said he was against changing the original site design of the Plaza. Mr. Brodeur agreed.

Mr. Henry said he would like to continue the discussion of the site plan and be shown it was workable. He, therefore, asked that they resubmit the site plan indicating the safety lights, all utility structures in back of the building and how they would be used, parking areas, and a discussion with the Fire Chief and Safety Officer indicating their concerns. Mr. Brodeur added that he should include shielding of illumination to below the fence line.

Mr. Brodeur stated that the people who live behind the Plaza may complain if there is additional noise coming from the store. Mr. Downing also added that people do not want to frequent stores that are open later than the others in a Plaza.

Mr. Henry asked that Mr. LaPierre be rescheduled for another meeting once all the information requested had been obtained, with Mr. Downing requesting that it be coordinated through the office.

- 8:10 - Mr. Downing moved approval of the minutes of January 27th; Mr. Brodeur ~~seconded~~ after an amendment; all aye. *Henry seconded*
- Mr. Downing moved approval of the minutes of February 3rd with an amendment; Mr. Brodeur seconded; all aye.

Some follow-ups:

- Mrs. Allen said she had not heard anything from Mr. Podgurski about the condition of the Shaw Street Bridge yet.
- Mrs. Allen had not spoken to Maryellen Lavenberg yet about grant documentation, but would do so.
- Mr. Henry said they need to meet with the Farm Street residents. Mrs. Allen said the residents that are not tied in did get a letter (a copy of which was brought into the Office today), and she would be copying that letter for the Board. Mr. Brodeur said he would call Jim Ladieu.
- Mrs. Allen said she was still following up on the insurance issue of an employee with the school.
- The Secretary said that Allan Fraser would be attending the planning and growth meeting on February 18th.
- Mr. Henry asked about the additional \$14,000 of cushion from the IDC's design services. Mrs. Allen

said she had spoken to Paul DeSimone, who had talked to the State. He stated that the \$50,000 grant award can only be used for the traffic study, but the \$14,000 can be used for construction. Mr. Henry said he would like to see the above in writing. Mrs. Allen did note that it will come to the Board as an RFQ, but Mr. Henry wanted to be assured of a paper trail.

- Mr. Brodeur said he had written a rough draft memo on Broad Acres.
- A copy of the minutes of February 3rd for the IDC will be given when approved.
- Mr. Downing asked that we advertise for a linear park concept committee. He also asked about the brush clearing project near the railroad bed from Medway Oil to Holliston Street, and passed on a friendly reminder for it to be done.
- With regard to a letter from Mr. Duggan to the Water/Sewer Board, Mrs. Allen said she was told they had responded to it.
- With regard to a letter to Mike Perrault thanking him for his cooperation in reviewing the street rules and regs, Mrs. Allen said it was sent.
- Mr. Henry asked if the DPS Administrator had provided a breakdown of town vehicle repair costs. Mrs. Allen said she had requested this of Mr. Podgurski and the Town Accountant, but had not received anything yet.

Mr. Brodeur said he would prefer to pay bills in hand, rather than just place extra funding in an account; however, you cannot hold back vendor invoices as services were provided. Mrs. Allen noted you can overspend on snow removal, but it was possible bills were charged to the wrong account.

Mr. Downing requested that the internal paperwork be reconciled, and on that, Mr. Brodeur moved to authorize the Chairman to sign an emergency transfer not in excess of \$5,000 for bills in hand; Mr. Downing seconded; all aye. The Board asked that purchases not be made foolishly, but Mrs. Allen noted that the mechanic has been asking that his vendors chop their prices for the Town.

- Mr. Downing requested no more memos on Mr.



Podgurski's pension issue; just get it resolved.

- With regard to listing projects with OEDP for MAPC, Mrs. Allen again said Medway did not meet the criteria.
- With regard to the letter from DHCD on a HUD plan, Mrs. Allen said the Housing Authority can review and make comments if they choose to.
- The Board asked Mrs. Allen if she had heard from MMEA yet about a date, and she said she had not.
- The Board asked the Secretary if the meeting of the 18th would be broadcast on cable; and she said it would.
- The Board asked Mrs. Allen if she had heard anything with regard to the signs for Alder Street. She said she gave the communication to Mr. Podgurski and spoke to Officer Watson, but had not heard their recommendation. Mr. Downing said memos don't work if there is no deadline for responding.

8:40 - Committee Reports.

- Mr. Downing noted the Board attended the MMA convention.
- Mr. Downing said he would speak about the school building committee meeting later.
- Mr. Henry noted the Board had met with the executives of the Medway Co-op Bank.
- Mr. Henry said he had toured the new school.
- The Board signed warrants for \$832,472.68.

- Action Items.

- The Board discussed having a STM on April 28th, with Mrs. Allen recommending they close the warrant by March 21st, with a draft being submitted for March 30th.

Mr. Downing moved that the Board open the warrant this evening for a STM on April 28th for non-financial articles, and to close the warrant at the close of business on March 21st; Mr. Brodeur seconded; all aye.

Mrs. Allen was requested to send a memo to advise all departments to submit non-financial and administrative articles to the Board.

- The Board acknowledged the Planning Board's letter dated February 3rd regarding signage, but said they would discuss it further on the 18th, since it required more information as a zoning by-law change.
- The Library needed authorization with the signing of the movers' contract, already approved by Town Counsel as to form. Mr. Downing moved to authorize the chairman to sign the contract and award the bid to Burkhardt Brothers for \$8,850; Mr. Brodeur seconded; all aye.
- The Board acknowledged a letter from the Council on Aging dated February 5th regarding the Senior Center Building Committee. Again, it was noted that it was the wording of the application that created the need for the clarification of the committee. Mr. Downing noted the involvement of the School Building Committee in the project of the new school and the amount of time that volunteers need to spend, and the more volunteers the better are encouraged.

Mr. Downing moved that Bernard Cornelia and Richard Coakley be appointed to the ~~School Building~~<sup>Senior Center</sup> Committee; Mr. Brodeur seconded; all aye.

- The Board acknowledged a letter from Barry MacDougall dated February 2nd regarding electric utilities. They appreciated his concern and wanted him to know they are aware of the situation, as are the Board of Assessors and the MMA. Mr. Henry recommended he stay informed and be aware, with Mr. Downing adding Mr. MacDougall could be a conduit for us, and requested he continue to follow up for the Board on the Town's behalf.
- The Board acknowledged a letter from the Dover Board of Health's Chairman Harvey George dated January 27th concerning the request to purchase some of Medway's capacity at CRPCD.

Mr. Downing suggested finding out what is the present volume they are receiving and what is CRPCD's opinion on the subject. Mr. Henry said that the Commissioners should tell us what the plant is going to accept first, and then determine the cost to bring other Towns in. He also wondered why Dover was coming to Medway; had they gone to other towns?

Mr. Henry asked that we get further information on this from CRPCD, but to acknowledge receipt of Dover's letter. Mr. Downing felt sending Dover a copy of our letter to CRPCD should be sufficient.

- The Board acknowledged a letter dated February 4th from Town Clerk Maryjane White who is requesting a change in the voting system process. Since this is a change in voting procedures, it needs the Board's authorization.

Mr. Henry noted it was a \$250 investment out of her budget in the demonstration of the voting process.

Mr. Downing felt that tabulation is the problem; not necessarily the voting. He suggested that possibly the wardens take a field trip prior to the election to see how the system works.

Mr. Downing suggested the Town Clerk come to the Selectmen's meeting on February 18th at 6:45 p.m. to discuss this further.

- The Board noted the evaluations received on D. Sucharzewski, S. Peters, and P. Sampson. Mr. Henry said, in an attempt to try and interpret the evaluation, recommended meeting with Department Head Mark Flaherty to discuss the two for his department, and with Town Clerk Maryjane White to discuss her assistant.

Mr. Downing agreed it would help to talk to the Department Heads to get a sense, a presentation, instead of just the written word. Maybe this could be a by-product of the process - a new process to avoid the stumbling blocks. He said if the evaluation form is going to be a meaningful tool, it needs to be refined, not just subject to interpretation, but to bring the process together. Mr. Downing noted they had talked before about bringing the process along slowly, but the Board may be doing the individual a disservice if they don't meet to discuss the evaluation, and then move along with it.

It was requested that Ms. White come at 6:00 p.m. on February 24th, and Mr. Flaherty at 6:20.

- The Board reviewed some budgets. They included:

- Registrars:

Mr. Downing moved that the Board approve the Registrars budget of \$300 for stipends; \$5,000 for expenses; for a total of \$5,300; Mr. Brodeur seconded; all aye.

- Industrial Development Commission:

Mr. Henry spoke about the need to resuscitate the

IDC and the IDFA two years ago; however, he could not justify a volunteer board's request for \$5,515. He noted that other boards have been serving the town for a longer period of time, and their budgets were not as high.

Mr. Henry further stated that the grant writer gets paid out of the grant, and since the grant had already been written, did not understand why this budget was being requested. He said he would call the Chairman and talk to him about the numbers.

Mr. Brodeur questioned if this budget was for the future, or just for now. Having different line items in the budget now could end up being in place for a long period of time, and may not be necessarily needed.

Mr. Downing's concerns were with the salary and the advertising. He said that the Board had indicated they might help to fund a salary, but \$850 seemed too high; the grant writer should be doing the brunt of the work. Mr. Downing also stated that the grant writer was in place now to do Alder Street, but the future was unknown. He also said he knew a brochure to sell the area had to look good, but still wanted more info. Mr. Brodeur agreed.

Mr. Henry asked Mrs. Allen to check and see when the IDC last had a budget and for how much and for how long. He said this was establishing a precedent for a small task-oriented group. A possibility also was there for printing the flyer at Town Hall. Mr. Brodeur suggested they check and see if Tri-County or Blackstone Valley could do it.

- Council on Aging.

Mr. Brodeur moved that the Board approve the Council on Aging budget for \$13,970 for salaries; \$26,640 for expenses; for a total of \$40,610; Mr. Downing seconded; all aye.

- Emergency Management.

Mr. Downing moved that the Board approve the Emergency Management budget for \$800 for expenses; Mr. Brodeur seconded for discussion, but questioned what comprised the \$800. It was voted to get a breakdown of that figure from Mr. Cicciu and to reconsider the budget at that time.

- Accountant.

The Board reviewed the Accountant's request for \$71,140 for salaries and \$3,150 for expenses; however, since the salaries line item was not complete, decided to hold off on approval at this time.

- Information Center.

The Board noted the total expenses of \$34,600; however, Mr. Henry said that \$3,000 in the equipment line item may have to be a special article rather than a permanent line item. Mr. Downing said he wanted to see a planning process for equipment. Mr. Henry agreed and said he wanted a plan and cost schedule. Mrs. Allen said, for example, there could be a special article for telephones if we need telephones.

Mr. Downing asked what would happen to the old computer if the Building Inspector gets a new one. Mr. Henry said there will be a new plan for the upgrading of all computers. Mr. Downing suggested having the Information Systems Manager sit in on the technology meeting on the 20th at the school as an observer. Mr. Henry said he would speak to Mrs. Mehta.

- Town Hall.

Mr. Downing recommended changing line #306, custodial housekeeping, to \$15,000. He felt if we were going to maintain the new portion of the building, it needs to be addressed. If we establish parameters, then we can go out for quotes. If this action is not taken, Mr. Downing felt we were not doing justice to the building. He stated we would not be eliminating a position, but we can then do other things in a more productive fashion.

Mr. Henry addressed line #305, building repair and maintenance, indicating this is just for the usual annual expenditures, but there would be a special article for other town hall refurbishments with some solid figures, not guesstimates.

Mr. Downing moved that the Board approve the Town Hall budget for \$15,296 for salaries; \$47,439 for expenses; for a total of \$62,735; Mr. Brodeur seconded; all aye.

- Mr. Brodeur moved that the Board approve the Law emergency transfer for \$1,234.36 for bills in hand; Mr. Downing seconded; all aye.
- Mr. Brodeur moved that the Board open the warrant this evening for an ATM on May 12th for financial articles, and to close the warrant at the close of business on March 7th; Mr. Downing seconded; all aye.
- The Board looked over the license rates of surrounding towns, and it was felt that Mrs. Allen could assess what the license fees should be for Medway, and then the Board could compare them with the area towns.
- The Board brought up the subject of the job descriptions of the DPS Administrator and the Highway Superintendent, but asked that it be placed on next week's agenda.
- The Board noted receipt of the request of Town department heads to have an article placed on the warrant to repeal the existing by-law pertaining to the procurement of goods and services.

Mr. Henry asked Mrs. Allen to try and get a sample article for the Board to review. Mr. Downing suggested sending a copy of the article, when obtained, to the FinCom and CIPC, and ask them to consider the article with any comments by a certain date.

- The Board acknowledged a memo from the School Building Committee concerning a feasibility study for the Burke School. It was noted that this subject was tabled for FY'98.
- Mr. Downing moved that the Board approve Change Order #5 for the new school for \$7,951.88; Mr. Brodeur seconded; all aye.
- Mr. Downing moved that the Board approve payment of construction requisition #11 for the new school for \$469,366.08; Mr. Brodeur seconded; all aye.
- The Board discussed the letter received from the Library concerning several surplus items they had. Mrs. Allen will call them and request the stackable chairs and the typewriter if available.
- Mrs. Allen said a vote of the Board was necessary to overspend the snow budget. She said, at this time, they were over by \$2,350. Mr. Henry noted there had not been much snow, but the Highway Department had been out 18 times just sanding and salting.

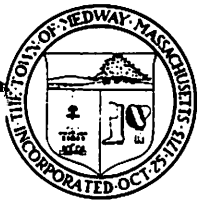
Mr. Downing moved to overspend the snow removal budget for FY'97; Mr. Brodeur seconded; all aye.

- Mrs. Allen told the Board that the hearing on keno for Keystone Liquor would be held on February 28th, and were any of the Board members going to go to plead the case. At this time, it was unsure if anyone could attend.
  - The Board acknowledged Mrs. Allen's listing of the various towns and cities in the Commonwealth whose Selectmen receive stipends.
  - The Board noted the candidates' night in Wellesley for election to the MPO.
  - Mr. Downing had some follow-ups.
  - He wanted to follow-up on the request of the Building Inspector to receive a town vehicle. Mr. Henry asked that this be placed on next week's agenda for further discussion.
  - With reference to signs requested for the Alder Street area, Mr. Henry asked Mrs. Allen to acknowledge receipt of the letter from Ms. Alves, and advise that it is being reviewed.
  - Mr. Downing wanted to know if an acknowledgment had been sent to Donna Robie for her letter, and Mrs. Allen said it had.
  - The Board noted the number of items they always want to follow up on, and in an attempt to streamline things, asked Mrs. Allen if she could take the list of action items from the previous week, and just indicate on it what items had been accomplished.
- 10:55- Mr. Downing moved that the Board enter into executive session, not to return to public session, for the purpose of union and non-union contract negotiations, for strategy for litigation, for the purchase or lease of real property; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved  
as amended  
3/3/97*



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### REVISED

### AGENDA

February 3, 1997

- 6:00 p.m. Open meeting - evaluations
- 7:00 Sign warrants, approve  
minutes of 1/13/97 and 1/27/97  
meetings.
- 7:05 IDC - recommendation of RFP for Alder  
Street design.
- 7:15 Marjorie Sanford, Treasurer/Collector  
Approval to borrow against  
Stabilization Fund
- Committee Reports
- Action Items
- Executive Session





## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
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### **AGENDA**

February 3, 1997

6:00 p.m.	Open meeting - evaluations
7:00	Sign warrants, approve minutes of 1/13/97 and 1/27/97 meetings.
7:05	IDC - recommendation of RFP for Alder Street design.

Committee Reports

Action Items

Executive Session

ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 3, 1997.

1. Sign Grant Contract for Senior Center Building.
2. Discuss Town Accountant's memo on Tuition Reimbursement and Step Increase.
3. Acknowledge letter from MAPC regarding projects for OEDP.
4. Acknowledge letter from DHCD regarding HUD Consolidated Plan - Draft of one-year Action Plan.
5. Consider STM in late March early April for non dollar items only.
6. Need two dates for Medway Employee Association regarding evaluation form and snow plowing for employee outside of his department.
- 7 . Discuss Fire Department Classifications
8. Attendance at Norfolk County Selectmen's Assn. Mtg. Wednesday, February 26, 1997
9. Sign Request for Payment of reimbursement of COPS FAST.
10. Review Budgets that have been submitted so far.
11. Award bid for Asbestos Abatement at Library and sign contract approved by Town Counsel.
12. Approve evaluations for David Sucharewski and Scott Peters.
13. Acknowledge MMA Action memo regarding Cherry Sheet Aid
14. Acknowledge letter from Town of Burlington regarding MPO candidacy.
15. Acknowledge letter from Karen Alves, Alder Street.

actitems.doc

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Meeting was opened and continued in Room 2 of Town Hall from an earlier start at 6:00 p.m. which was not on cable.

- Warrants were signed totalling \$459,979.46.
- Mr. Brodeur moved approval of the minutes of January 13th; Mr. Downing seconded with some corrections made; all aye.

On a follow-up with the Farm Street residents and their tie-in to sewer, Mr. Brodeur said it was his intention to contact Mr. Ladieu but had not done so yet.

On a follow-up with regard to CIPC's request for town hall expenses, Mr. Henry said he was working with Mr. Speroni on a breakdown of items and costing them out.

On a follow-up with regard to the school's handling of a personnel insurance issue, Mrs. Allen said she had not received a response yet from them, but was working with Group Benefits Strategies to get it resolved. Mr. Downing asked that Mrs. Allen continue to follow up with the School, with Mr. Brodeur asking it be placed on next week's agenda.

On a follow-up with regard to stipends, Mrs. Allen will check to see if MMA has such a survey for area towns, as there was not enough time to research this at the MMA convention.

- Mr. Downing moved approval of the minutes of January 27th; Mr. Henry seconded with some corrections made; Mr. Brodeur abstained as he was absent for this meeting; aye.

On a follow-up with regard to the Shaw Street Bridge, Mrs. Allen said she had not received a response yet from the DPS Administrator as to the conditions noted in Mass. Highway's letter. Mrs. Allen was asked to remind Mr. Podgurski of their request.

On a follow-up with regard to the MAPC grants available that Maryellen Lavenberg referred to last week, it was unknown if she had distributed copies of those documents to certain boards. Mr. Henry requested this be confirmed with her.

On a follow-up with regard to the joint meeting with the

asked to have included in the motion that all services of the traffic study be kept as a separate line item. Mr. Downing accepted Mr. DeSimone's friendly amendment. Mr. Brodeur seconded Mr. Downing's motion and amendment; all aye.

Mr. Henry noted to Mr. DeSimone that no contract had been received yet, and when it does come in, to pass it on to Mrs. Allen so it can be sent to Town Counsel for his review and recommendation.

Mr. DeSimone requested a copy of tonight's minutes containing their resolution, and to have the Town Clerk certify them.

Mr. DeSimone also gave the Board a budget for the IDC for FY'98, and the IDC's annual town report. He also noted they will be needing a grant writer for the sewerage connection which will cost about \$350,000, but the fee for the grant writer would be about \$2,000. Mr. Henry asked that Mrs. Allen request the Town Accountant put the IDC on a regular budget format sheet.

7:45 - Treasurer/Collector Marjorie Sanford met with the Board to request their approval to borrow \$291,000 against the stabilization fund which presently is at over \$500,000.

Mrs. Sanford stated the funds were to be used for two projects: the Library project for \$100,000, and the High School/Middle School sewer connection for \$191,000. She clarified she did not want to borrow those small amounts separately now, when she would be doing additional borrowing in April. Mrs. Sanford stated she did go to the Emergency Finance Board for their approval, which was given, and noted the monies will be returned to that account by the end of June.

Mr. Downing moved to approve the request of the Treasurer/Collector to borrow \$100,000 against the stabilization fund for the library, and \$191,000 for the sewer connection for the High/Middle Schools; Mr. Brodeur seconded; all aye.

With reference to two other issues <sup>with which the</sup> ~~the~~ Board had concerns ~~with~~, Mrs. Sanford said that information would be forthcoming.

- Committee Reports.

- Mr. Downing reported attending a recent Planning Board meeting, and development in the Town was on-going, with some plans still in the preliminary stage. Mr. Brodeur

will be drafting a response to the Planning Board on behalf of the Selectmen with reference to Broad Acres. A joint meeting between both boards has been scheduled for February 13th.

- Mr. Henry reported meeting with the School Committee, and also noted the School Department's submission to the CIPC of the technology plan, as well as a discussion of upgrading the wiring in municipal buildings. This discussion will continue on February 20th.
  - Mr. Henry further reported meeting with Building Inspector Bob Speroni to determine what still needs to be done to Town Hall prior to the certificate of occupancy being issued. At the same time, they were trying to determine what refurbishments need to still be made to the building and to determine what those costs might be.
  - Mr. Henry reported talking to the DPS Department on Friday and going over how the contract works. This morning, he met with the DPS Administrator, the Acting Highway Supt., and the Union representative, and he said he would share that information with the Board in the executive session.
  - Mr. Henry reminded the Board members of the meeting set up on Thursday, February 6th, at the Medway Co-op Bank, and that John Collett, Vice-Chairman of the Finance Committee and Bob Ciavarra, Chairman of the CIPC would also be in attendance. It was suggested that Mrs. Allen contact Bob Stratton to see if a tour can be given of the bank for those who have not seen it before.
  - Mr. Brodeur noted a pancake breakfast being put on by the Medway Firefighters/EMS on February 9th at the American Legion from 8 a.m. until Noon.
  - Mr. Brodeur spoke about the railroad bed and thoughts for a bike/walk trail from Millis to the Police Station. He noted serious questions of ownership and abandonment, but felt a request could be made for volunteers from the community to investigate possible grants, and to form a committee of support in pursuit of this goal.
- Mr. Henry said they have to define the need more, but possibly advertise looking for people for a linear park concept committee would be more apropos.
- Mr. Henry had some follow-ups:
  - He asked Mrs. Allen to check and see if the cable hookup

of the Medway Middle School Library had been completed.

- He asked about the appointments to the Open Space Committee, and Mrs. Allen said since they were appointed until the end of June as a sub-committee to the Conservation Commission, it might be advisable to wait until then to appoint them as a separate committee.
- With reference to a letter dated December 4th from Ed Duggan to the Water/Sewer Commissioners, he asked if Mrs. Allen could find out if they responded to his letter, and if so, to get a copy of their response.
- He asked about a certain resident that was involved with the Medway Strike Force, and asked if it had been resolved. Mrs. Allen said the best solution was that he approach the ZBA.
- Mr. Brodeur asked if each week, the staff could go through the action items and indicate the results of those requiring action. Mr. Henry felt that was unnecessary.
- Mr. Henry noted that many representatives from the Town were attending the DEP workshop on Title V on February 13th.
- Mr. Henry noted that the District has met the net school spending requirement for FY'96, according to the Mass. Dept. of Education.
- Mr. Henry said he with the DPS Administrator on proposed rules and specifications regulating street excavations. He asked the Board members to review them and in conjunction with the roadway access by-law. Mr. Henry noted this was just a draft; it has not been adopted, and will require a public hearing.

Mr. Brodeur asked if they had checked with Mike Perrault, the Planning Board agent, and incorporated the Planning Board's rules into this. Mr. Henry said no; that those are the Planning Board's rules and regs, but they do have to dovetail each other.

Mr. Brodeur felt they should be identical, and the Board of Selectmen should not accept them until the Planning Board consultant accepts them.

Mr. Downing asked that a copy be sent to Mr. Perrault; Mr. Henry said it was done, but they don't have the results of that discussion yet.

Mr. Downing moved to send a letter to Mike Perrault thanking him for his cooperation with the Selectmen in reviewing the rules and regs, and to respond with his comments back to the Board, with a copy to the DPS Administrator and the Planning Board, under the Chairman's signature; Mr. Brodeur seconded; all aye.

- Mr. Henry said Chapter 90 funds were being reviewed, and the DPS Administrator was reconciling the numbers. He felt there were approved funds, other than for Cottage Street, of \$565,000.
- Mr. Henry said he was not satisfied with the request for an emergency transfer of \$20,000 for town vehicle repairs. He stated he wanted a list of expenses spent to date.
- Mr. Downing asked if the pension issue with Mr. Podgurski had been resolved. Mrs. Allen said she had not heard from the Town Accountant yet, but knew she had some questions for the Board.

Mr. Henry agreed this needed to be clarified; he is still on probation.

- Mr. Downing spoke about an error in publication that appeared in Saturday's, February 1st's edition of the Milford Daily News. The same article had appeared in the Middlesex News earlier in the week. Mr. Downing explained that this was an old article on taking action on the MMA consultant's report. The Town Administrator Review Committee had gone along with the consultant's three recommendations. Those three issues were being deliberated by the Board. There was also no pursuing of a charter commission at this time, but would be a future agenda item.
- Mr. Downing brought up the inter-school newspaper, the Intercom, where an article spoke about AT&T's cooperation with the school to assist in getting computers. Mr. Downing suggested residents call the principal of the school they wish to assist.
- Mr. Henry acknowledged a letter dated January 24th from Wheelabrator indicating our guaranteed annual tonnage is 4,575 tons.
- Mr. Henry acknowledged a letter sent to the Planning Board with a copy to the Selectmen from Jeff Comeau dated January 24th.
- Action Items.

- The Board brought up the grant contract for the Senior Center Building. Mr. Henry said letters were sent to all six members of the committee that were appointed by the Board to that committee informing them that the appointments need to follow certain guidelines. Mr. Henry signed the grant contract.
- Mr. Downing acknowledged the presence of Henry Lewandowski, a member of the CIPC. Mr. Lewandowski was concerned he could not get on the agenda since Bob Ciavarra, Chairman of the CIPC, had asked him to come and talk to the Board about the site of the Highway Barn and the need for a new location and cost projection for a Highway, Park and Water/Sewer building.

Mr. Henry said that the Board has appointed a Facilities Study Committee, of which Mr. Ciavarra is a member, and one of their charges was to look for and advise the Board of a suitable site for a building. As far as he knew, they were still working on it, as no recommendation has been submitted yet to the Board, therefore, no figures can be projected. Mr. Henry elaborated they were not under a consent decree to vacate the Highway Barn, so there are no time constraints as yet. He felt that by the time DEP approaches the Board, they should have some idea of what will be done. Mr. Henry suggested he speak to Mr. Ciavarra, or LEEANNE DICKSON, Chairman of the Facilities Study Committee to see what the status is. He anticipated the committee would be back to the Board by the end of February - beginning of March.

Mr. Lewandowski also brought up the purchase of vehicles after speaking to Chief Wayne Vinton, chairman of the Equipment Committee, and Don Podgurski, DPS Administrator. He acknowledged that some vehicles are needed.

Mr. Henry said he assumed the Board would be getting a recommendation from the Equipment Committee. Mr. Brodeur asked if we would be going in on a sweeper with Millis, but was told that we would not be joining in with Millis, but rather going with Chapter 90 monies to replace the sweeper only for Medway.

Mr. Lewandowski also said the DPS Administrator does not want an old cruiser, but Mr. Henry said to wait and see what his recommendation will be. Mr. Lewandowski is also looking for 5 year plans.

8:50 - Back to action items.



- The Board brought up the Town Accountant's memo dated January 10th concerning tuition reimbursement and step increases.

Mr. Downing moved to endorse the recommendation for the FY'98 budget as outlined in the Town Accountant's memo of January 10th on tuition reimbursement and step increases; Mr. Brodeur seconded, but the amount of \$1,500 was changed to \$1,000 for tuition reimbursement; all aye. Mr. Henry asked that a memo be sent to Mrs. Mehta and to all departments informing them of same, and to resubmit budgets if necessary.

- The Board discussed MAPC's letter dated January 20th asking the Town if there are any projects they want to list with OEDP. Mr. Henry felt we did not meet the criteria, and asked Mrs. Allen to send a letter to MAPC rep Maryellen Lavenberg asking for clarification on qualifying. Mr. Downing recommended applying anyway.
- The Board acknowledged a letter from DHCD received January 17th concerning the HUD consolidated plan's draft of a one-year action plan and posted public hearing dates. Mr. Henry suggested finding out if the Housing Authority, Planning Board or IDC were planning on attending. It was recommended it be placed on next week's agenda for follow-up.
- The Board brought up the thought of having a special town meeting late March - early April for non-money articles, and save the annual town meeting for financial impact issues only. With Mrs. Allen noting it takes 35-45 days for preparation for a special, a date of Monday, April 28th was suggested by Mr. Downing; so that the election would follow on the next Monday, May 5th; and then the annual town meeting on the following Monday, May 12th.

It was recommended that this be placed on next week's agenda, and to ask the different boards if they have any issues they would want considered for a non-financial special.

- The Board acknowledged receipt of a letter from the Medway Municipal Employee Association requesting two dates for discussion of reopening the contract. The Board asked Mrs. Allen to convey February 19th and 27th to the Association at 7:30 p.m. at the Police Station conference room.
- The Board will be meeting on Tuesday, February 18th instead of Monday, February 17th because of the holiday.

The Secretary was asked to see if the meeting can be on cable.

- Mr. Downing suggested extending an invitation to Fire Chief Vinton and his officers to meet with the Board on February 18th at 6:00 p.m. to discuss the Fire Department budget.
- With reference to the Norfolk County Selectmen's Association meeting on February 26th, all three Board members will be attending.
- Mr. Downing moved that the Chairman be authorized to sign the request for payment of reimbursement of COPS FAST; Mr. Brodeur seconded; all aye.
- The Board reviewed certain budgets that had been submitted to them so far. They included:

- Board of Selectmen:

Mr. Brodeur moved that the Board approve the Board of Selectmen budget of \$71,636 for salaries; \$2,500 for consultant expenses; and \$7,850 for expenses; for a total of \$81,986; Mr. Downing seconded; all aye.

- Annual Town Report:

Mr. Downing moved that the Board approve the Annual Town Report budget of \$1,800 for expenses; Mr. Brodeur seconded; all aye.

- Street Lighting:

Mr. Brodeur moved that the Board approve the Street Lighting budget of \$95,000 for expenses; Mr. Downing seconded; all aye.

- Insurance:

Mr. Brodeur moved that the Board approve the Insurance budget of \$1,099,537 for health insurance; \$168,000 for other insurance; and \$5,000 for municipal property insurance; for a total of \$1,272,537; Mr. Downing seconded; all aye.

With reference to pre-employment physicals, Mrs. Allen stated it was a special article on the warrant, and Mr. Downing agreed more monies should be included because of the additional staff for the new school.

- Zoning Board of Appeals:

Mr. Downing noted the reference in the budget for a computer and printer, or the suggested incorporation of different departments into a joint budget for the purchase of one. It was felt such an item should go under the Town Hall budget, or under Information Systems, or possibly someone would be willing to donate one. There was also concern if the salary budget was correct; therefore, **this budget is not approved, and is held over.** Mr. Brodeur will talk to ZBA Chairman, Jan Morris.

- Tree Warden/Moth Agent:

Mr. Downing moved that the Board approve the Tree Warden/Moth Agent budget of \$500.00 for salaries; \$13,500 for expenses; for a total of \$14,000; Mr. Brodeur seconded; all aye.

- Law:

Mr. Downing moved that the Board approve the Law budget of \$20,000 for salaries; \$6,000 for expenses; for a total of \$26,000; Mr. Brodeur seconded; all aye.

- Veterans' Services:

Mr. Brodeur moved that the Board approve the Veterans budget of \$4,956 for salaries; \$10,400 for expenses; for a total of \$15,356; Mr. Downing seconded; all aye.

- **Other budgets that were not approved and held off for further discussion on a future agenda include:**

**Job Classification Review Board  
Town Hall  
Department of Public Services**

- Back to other action items.
- The Board noted the contract from the Library for asbestos abatement, which Town Counsel had already reviewed and approved. Mr. Downing moved that the Board approve the recommendation of the Library Trustees and award the bid for asbestos abatement to New England Surface Maintenance for \$12,900, and that the Chairman be authorized to sign the contract; Mr. Brodeur seconded; all aye.
- The Board noted receipt of the evaluation forms of Scott Peters and David Sucharzewski, but asked that they be

returned to the Department Head, Mark Flaherty, for typing of the comments as they were illegible.

- The Board noted receipt of the MMA Action letter indicating the amount of money Medway should be receiving in the lottery distribution, but it was felt it would be better to wait for more official notification.
- The Board noted receipt of the letter from the Town of Burlington dated January 28th regarding MPO candidacy, but they did not feel Burlington had much in common with Medway.
- Karen Alves' letter of January 30th was acknowledged, again requesting signs be placed at Fox Run and Alder Streets, and at Stallbrook and Granite Streets.

Mr. Henry asked that the Safety Officer and the DPS Administrator to review the situation and report back to the Board with their recommendation. Mr. Downing asked that this be revisited next week.

- The Board acknowledged a letter dated January 30th from the Water/Sewer Board's Assistant Water Registrar. Ms. Bennett was concerned with a \$10,000 difference between her department's records and the Town Accountant's for FY'96, but possibly going back to FY'95. The Board looks forward to the draft copy of the FY'96 audit to see if this issue was addressed.

10:15- Mr. Downing moved that the Board enter into executive session, not to return to public session, for the purpose of contract negotiations for union and non-union personnel, and the purchase of real property; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes.

- Mr. Henry announced, at this point, that he has been certified with the Town Clerk to have his name placed on the May ballot for re-election for Selectman.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*M. J. Fredette*  
2/10/97



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

January 27, 1997

- |           |   |
|-----------|---|
| 6:00 p.m. | Open meeting - evaluations  |
| 7:00      | Sign warrants, approve<br>minutes of 1/13/97 meeting.                   |
| 7:01      | Pole Petition - Cottage/Main Street                                     |
| 7:05      | Site Plan - Aoude Gulf Station corner of<br>Holliston and Main Streets  |
| 7:30      | MAPC Transportation Enhancement Program                                 |
| 8:00      | Senior Center Building Committee - open<br>RFP for Grant Administrator. |

Committee Reports

Action Items

Executive Session

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 27, 1997.

1. Review and approve Application for Employer Assisted Education for Jeffrey Watson.
2. Vote on request of Planning Board for use of Town Counsel for the Adult Entertainment Zoning Subcommittee.
3. Appoint Robert ONeill and Brian Johnson to the Cable Advisory Committee.
4. Acknowledge letter from Town Accountant regarding FY'96 year end reports and letter for FY98 Budget on tuition Reimbursement and Step Increases.
5. Acknowledge letter from CIPC.
6. Acknowledge 1FY'98 Calendar from the Finance Committee.
7. Acknowledge letter from Metro West Growth Management endorsing Framingham on MPO.
8. Acknowledge letter from MAPC regarding projects for OEDP. (did not receive in packet)
9. Acknowledge letter from DHCD regarding HUD Consolidated Plan - Draft of one-year Action Plan. (did not receive in packet)
10. Vote on request of Board of Health for use of Town Counsel to review RFP for GIS for Town of Medway Community Septic Mgmt. Program.
11. Acknowledge letter from Water/Sewer Commissioners requesting joint meeting to fill vacancy *+ use of town Counsel.*
12. Acknowledge copy of Preliminary Plan for Broad Acres Estates (Cunning property on Summer St.) from Planning Board.
13. Acknowledge letter from MHD on the Elm/Shaw Street bridge.

Page 2. - Action Items, January 27, 1997

14. Reminder of bid opening at Library on January 28th at 4:00 p.m.
15. Acknowledge receipt of dividend from MIIA Workers Compensation Group. for \$7,169.
16. Vote on request of ZBA for use of Town Counsel.
17. Acknowledge letter from Marcie Thomas inviting board to meeting on Feb. 10th.
18. Acknowledge letter from DEP for training workshops to discuss implementation of the Community Septic Mgmt. Program.
19. Acknowledge Treasurer/Collector answer on Form M-941D.
20. Discuss letter from Town Counsel regarding Zoning Map.
21. Discuss MIIA letter on Highway Garage.
22. Acknowledge letter from George Cole.
23. Acknowledge 1996 letter regarding Annual Recycling & Compost survey from Wheelabrator.
24. Discuss Emergency Transfer Request for \$20,000 for Town Vehicle Repair Account.
25. Acknowledge change in date for Bernie Lewis matter.
26. Acknowledge letter from Medway Municipal Employee Association regarding reopening of contract.
27. Discuss meeting on Tuesday, February 18th due to holiday on February 17th.
28. Acknowledge letter from Donna Robie, 16 Temple Street regarding drainage problem.

MINUTES OF THE SELECTMEN'S MEETING JANUARY 27, 1997 PAGE 1.

Present: Lee Henry, Douglas Downing, and Administrative Assistant, Ruth Allen. James Brodeur was absent due to illness.

6:00 p.m. Chairman Henry opened the meeting in Room 2 of Town Hall.

- The Board discussed the need to do evaluations for the Administrative Assistant and Town Accountant but should be using the new evaluation forms currently being used for the employees under the Medway Municipal Employee Association so that everyone is the same. Put copies of the new forms in their weekend packets. Post next week's meeting (2/3/) for 6:00 p.m. too.
- Requested that the Administrative Assistant get together with the Town Accountant and the Treasurer/Collector regarding DPS Administrator, Donald Podgurski's payroll. They also request the Administrative Assistant send a memo to the Town Accountant stating there isn't any need for she and the Treasurer to meet with the Board next week; just get her written questions to the Selectmen's office by Friday and they would be included in their weekend packets. The Board requested that the Town Accountant hold off going to Town Counsel regarding overtime for Fred Sibley for plowing snow until after she spoke with Chairman, Henry.
- The Board discussed that letter of request for an Executive Session with the Board of Selectmen. Mr. Downing stated that if there were others requesting this, who are they? and why didn't they sign the letter? This should go through the Association as a grievance. Association should make the request. If they want a meeting, how about a 7:00 a.m. meeting here in Room 2.
- Requested the Administrative Assistant make copies of the original job description for the Town Administrator and put in the Selectmen's weekend packet.
- Put on February 3rd meeting agenda an Executive



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10/10/1944  
10/10/1944

CONFIDENTIAL

[illegible][illegible]

1. The Board discussed the letter of request for a  
2. Executive Session with the Board of Directors.  
3. All Boarding members that it there were others  
4. requesting a list, who they would like to  
5. see, and the Board of Directors should be  
6. the Association as a whole. Association  
7. should meet for a meeting, if they want a meeting  
8. now about 2:00 - 3:00 meeting time is held.

[illegible]

REF ID: A66086

MINUTES OF THE SELECTMEN'S MEETING JANUARY 27, 1997 PAGE 2.

Session to discuss the Railroad bed.

- Discussed the Preliminary subdivision plan for Broad Acres, Cunning property on Summer Street. The Board requested that Selectman Downing carry the message to the Planning Board meeting the next night that the Selectmen would like to have sidewalks on both sides and they are concerned with the drainage.

7:00 p.m The Cable camera was turned on.

RESPECTFULLY SUBMITTED,

Ruth Allen,  
Administrative Assistant

*Approved as amended.  
2/10/97*

Present: Lee Henry, Doug Downing, Administrative Assistant Ruth Allen. Selectman James Brodeur was absent due to illness.

7:00 p.m.-Meeting was opened and continued in Room 2 of Town Hall from an earlier start at 6:00 p.m. which was not on cable.

- Warrants were signed totalling \$1,123,680.39. Last week warrants were also signed totalling \$1,301,271.73.
- Mr. Henry asked that the minutes of January 13th be held over until next week for approval.

7:01 - Mr. Henry read the ad that appeared in local papers for a pole petition from Nynex/Boston Edison for the relocation of a pole at Cottage and Main Streets. Charlotte Mulligan from Nynex was present representing both companies. There was no one present to speak for or against the petition. Mr. Henry noted that no work would begin until the Spring when the Town is notified by the Engineer that work would commence again. He asked that Mr. Giovinazzo be notified that Ms. Mulligan requires a six week lead time.

Mr. Downing moved approval of the Nynex/Boston Edison petition for pole relocation at Cottage and Main Streets; Mr. Henry seconded; all aye.

7:05 - The Board was going to discuss the site plan of Aoude's Gulf Station, but Mr. Aoude had not arrived yet; Chief Lambirth and Acting Highway Supt. Bob Power were present.

- Mr. Henry took this time to read a public apology to three employees with reference to a violation (copy attached to the minutes).
- Mr. Henry then asked Maryellen Lavenberg, who was present to discuss the MAPC's transportation enhancement program, to meet with the Board. Those not in attendance for this discussion, but requested to come, were: the DPS Administrator, Park Commissioners, Open Space Committee, and Historical Commission.

Mr. Henry referred to certain sections of the program of interest to the Board including bike trails, scenic roads, and abandoned railroad ways.

Ms. Lavenberg referenced guidelines that indicated we would have to have a "ready to go" proposal, which she didn't feel we had. She said the subject comes up

annually as long as there is money set aside for transportation. Ms. Lavenberg reiterated the Board should monitor constantly to make sure money comes back to the Town and not just to the central artery tunnel, for example; we need to think regionally to get things done locally. She passed a book on to the Board of grants available, noting she would be copying certain sections for different boards and committees to review, but that the entire book was in the Selectmen's Office.

Ms. Lavenberg also noted voting on officers for the MPO would be held on February 12th in Wellesley. She recommended the Board consider endorsing those who would help the Town, as well as those in support of not abolishing county government.

7:30 - As part of committee reports, Mr. Downing noted attending the last Historical Commission meeting where Claire Dempsey had been present. He stated that they are moving forward on phase two of the project, and all was going as planned.

7:32 - Mr. Aoude had arrived to discuss his site plan with the Board for Aoude Gulf Station.

Mr. Henry said he was aware the berm had been removed when the area had been repaved, however, the berm had not been put back as requested by Highway Supt. Diarmuid Higgins. He stated that, according to a letter received, the Chief and Mr. Power both did not feel the berm had to be replaced, however, he was still concerned with the width of the area next to the building for the parking of vehicles, which Mr. Power explained was five feet to the town property.

The Chief felt that they could park the vehicles parallel to the building, but the area needed to be watched for possible snowbanking when snowplowing. Chief Lambirth said in his observations, he would recommend that the absence of the berm would not be detrimental as long as people park correctly. Mr. Power agreed noting the parking was his only concern, and that the berm was more of a problem, especially when snowplowing.

Mr. Downing said he was not concerned with the berm, but that you only see the paved roadway, and asked if that was the full extent of the right of way, adding the only thing the berm did was separate the public and private ways. He recommended, at the owner's expense, they stripe the parking spaces parallel to the building and line the street where the berm was so people know where



the separation is. Mr. Power commented that the fog line was already there. Mr. Downing also noted that marking the parking spaces would indicate to patrons how to park.

Mr. Downing moved that the Board of Selectmen not require the owner of the Gulf Station at the corner of Holliston and Main Streets to replace the berm that previously was there; Mr. Henry seconded; all aye.

Mr. Downing moved that the Gulf Station owner identify the vehicle storage areas on the east side of the building adjacent to Holliston Street, and striping them in conjunction with the Safety Officer on set-backs, weather appropriate, no later than June 30th; Mr. Henry seconded; all aye.

Mr. Downing moved that the Gulf Station be renewed their Class II license for 1997; Mr. Henry seconded; all aye.

8:00 - Various residents were present for the opening of RFP's for the grant administrator for the Senior Center.

Mr. Henry stated he had a problem with the <sup>composition</sup> composite of the committee as had been formed with seven people as recommended by the Council on Aging. He noted that in the application for the grant, there were five people designated to be on the committee: one each from the Council on Aging, Camp Sunshine, Friends of the Elders, and two from previous town building committees. Mr. Henry assumed Mr. Gildea represented the COA; Mr. Gildea was present and said he did. Mr. Henry assumed Mrs. Gove represented Camp Sunshine; Mrs. Gove was present and said she did. Mr. Henry asked who represented FOE; Mrs. Rozanski said she did.

Mr. Henry said he was sensitive to how this contract was handled; if they start to massage the words now, what was going to happen down the road. If they mess up, it will be the Selectmen who get blamed. He said he talked to Town Counsel and he will be sending a letter to those who don't qualify for the committee, but thanking them for their willingness to serve. They still need two more people on the committee who qualify. Mr. Gildea said he had spoken to Dick Coakley, and he would be willing to serve.

With reference to the RFP for a grant administrator, a copy of the actual ad was not available, but Mr. Henry read from a copy Mrs. Rozanski provided. One proposal was received from PGC Associates of Franklin, and Mr. Henry opened the technical portion. Mr. Downing moved

to turn the proposal over to the Senior Center Building Committee (SCBC) for their review and recommendation; Mr. Henry seconded; all aye. The financial portion of the proposal was left with the Board. Mr. Gildea, Mrs. Gove and Mrs. Rozanski said they would deliberate on the proposal in the next room and possibly return later on.

8:10 - On another committee report, Mr. Henry said he had met with the Town Hall Building Committee last Tuesday to go over a punch list of items that needed to be done. There was a problem with the windows, but we have a lifetime guarantee and it will be taken care of. Other items such as electrical, and front foyer grading and mat are being worked on, with hopes of a "ribbon-cutting" ceremony on February 15th.

- Mr. Henry said that he and Emergency Management Director John Cicciu went to MEMA headquarters in Framingham earlier today, and the procedures for Medway to follow need to be updated within 90 days. Mr. Cicciu would be working on this and get back to the Board in 45 days.

- Mr. Downing said he attended a Planning Board meeting, and some talk focused in on preliminary stages of the discussion for a part-time planner. More can be brought up at their workshop on the 30th.

8:15 - Action Items.

- The application for tuition reimbursement for Officer Jeff Watson was reviewed. Mr. Downing moved approval in the amount of \$573; Mr. Henry seconded; all aye.

- The Board acknowledged a memo from the Planning Board dated January 21st requesting the use of Town Counsel for the adult entertainment zoning subcommittee. Mr. Downing moved approval for discussion; Mr. Henry seconded. Mr. Downing said that timing was critical to get such an article on the Town Meeting warrant for May, and recommended Chairman speak to Chairman; Mr. Henry agreed. All aye for approval of request.

- Robert O'Neill and Brian Johnson had requested to be on the Cable Advisory Committee. Mr. Downing asked if there had been any other applicants; Mrs. Allen said no one else. Mr. Downing moved approval of the appointment of Robert O'Neill to the Cable Advisory Committee through June 30, 1997; Mr. Henry seconded; all aye. Mr. Downing moved approval of the appointment of Brian Johnson to the Cable Advisory Committee; Mr. Henry seconded; all aye.

- The Board acknowledged a memo dated January 17th from the Town Accountant noting completion of year end reports for 1996, which included the Schedule A and balance sheet. Also noted was the free cash amount of \$39,582 and the completion of the auditors field work.

Mr. Henry said he wanted the management team to review the draft copy of the auditor's report prior to the public hearing; Mr. Downing agreed.

- With reference to the Town Accountant's memo dated January 10th concerning the FY'98 budget on tuition reimbursement and step increase accounts, Mr. Henry asked that it be held over to next week's meeting.
- Mrs. Rozanski returned to meet with the Board and stated that, at a duly posted meeting where they had a quorum, the SCBC voted to recommend to the Selectmen that they appoint PGC Associates of Franklin as the grant administrator for the Senior Center Building project.

At this time, Mr. Henry opened the financial quote received from PGC Associates, and read the amount of \$9,500 plus expenses, not to exceed what is budgeted into the grant. Mr. Downing moved approval of the SCBC's recommendation; Mr. Henry seconded; all aye.

- The Board acknowledged a memo dated January 22nd from the CIPC concerning requests from departments for the FY'98 budget. Mr. Henry said he could not respond to Ms. Armstrong yet until he and Mr. Speroni met later on this week to put together some figures.

Mr. Downing said, for expediency, forward the figures to CIPC, and just come back to the Board for an update.

- The Board acknowledged the FinCom's calendar leading up to the May ATM.
- The Board acknowledged the letter from MetroWest Growth Management dated January 14th, previously discussed, endorsing Framingham on the Metropolitan Planning Organization (MPO).
- A letter from the MAPC dated January 20th regarding projects for OEDP, and a letter from DHCD received January 17th regarding the HUD Consolidated Plan were held over for discussion until next week.
- A memo from the Board of Health dated January 23rd requesting the use of Town Counsel for an RFP on a septic management program was acknowledged. Mr. Downing

moved approval of this request; Mr. Henry seconded; all aye.

- A memo from the Water/Sewer Commissioners dated January 22nd requesting a joint meeting with the Board to fill the vacancy of Gardner Rice who resigned was acknowledged. The Selectmen's office will advertise for interested applicants and set up the date of the meeting.
- A memo from the Water/Sewer Commissioners dated January 27th requesting the use of Town Counsel for two issues that require his clarification and review was acknowledged. Mr. Downing moved approval of this request; Mr. Henry seconded; all aye.
- The Board noted receipt of a copy of the preliminary plans of Broad Acre Estates off of Summer Street. Mr. Brodeur has the plans, which he will review, and both he and Mr. Downing will attend the Planning Board meeting on January 28th.
- A letter was received and acknowledged from Mass. Highway dated January 22nd concerning the Shaw Street Bridge concerning two deficiencies they had observed.  
  
Mr. Henry asked Mrs. Allen to send a memo to the DPS Administrator asking for his response to those two conditions as outlined in the letter.
- The Board noted the bid opening at the library on January 28th.
- A dividend check was received and duly noted from MIIA Workers Compensation Group in the amount of \$7,169.
- The Board acknowledged a memo from the ZBA dated January 16th requesting the use of Town Counsel concerning the Village Inn's request for conversion. Mr. Downing moved approval of the request; Mr. Henry seconded; all aye.
- The Board acknowledged a letter dated January 14th from Marcy Thomas requesting a meeting with the Board with her and several residents from her group concerning growth in Medway. She also invited the Board members to attend a forum being held on February 10th at the High School, however, that is a regularly scheduled meeting night of the Board.

On another matter, Mr. Henry took this time to bring up old petitions that he understood were circulating around town concerning a charter commission and the Town



Administrator Review Committee. He stated that he had spoken to Dr. Clark, and informed him the Committee was no longer in existence and had submitted their resignation after submitting their recommendation. Mr. Henry stated that people are erroneously signing these petitions assuming their government in Medway is in support of them, but they are not.

Mr. Henry felt this was an apropos time to discuss setting up a meeting date with Ms. Thomas and some of her group to after February 10th when the forum is to be held. It was noted that the regular meeting night of February 17th was a holiday, and recommended rescheduling to February 18th, and to ask Ms. Thomas and some of her group to attend a meeting that evening. Mr. Downing agreed. It was requested that a meeting be posted for February 18th for the Board. A letter will be sent, over Mr. Henry's signature, inviting Ms. Thomas on February 18th for a 30-45 minute discussion.

Mr. Downing mentioned speaking to Franklin Town Administrator Wolfgang Bauer about planning issues at the MMA convention. Mr. Downing felt that Allan Fraser, a Medway resident and Franklin Building Inspector, might be interested in attending the meeting that evening as well, as he was involved in a proposed by-law change in Franklin on this subject, and he might be able to join in on the dialogue.

- The Board acknowledged a letter from the DEP for a training workshop on the community septic management program. Mr. Henry asked that copies of the letter be sent to different departments to see if there was any interest.
- The Board acknowledged the Treasurer's memo dated January 21st replying to the Board's inquiry of Form M-941D. Mr. Henry asked for copies of the replies from ADP and the School Lunch Director on this matter.
- The Board acknowledged a copy of Town Counsel's reply dated January 8th to the Planning Board on the Zoning map issue near Coffee Street. Mr. Henry said they would discuss it further on the 30th.
- The Board noted George Cole's responses received on January 21st on MIIA's loss control recommendations given to DPS Administrator Don Podgurski on several occasions. Mrs. Allen said, in turn, the report was sent on to MIIA.
- The Board acknowledged receipt of the Board of Health's

annual recycling and composting survey for 1996.

- The Board discussed the emergency transfer request for town vehicle repairs for \$20,000. Mr. Henry had a problem with just approving that amount and requested a breakdown of what has been spent so far for backup, so answers to questions can be given if asked. Mr. Downing also said he would rather pay bills in hand than approve money in advance.
  - The Board noted that the hearing date for the Bernie Lewis case was rescheduled to March 19th. Mr. Henry will go with Town Counsel at that time.
  - It was noted that Paul Mitchell picked up the cost proposal for the IDC earlier today.
  - Board members did not recall seeing a letter from the Medway Municipal Employee Association regarding the reopening of the contract. Mr. Henry asked that Board members receive another copy as they were interested in getting a clarification.
  - The Board acknowledged a letter from Donna Robie dated January 10th, but said it was really a Planning Board issue with regard to drainage.
  - The Board noted receipt of an invitation by the Milford Chamber of Commerce to attend a dinner on January 30th, but no one can attend because of the joint meeting with the Planning Board. Mrs. Allen was asked to let them know.
- 9:15 - Mr. Henry said they needed a quick executive session. Mr. Downing moved the Board enter into an executive session, not to return to public session, for contract negotiations for union and non-union personnel for the School Department, and for the purchase of real estate; Mr. Henry seconded; all aye. The vote: Mr. Downing - yes; Mr. Henry - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved &  
signed  
2/3/97*

*check to T/C - Need to develop Funding*

*3,106.41*

On behalf of the Board of Selectmen I would like to make this public apology to three longterm, loyal employees of the Town of Medway. As a result of the Board's inexperience we technically violated the Labor Relations law in the summer of 1995. The Board apologizes to Sandra Bennett, Mark Flaherty and Jackie Ammering for that violation. The Board promises that it will use due diligence to ensure that no future violations will occur.



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

January 13, 1997

- 7:00 Open meeting, Sign warrants, approve minutes of 12/27/96, 12/30/96 and 1/6/96 meetings.
- 7:05 Joseph Fitzpatrick, American National Power, Milford. power generation site. *Joseph*
- 7:30 Continuation of Birch Bark pole petition Nynex and Edison
- 7:45 Continuation of Shell Site Plan
- 8:30 Joseph Giovinazzo, GCG Associates status update on drainage project.

Committee Reports

Action Items



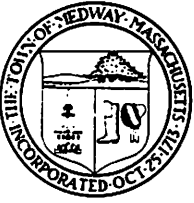
## BOARD OF SELECTMEN

155 VILLAGE STREET  
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### REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 13, 1997.

1. Discuss MMA Workshop attendance.
2. Reconsider Building Inspector's Evaluation in view of updated information.
3. Vote on Robert Briggs land under 61A on Adams Street.
4. Send letter to union membership to consider wording change on evaluation form.
5. Do you want to add to joint meeting with Planning Board agenda.
6. Approve payments for new school.
7. Attendance at Norfolk County Selectmen's meeting on Wednesday, February 26, 1997.
8. New date for Library bid opening February 19th cancel February 5th.
9. Sign contract for Council on Aging building grant.
10. Vote on Board of Health request for use of Town Counsel to review Trash and Recycling RFP.
11. Respond to CIPC letter.
12. Respond to Town of Framingham letter regarding MPO member
13. Need to draft letter to union membership to incorporate new sexual harassment law and wording change on evaluation form regarding department heads.
14. Appoint Sexual Harassment Grievance officers.
15. Approve Muriel Bulman evaluation.
16. Acknowledge monthly report of building inspector.

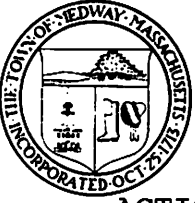


## **BOARD OF SELECTMEN**

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17. What do you want to do regarding premiums not paid for Kathleen Hickey's health and dental insurance for 1996.

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## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 13, 1997.

1. Discuss MMA Workshop attendance.
2. Discuss Selectmen's Annual Town Report.
3. Reconsider Building Inspector's Evaluation in view of updated information.
4. Vote on Robert Briggs land under 61A on Adams Street.
5. Send letter to union membership to consider wording change on evaluation form.
6. Do you want to add to joint meeting with Planning Board agenda.
7. Approve payments for new school.
8. Attendance at Norfolk County Selectmen's meeting on Wednesday, February 26, 1997.
9. New date for Library bid opening February 19th cancel February 5th.
10. Sign contract for Council on Aging building grant.

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MINUTES OF THE SELECTMEN'S MEETING JANUARY 13, 1997 PAGE 1.

Present: Lee Henry, Douglas Downing, James Brodeur and Administrative Assistant, Ruth Allen.

7:00 p.m. Chairman Henry opened the meeting in Room 2 of Town Hall and congratulated the Patriot's on winning the AFC. The Board signed the warrants totalling \$838,724.36. Douglas Downing mentioned he and Mr. Henry attended the asbestos bid opening at 1:00 p.m. today at the Medway Library. Six bids were opened and will be review by their consultant and a recommendation will be made to the Library Trustees then to the Board of Selectmen.

Douglas Downing moved and James Brodeur seconded the motion to approve the meeting minutes for December 27th, 30th 1996 and January 7, 1997, all aye.

- Mr. Henry acknowledged the Inspector of Building's, Robert Speroni, report for December, 1996.
- The Board asked that the Treasurer/Collector respond to them regarding the DOR communication on the town's failure to file withholding income for 9/30/96 form ID#M-941D reconciliation and Meals for 03/31/94 for ID#ST-MAB-4 monthly return dated January 4, 1997.
- The Board acknowledged receipt of the Town Clerk's memo concerning the Attorney General's approval of Article 20 and 21 voted at the Special Town Meeting of December 2, 1996.
- The Chairman read the letter received from David Verdolino, Director of Operations, Medway Public Schools, thanking everyone concerned for the swift and thorough completion of the hook-up of the Middle/High school complex to Town sewer. Mr. Henry asked that a copy of this letter be sent to ~~the Highway workers.~~  
*everyone concerned*
- The Chairman gave a report of his and Mr. Downing's attendance at the meeting at the CRPCD



MINUTES OF THE SELECTMEN'S MEETING JANUARY 13, 1997 PAGE 2.

plant with the Commissioners on an update of the Plant modifications. The next update will be around April 1, 1997.

- Mr. Downing informed the Board that he attended the School Building Committee meeting last Wednesday, January 8th. Building is really taking shape, they were looking at color schemes, and other materials. First floor is all closed in now with all the windows and doors, etc.

7:30 Mr. Downing moved and Mr. Brodeur seconded the motion to open the continuation of the pole petition hearing from December 30, 1996 for petition 96-04A for New England Telephone Co. and Boston Edison Co. for placing a new pole on Birchbark Road. The Board doesn't want the pole in the sidewalk. Mr. Downing spoke with the Springer's this evening before the meeting and they do not have a problem with the pole location. No abutters were in attendance this evening. Mr. Downing moved and Mr. Brodeur seconded the motion to grant the pole petition #96-04A for pole #3 on Birchbark Road, all aye.

7:35 The Board met with Steven Pedro, representing Ayoub Engineering for a review of the site plan for Shell Oil, 86 Main Street. The Board acknowledged receipt of the letter of transmittal, Plan Revision Summary and the plan with revisions of 1/7/97. Mr. Brodeur moved and Mr. Downing seconded the motion to approve the site plan by Ayoub Engineering, revision 1/7/97 as presented tonight, all aye.

- Mr. Henry stated he talked with a resident of Farm Street who stated that the residents had met with the engineer for the Millis sewer project. Mr. Brodeur will call Jim Ladieu of 7 Farm St. to follow up on this project.

8:05 The Board met with Joseph Giovinazzo, GCG Associates; Project Manager for the Cottage/Evergreen Streets drainage project to update the Board on the status of this project. He stated that they had stopped the installation

of the pipe at around station 5+25 for the winter. He stated they have one week of cleanup for the winter so they won't inconvenience the residents. They will do some test pits and engineering work and patch the road starting tomorrow, the pipe installation stopped Friday, January 10th. Originally the stop date was January 24th and then they would start up again in the Spring. He stated that the contractors may have to think about a different type of de-watering system, maybe a permanent type for the duration of the project. The Board thanked Mr. Giovinazzo for the update and informed him that he is the expert and the person in charge of getting this project completed.

9:15 p.m. Gardner Rice came before the Board and presented the Chairman with his letter of resignation from the Board of Water/Sewer Commissioners to be effective January 31, 1997 which the Chairman read to the viewing public. The Board will wait to hear from the remaining Water/Sewer Commissioners as to how they would like to proceed on this resignation.

Action Items:

- The Board discussed the MMA workshops and will get together at the meeting and decide which workshops they will attend.
- The Board will reconsider the Building Inspector's evaluation on January 27th meeting in view of updated information. They will look at the process and what occurred and how it occurred.
- Mr. Downing moved and Mr. Brodeur seconded the motion to inform Mr. Robert Brigg's that the Town is not interested in exercising its option on the land under 61A, s14 on Lot A on the plan dated 11/15/96 described in Book 4780, Page 606 on Adams Street, all aye. Board voted that the letter be signed by the Chairman to Mr. Briggs.

- Mr. Downing moved and Mr. Brodeur seconded the motion to send a letter, over the chairman's signature, to the Medway Employee Union membership requesting that the contract be reopened for the purpose of possible revisions to the evaluation form, all aye.
- The Chairman asked the other two board members if they wanted to add anything to the joint Planning Board meeting agenda other than roadway construction issues. They did not and the chairman requested the Administrative Assistant write a memo to the planning board chairman informing him of this addition.
- Mr. Brodeur moved and Mr. Downing seconded the motion for approval of the payment in the amount of \$802,004.25 to P. J. Stella Construction and \$284.78 to John Kubitza and \$50.00 to Mini-Warehousing, all aye. Mr. Downing moved and Mr. Brodeur seconded the motion for the approval of the payment in the amount of \$7,000.00 to Symmes, Maini & McKee Associates; \$2,448.00 and \$8,284.00 to Integrated Contract Design, Inc., all aye.
- Put on action item for first meeting in February, attendance at the Norfolk County Selectmen's meeting on February 26th.
- The Board requested the Administrative Assistant give the Chairman of the Council on Aging and the Building Committee a copy of the contract for the grant along with a copy of Town Counsel's letter and ask them to meet with the Board on January 27th to discuss this contract.
- Mr. Downing moved and Mr. Brodeur seconded the motion to approve the Board of Health's request for the use of Town Counsel to review the RFP for Trash and Recycling pickup for the contract 7/1/97 through 6/30/00, all aye.
- Mr. Henry will draft a response to Robert Ciavarra's fax received on 12/27/96 regarding four concerns.

- Mr. Henry will respond to the Town of Framingham letter requesting the Board's support on their nomination petition position statement for the Metropolitan Planning Organization Restructuring dated December 10, 1996.
- Mr. Brodeur moved and Mr. Downing seconded the motion to draft a letter, over the Chairman's signature, to the Medway Employee Union Membership to incorporate the new sexual harassment policies and procedures into their contract, all aye.
- The Board requested the Administrative Assistant send a general letter to all boards, committees etc. asking for volunteers to be appointed as Sexual Harassment Grievance Officers or Alternates.
- Mr. Brodeur moved and Mr. Downing seconded the motion to approve Muriel Bulman's evaluation, all aye. Mr. Downing moved and Mr. Brodeur seconded the motion to approve Sally Nolan's evaluation, all aye.
- Mr. Downing moved and Mr. Brodeur seconded the motion to send a letter, over the chairman's signature, to the school administration for processing of a payment to the town for the dental premiums in the amount of \$647.64 for Kathleen Hickey for 1996, all aye. The Administrative Assistant will seek the help of GBS to have the health insurance claims that were paid during 1996 transferred over to Project Accept/Pilgrim Health.
- Mr. Brodeur and Mr. Downing signed the Emergency transfer request form for the Police Department Computer upgrade voted at the December 30, 1996 Selectmen's meeting.
- Mr. Downing moved and Mr. Brodeur seconded the motion to approve the tuition reimbursement request in the amount of \$542.00 for William Kingsbury, Medway Police Officer, all aye

- The Board acknowledged the letter from the Town Accountant regarding budgets for FY'98. The Board requested that this be put on the January 27th list of action items.
- The Board discussed stipends for elected officials. They will seek input from MMA as to what other towns are doing with regard to this matter.
- The Board requested that the discussion of license fees be put on the February 10th meeting as an action item.
- Mr. Downing moved and Mr. Brodeur seconded the motion that the Board chooses to take no action on the clay material from the Central Artery Tunnel Project and to so notify the Board of Health, all aye.

10:30 p.m. Mr. Brodeur moved and Mr. Downing seconded the motion to adjourn, all aye.

RESPECTFULLY SUBMITTED,

Ruth Allen,  
Administrative Assistant

*Approved as  
amended  
2/3/98*

Present: Lee Henry, Doug Downing, James Brodeur.

6:08 p.m. - Meeting called to order.

Meeting called for the purpose of personnel evaluation of Inspector of Buildings/Zoning Enforcement Officer Robert Speroni on his anniversary of employment with the Town.

Mr. Brodeur stated, as the newest Selectman, he did not yet feel qualified to evaluate Mr. Speroni or Administrative Assistant Ruth Allen.

As requested, Mr. Speroni did an evaluation on himself as well.

Scores given as follows:

	Lee	Doug	Jim	Bob
Question				
#1	3	3	-	3
2	3	2	-	3
3	3	2	2.5	4
4	3	4	4	4
5	3	2	3	3
6	4	4	4	4
7	2	2	-	3
8	3	2	-	3
9	3	3	-	4
10	2	3	-	3
11	3	N/A 3	-	2
12	3	N/A 3	-	2
13	3	N/A 3	-	3
14	3	N/A 3	-	3
	<hr/> 41	<hr/> 38	<hr/> *	<hr/> 44

-----  
39.5 avg.

\* Mr. Brodeur stated that all remaining would be 2's due to lack of info.

Respectfully submitted,

James J. Brodeur  
Clerk  
jjb/mj

*Approved*  
*1/13/97*



## **BOARD OF SELECTMEN**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
(508) 533-3200 • FAX: (508) 533-3201

### **AGENDA**

January 6, 1997

- |      |  |
|------|--|
| 6:00 | Open meeting, personnel reviews  |
| 7:00 | Sign warrants, approve<br>minutes of 12/30/96                                |
| 7:05 | Site Plan - Shell Oil Company, Ayoub<br>Engineering, Inc. - Steve Pedro rep. |
|      | Committee Reports  |
|      | Action Items   |

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 6, 1997.

1. Discuss letter from Metropolitan Insurance Co. property supervisor, Carole Houle regarding damage to clients vehicle in a pothole.
2. Acknowledge and discuss letter received from Safety Officer and Acting Highway Superintendent regarding island at Gulf station.
3. Vote and sign taxi licenses for Mark's Taxi
4. Acknowledge and discuss letter received from the Treasurer/Collector regarding DPS Administrator's employment.

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Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry continued the meeting already called at 6:08 p.m. in the Selectmen's Meeting Room 2 of Town Hall, but now on Cable. Warrants were not available for signing at this time (they arrived later and were signed by one Board member this evening and the others the next day).

- Mr. Henry asked that a copy of Fred Sibley and Jonathan Power's personnel evaluation forms be sent to the Park Commissioners for their input.
- The Board received copies of the December 30th Selectmen's meeting minutes this evening, but postponed reviewing them for approval until next week.
- Mr. Henry asked that Mrs. Allen advise CRPCD that he could make their meeting on the 9th since a School Committee meeting executive session had been cancelled.
- Mr. Henry noted the joint meeting with the Planning Board on the 30th, and asked the other Board members if there was anything else they wished to add to the agenda. They said they would let him know on the 13th.

7:05 - Steven Pedro of Ayoub Engineering, representing Shell Oil, and Inspector of Buildings/Zoning Enforcement Officer Bob Speroni, came before the Board to discuss a site plan for Shell Oil at 86 Main Street. The Board looked at a plan dated 10/15/96, sheet 1 detailing miscellaneous alterations, and sheet 2 showing signs and graphic details, for proposed changes to the existing building.

Mr. Pedro stated that the plan calls for renovating the area behind the pumps to become a food mart, along with replacing the canopy and signs with a more modern design.

A copy of the recent ZBA decision dated November 20, 1996 was given to Board members for their information.

Mr. Speroni did have some concerns with the building permit application, more than the issue of the site plan. He also said he had a problem with different plans being circulated around with different dates and different dimensions.

Mr. Brodeur also noted that there were plans with more recent changes, denoting revisions 1 and 2, since the original submission. Mr. Pedro did say they were not

necessarily ZBA issues, but more for the contractor, i.e. no changes to the footprint of the existing canopy, which Mr. Pedro said would remain the same.

Mr. Speroni, however, was concerned that the revisions were not re-stamped or re-signed. He stated his main concern is the zoning issue; he did not see a problem with the canopy and free-standing sign, but would check to see if they were in compliance.

Mr. Henry noted that they presently have two pumps, and would be increasing to three pumps, but was more concerned with safety and recommended some extra markings be placed on the pavement to get cars out of the shopping center area to prevent potential accidents. He suggested a pattern to be followed with the markings, while Mr. Brodeur recommended a "watch for incoming traffic" sign.

Mr. Pedro explained the food mart would have a donut alliance inside of the building, as well as a food counter. Mr. Speroni clarified with him that there would be no food consumed on the premises, but would be taken out, with no seating capacity within the building. Mr. Speroni will also make sure handicapped requirements have been met.

It was also noted by Mr. Henry that there would be 13 parking spaces.

Mr. Downing said he was not ready to vote on the site plan this evening as he wanted to receive more information from Mr. Speroni, the Safety Officer, as well as to advise the Zoning Board of any changes that have since been made. He recommended a cover sheet with a legend indicating what all the changes were.

Mr. Henry agreed asking Mr. Pedro come back to the Board next Monday night with a synopsis of the changes and items discussed with the Board.

Mr. Brodeur said the ZBA could endorse the changes, but Mr. Speroni stated the only item of concern with them was the canopy, so nothing more is required of them. A time of 7:45 p.m. on January 13th was set up for Mr. Pedro.

7:45 - Committee Reports.

- Mr. Downing said he and Mr. Henry had met with Medway Co-Op's Bob Stratton and one of the members of the Board of Directors for a beginning dialogue. He stated they

will be meeting again on January 23rd to continue the discussion. He and Mr. Henry noted the assessed value of the two buildings was approximately \$660,500.

- Mr. Downing said he and his wife attended the swearing in of Madame Whip Rep. Gardner, with about 15 other Medway residents.
- Mr. Henry reported meeting with the School Committee last Thursday in executive session, but he needs to discuss that meeting with the Board this evening in executive session as it references union and non-union contracts.
- The Board discussed the letter from Metropolitan Insurance Company regarding vehicle damage involving a pothole. Mr. Downing said he wanted to see the accident report first, with Mr. Brodeur questioning why the claims are not just sent to the insurance company, rather than taking the Town's time to investigate. Mrs. Allen explained it takes little time for the Town to investigate pothole claims, and as long as the Town responds to and repairs a reported pothole within a reasonable amount of time, the Town is not liable. Mrs. Allen said she would check with the police to see if this was logged in.
- The Board acknowledged a letter from the Safety Officer and Acting Highway Supt. regarding the berm and island at the Gulf Station at the corner of Holliston and Main Streets.

Mr. Henry said he did not have the original memo where the replacement of the berm was requested, nor, what initiated that request. Reviewing Officer Watson and Mr. Power's memo, he noted that our own personnel did not want the berm replaced.

Mr. Henry had a problem with the vehicles that were being parked on the Holliston Street side of the station and felt a new site plan was needed, as the public way was a little over four feet away from their building.

The Secretary told the Board the Police were notified that Aoude's Class II license had not been renewed at this time.

Mr. Henry requested Mrs. Allen notify the official owner, Nahib Aoude, not Chris Abney, that if they want the Board to consider the renewal of their Class II license, the Board needs to see an updated site plan of their lot for review and possible revisions.

- The Board noted receipt of a renewal request from Mark's Taxi for taxi licenses for 1997 for four vehicles. Mr. Brodeur moved approval of the renewal of the taxi licenses; Mr. Downing seconded; all aye.
- The Board acknowledged receipt of a memo from the Treasurer/Collector regarding the DPS Administrator's employment and the retirement board.

Mr. Henry said they spoke to the Treasurer about the memo earlier this evening, and asked her to provide the Board with the name of a contact person at the Norfolk County Retirement Board. They also requested a copy of the first documentation she had received from that Board.

Mr. Henry said that now that Mr. Podgurski is working for us, and being retired from another town, we need to know what the status is and correct the problem.

- Mr. Henry acknowledged the official resignation of the Town Administrator Review Committee. They were again thanked for the job done.
  - The Board also acknowledged receipt of the resignation of Michael Wiles from the Conservation Commission.
  - Mr. Henry noted the Finance Committee meeting on January 8th and the CRPCD meeting on January 9th to discuss plant modifications. Mr. Brodeur said he would go to the FinCom meeting for Mr. Henry.
- 8:10 - Mr. Brodeur moved that the Board adjourn to executive session for the purpose of discussion of union and non-union contract negotiations, not to return to open session; Mr. Downing amended that motion to include discussion of potential lease of real property; Mr. Brodeur seconded Mr. Downing's amended motion; all aye. The vote: Mr. Brodeur - yes; Mr. Downing - yes; Mr. Henry - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved*  
*1/13/97*