

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

## *AGENDA*

*DECEMBER 28, 1998*

*Location: Sanford Hall of Town Hall*

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 p.m. - Public comments.
- 7:15 p.m. - Havens Auto Body re: Class II license.
- Administrator's Report.
    - \* Correspondence
    - \* For your information
    - \* Personnel activities
    - \* Other
  - Committee Reports.
  - Action Items.
    1. Vote on St. Joseph Parish request for a one-day license.

NOTE: SELECTMAN RAPHAELA ROZANSKI WILL NOT BE IN ATTENDANCE.

MINUTES OF THE SELECTMEN'S MEETING  
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Present: James Brodeur, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman. Raphaela Rozanski was not in attendance.

7:07 p.m. - Mr. Brodeur called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of the warrants totalling \$227,300; Mr. Dziczek seconded; all aye. Mr. Brodeur questioned the previous week's warrant where three items had been held. It was noted two were still being held and one was released.

7:12 p.m. - Paul Revell was present and asked to speak to the Board. He said he recently attended a Master Plan Committee meeting because of his concern with land behind Route 109 near Industrial Park Road. He said wells had already been dug on his property and felt there was some problem with ownership stating he had bought the property in 1981. When he confronted Mr. Lally, the abutter, about ownership, he put a fence up but noticed the fence had been moved in 90 feet onto his property. He stated both of them have plans of the property, with Mr. Lally having one from 1944 which agrees with the deed. Another composite plan made in the 80's shows the existing concrete bounds on his property agree with his plan and Mr. Lally's. Mr. Revell said he put another fence up in the proper location, but leaving the fence that Mr. Lally put up.

Mr. Brodeur suggested land court for a decision, but Mr. Revell said he wanted the Board of Selectmen to be aware of the problem especially since two test wells had been dug on the property and hoped the Town would be cognizant of who owns what around the wells. He stated he tried to get the land under 61A with the court, but was denied. Mr. Johnson stated the reason for this was that he did not have five contiguous acres in Medway. Mr. Revell disagreed with that, but Mr. Brodeur again said he felt land court was the way to go because the wells were needed no matter who owns the land. Mr. Johnson did say the Town has no rights to the land if it is used properly under 60 or 60A, but would appreciate if Mr. Revell let him know whenever this was discussed.

7:30 p.m. - Mark Lucier was present for the public hearing on a Class II license for Havens Auto Body. Mr. Dziczek read the notice that appeared in the local paper. Mr. Lucier said he had purchased the business in July, and did not know he needed to meet with the Board to receive his license for 1999. He noted he owns a similar business in Bellingham. The Secretary noted no problems have occurred at this location. Mr. Johnson moved to approve the Class II license for Havens Auto Body at 117R Main Street with the same restrictions of 10 cars for sale on the premises; Mr. Dziczek seconded; all aye. Mr. Brodeur moved the hearing be closed; Mr. Dziczek seconded; all aye.

7:40 p.m. - Administrator's report.

- Mr. Hartman reported that there would be a hearing next week for The Little Store. He noted it had come to his attention that the applicant had a criminal record, and they would be contacting the applicant and the Police Department to clarify this information.

- On personnel matters, Mr. Hartman said he was still trying to gather information for  
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the Town Accountant's evaluation, saying he only had Mr. Johnson's. Mr. Brodeur suggested trying to pull it together for next week.

- Mr. Hartman stated he had completed the evaluation of Building Inspector Bob Speroni, and asked the Board if they wanted to go over it now or next week. He said he had recommended Mr. Speroni for a merit increase. Messrs. Gildea and Dziczek said they would go along with Mr. Hartman's recommendation. Mr. Johnson said he did not like to discuss something the same week it is brought up and suggested it be done next week.

- Mr. Hartman said that additional names have come for the school facilities group.

- Committee Reports.

- Mr. Johnson said the DOR has informed the Board of Assessors that the recap sheet has been accepted, the levy limit is acceptable, \$18.47 per thousand will be the tax rate, and the tax bills will be going out in the morning.

- Mr. Johnson asked if the Town Hall would be open on December 31st. He said he has been asked to bring it up. Mr. Hartman also said he had heard formally from the Union with reference to the day after Thanksgiving and Christmas Eve, but not New Years Eve. Mr. Gildea moved to close the Town Hall at Noon on December 31st; Mr. Johnson seconded; Mr. Brodeur added with pay. Mr. Dziczek asked about those that might have to work, i.e. DPS. Mr. Hartman stated that the Board was, by this action, granting a holiday and employees called in would go out at premium pay. All aye on the motion.

- With reference to the Bresnahan property, Mr. Hartman said they were properly notified and he sent a copy of the letter to the Open Space Committee and CRPCD as well. Mr. Johnson said if all the committees/boards respond, don't delay waiting for the 120 days.

- It was noted the definitive hearing on Redgate II was continued to January 12th. Mr. Dziczek then asked if they could at least see the preliminary plans on subdivisions because once it reached the definitive stage, it was too late.

- Mr. Johnson noted Mike Narducci had called him wanting an abatement on his taxes because his streets were not being plowed. Mr. Hartman stated that \$60,000 had been billed out, and only \$3,000-\$4,000 received in, and felt a policy needed to be in place. He said Mr. Henry prepares and sends the bills out, with a copy to the Treasurer. Mr. Brodeur noted the Planning Board has a reduction capability. Mr. Hartman said we could be more aggressive and go to a collection agency, however, any abatements will come back to the Board. He believed the Town couldn't access some bonds because of defective language. Mr. Johnson thought there were three developers in land court, and if we accept those streets, they become our problem. Mr. Hartman stated the Town may have to look for some funding to repair some streets in order to get them accepted.

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A few comments on the Deerview project. Mr. Johnson did not believe they could realize more than 20% profit, and if so, the excess would come back to the Town. Also, if the Town approves, they have the right to select citizens for the lottery; if it goes to State appeals, they have the right to selectmen anyone from any town. Mr. Hartman said Attorney Robinson's advice is to approve with conditions. Mr. Brodeur did not feel there was a problem with ConCom. The ZBA may also want to require the building of a sidewalk on Summer Street. Mr. Hartman recalled a 4 foot strip between the sidewalk and the curb is what the Board wanted in August.

- Mr. Johnson brought up the problems with traffic on Main Street saying he didn't want to wait to hear from the State about what they would do; he wanted to see something done now. He suggesting delaying lights longer at Holliston Street and at the Community Church, or limited access with jersey barriers. Mr. Dziczek said that many accidents are not even reported if they are fender benders. Mr. Hartman stated the major problem was the number of curb cuts. He believed what would solve the problem for now is a 3T design with one center lane from Pond Street to Holliston Street for turning left. The only limitation is that it has to meet State specs. We can do this and it does not require Mass. Highway's approval. Mr. Hartman said he and Lee Henry would be meeting with the engineers to see how much it would cost and what design they recommend. He noted there may have to acquire some land through eminent domain and/or purchase for a service road. He said closing access to businesses, which is a taking, would be done by the Board of Selectmen since they granted them the access in the first place. Mr. Johnson noted he would like to look at the original plan and see what accesses were granted back then. Mr. Brodeur said he believed the design was approved by the State. Mr. Hartman added one main entrance with a traffic control box would probably be best.

Mr. Brodeur wondered if the Board should have a hearing to get the public's ideas. Mr. Hartman suggested waiting to see what the engineers recommend, but felt a pedestrian push-button system might require State approval. At this point, he said they could at least put up signs and enforcement of traffic rules. He said the Police feel most traffic is going along at 40 mph, and they will do more enforcement of the 30 mph speed limit. Mr. Hartman added the 3T design may work without anything else as the breakdown lane would disappear preventing passing on the right for those making left turns. He felt it was the cheapest and quickest way and could be done in early Spring. Mr. Hartman added when the State reworks Main Street, they would probably redo the intersection at Holliston Street. He said they have contacted Boston Edison about going to hallogen or mercury lights, and will also talk to them about putting additional lights on the street, and what the potential cost would be. Mr. Hartman hoped to provide an update to the Board at the January 11th meeting.

- Committee Reports.

- Mr. Dziczek mentioned seeing the ZBA hearing notice about New City Road, a private road, and that they should be advised it is not a Town road.

- Mr. Dziczek noticed in the City and Town newsletter information about forecasting which he felt the Town Accountant might be interested in.



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- Action Items.

#1 St. Joseph Parish was requesting a one-day liquor license for a New Years Eve party. Mr. Johnson moved to grant a one-day liquor license to St. Joseph Parish for December 31st until 1:00 a.m. with last call at midnight; Mr. Dziczek seconded; all aye.

- Mr. Johnson brought up the licenses for the Cumberland Farms locations. Mr. Hartman said that Bob Speroni spoke to the work crew for Cumberland. The signs are up and the parking lot will be restriped. On that basis, the licenses can be issued.

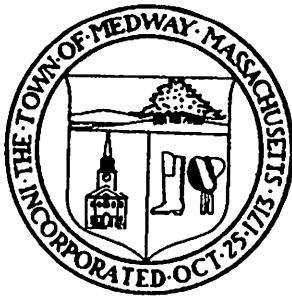
9:22 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary

mj

*Approved*  
*2/1/99*



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***AGENDA***

***DECEMBER 21, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 p.m. - Continuation of public hearing for tax classification.
- 7:10 p.m. - Public comments.
- 7:15 p.m. - Larry Hickey and Gene Dvorkin of Apollo re: Class II and Class III licenses and update on Apollo building demolition status.
- 7:30 p.m. - Joe Hoban re: evaluation of Ruth Curtis.
- 7:45 p.m. - Board of Health members re: approval of ballot question to be placed on May ballot.
- Administrator's Report.
  - \* Correspondence
  - \* For your information
  - \* Personnel activities
  - \* Other
- Committee Reports.
- Action Items.
  1. Certification of Highway Foreman position.
  2. Chapter 61A, Section 14 notification.

MINUTES OF THE SELECTMEN'S MEETING

December 21, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

7:04 p.m. - Mr. Brodeur opened the meeting in Sanford Hall of Town Hall.

- The Board of Assessors was present for the continuation of the public hearing for the tax classification. Mr. Johnson excused himself from the Board of Selectmen to join the Assessors in the presentation. Administrative Assessor Paul Keefe stated that they had received certification from the State on FY'99 values for real and personal property and are recommending that the FY'99 tax rate be \$18.47 per thousand. Mrs. Murray stated if the Selectmen agree, they need to sign the Department of Revenue's Bureau of Accounts Classification Tax Allocation form for FY'99 adopting the tax rate and they would then proceed with the billing. Mr. Keefe added that the State has all the necessary documentation except this form.

Mrs. Rozanski moved to approve the tax classification report of the Board of Assessors and sign the authorization; Mr. Dziczek seconded; Mrs. Rozanski amended her motion to include the amount of \$8,442 as the excess levy capacity; Mr. Dziczek seconded; Mr. Johnson abstained; aye. Mr. Dziczek moved to close the hearing; Mrs. Rozanski seconded; all aye.

7:17 p.m. - Larry Hickey and Gene Dvorkin of Apollo came to meet with the Board concerning the Class II and Class III licenses for Apollo and an update on the Apollo building demolition status. Mr. Hartman explained they were associated with the lessee as the building is owned by Mr. Potheau. He stated there was a miscommunication between the utility companies each thinking all their lines had been taken down. Mr. Hartman said that Mr. Hickey and Mr. Potheau were working together for completion, as all parties wanted everything done by December 31st for tax purposes. He believed the building would be demolished by the 31st, and asked that the licenses be issued and not withheld.

Mr. Hickey elaborated further on the remaining pole owned by Bell-Atlantic on Town property with Boston Edison's two guy wires still tied in across the street. He stated they have signed the work order to give authorization for Boston Edison to tie those wires into a pole on their property. He noted the minute the wires are moved, Bell-Atlantic will take the pole down. Mr. Hickey also explained the Building Inspector needs letters from the utility companies stating they have disconnected service to the building before he can issue the demolition permit. Mr. Hartman explained they had been informed on several occasions that the wires were gone, but found that was to the contrary.

Mr. Dziczek moved to release the Class II and Class III licenses of Apollo; Mrs. Rozanski seconded but questioned how they could be sure everything gets done. Mr. Hartman felt assured all would be completed as Mr. Potheau wants that portion of the building demolished; all aye.

- With reference to Route 109, Mr. Hartman mentioned that he received a call from Mass. Highway concerning the advertising billboard which was in the middle of the right of way. Mrs. Rozanski said she had looked at the plan and didn't believe it was. Mr. Hartman stated he can  
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order it down, but since new billboards are not being allowed, there is a process to follow. He will continue to pursue this issue.

7:30 p.m. - Joe Hoban, Chairman of the Council on Aging, was present for the evaluation of Activities Director Ruth Curtis. Mr. Hoban asked if this would be done in public session. Mr. Brodeur said it was done to recognize those who do an outstanding job. Mrs. Rozanski added the evaluation has already been done; this was a presentation of those exemplary employees.

Mr. Johnson moved approval of the performance evaluation of Ruth Curtis with a score of 45; Mrs. Rozanski seconded; all aye. Mr. Johnson moved Mrs. Curtis be granted a merit increase; Mrs. Rozanski seconded; all aye.

7:35 p.m. - Board of Health Chairman Cathy Chenard came to speak to the Board about placing a question on the May ballot. Mrs. Chenard noted the Board of Health can promulgate regulations, however, they felt it was better to ask the Townspeople and get their input, and if they were not aware of the dangers, to inform them through press releases. She stated they were not sure yet if they wanted to ban all smoking or just in non-ventilated areas.

Mr. Gildea asked why they had to do a non-binding referendum question thinking regulations would offer more alternatives. Mrs. Chenard said the Board could do that, but wanted to hear the people. Mr. Johnson agreed it should be locally adopted, with Mrs. Chenard adding it was Ch. 111, Sections 122 and 31C. She noted ROOTS was recommending this process to their Board. Mr. Johnson moved to accept the non-binding referendum ballot question to be placed on the May ballot, unless someone shows up at the Selectmen's meeting to the contrary; Mr. Dziczek seconded. Mr. Gildea did have a problem with this, so Mrs. Chenard informed the Board they would have a public hearing. Mr. Johnson stated the Board of Health has the authority to ban smoking now anywhere anyway; all aye on the motion.

7:55 p.m. - Mr. Johnson moved approval of warrant #26 totalling \$1,659,183.10; however, he was requesting several checks be withheld including on to Tri-Valley Sports for the schools, Police Department's auto body work of a cruiser, and a payment to the Veterans Agent. On one, he wanted to make sure three bids had been received, and on the others there was no backup. Mr. Johnson authorized the checks be signed but held; Mrs. Rozanski amended the motion to authorize approval of warrant #26, but hold out the three checks; Mr. Dziczek seconded but amended the motion to be that pending verification, the checks be released; Mrs. Rozanski seconded; all aye.

- Administrator's Report.

- Mr. Hartman brought up the school facilities needs and identification committee candidates, and asked the Board how they wished to interview them. Mr. Dziczek suggested doing the interviews at the January 4th meeting, and then move on the choices at the January 11th meeting. Mr. Johnson recommended doing them on Saturday, January 9th after the Bellingham people have done their presentation. Mr. Hartman felt that would work, and those that could not attend on the 9th, would be invited on the 11th. The Board agreed.

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- Mr. Hartman brought up the Town Accountant's evaluation. He said he could do a composite of the five evaluations done by the Board as Mrs. Mehta does not want to hear five scores or five sets of comments.

- With reference to staffing and the personnel issue, Mr. Hartman stated he had given the Treasurer a copy of the Accountant's comments as well as his comments on the subject. He clarified to the Board that the Treasurer had written to FinCom, and they agreed with her need for a part-time person, but the Accountant stated a position cannot be approved if there is no funding. Mr. Hartman noted that, in June, he told the Board some of the personnel work in the Selectmen's Office would be transferred to the Treasurer's office. He had also stated at that time, if additional staffing became necessary, he would want the personnel function back with the Personnel Director. Mr. Brodeur asked if this could wait until July 1st. Mr. Hartman said it probably could, but the Treasurer feels they are overburdened with benefits administration by the individual taking away from other duties.

Mrs. Rozanski had many questions including what would be that person's tasks, where would the person be located, how many hours would that person put in, and what is the job description. Mr. Hartman felt the Treasurer's office had already broken down the tasks so a job description could be made up for those hours; the question was where was the person going. Mr. Dzikczek suggested an individual under the Town Administrator who could do various tasks, i.e. one person split between two locations similar to the Building Inspector and Fire Chief.

Mrs. Rozanski said it would be helpful to have an organizational chart feeling there should be a better way of organizing staff. Mr. Brodeur thought they would need a matrix for negotiations anyway. Mr. Hartman said the Board may be saying that they need a reclassification study, but that involves collective bargaining. Mr. Brodeur said they need to see what is happening in the bargaining unit, i.e. a matrix without names. Mr. Hartman stated part of the issue the Board of Selectmen is facing is lack of cohesion because of split authority. Mrs. Rozanski felt the employees were still part of the Town and part of the personnel system. Mr. Johnson wondered if the person doing the job just needed to be given recognition, or Mrs. Rozanski added, reclassification.

Mr. Brodeur felt the concern was for organization and how to handle the workload, and if it is personnel work, it should be under the Town Administrator. Mr. Johnson asked if it was clerical work, and Mr. Hartman stated in other towns, the job is called a personnel technician. At this time, he had not defined his proposal yet. Mr. Johnson asked that he define the problem if he has one, and how his proposal would correct it. Mr. Brodeur suggested a proposal be submitted in two weeks. Mrs. Rozanski noted the Treasurer could have gone to the FinCom for expense money for a temporary, rather than a part-time person - expense vs. salary. Mr. Hartman stated the caveat was 20 hours. Mr. Johnson inquired about going to the JCRB, and Mr. Hartman said it was not necessary. He noted it was the Personnel Director's function, not the JCRB. The JCRB advises the Personnel Director if he requests, and advises the Selectmen on merit increases for employees not covered by bargaining units. Mr. Johnson asked that they revisit the JCRB issue soon. Either they get people on the JCRB or let the Board of Selectmen be the JCRB. Mrs.

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Rozanski felt the employee could appeal to the Board of Selectmen, but Mr. Hartman said the issue of classification and compensation cannot be appealed. Mr. Johnson moved to advertise volunteers for the JCRB in the newspaper; Mrs. Rozanski seconded; all aye.

### - Committee Reports.

- Mr. Johnson reported attending the Norfolk County Advisory Board meeting. He said they approved the transferring of funds, and also discussed the legislation of tax money coming back to the Town to be spent as the Town sees fit.

- Mr. Brodeur noted attending the ZBA hearing on the Narducci comprehensive plan. He said they still want 54 units to make it financially work and are trying to get away from the 35' setback. Homes would sell for around \$189,000 with the affordable ones around \$89,000.

### - Action Items.

9:30 p.m. - 1. Mr. Hartman brought up the certification of the Highway Foreman position. He stated the Union has agreed on grade 9, step 1 for the position, but then needs to be ratified by the Selectmen. Mr. Dziczek so moved; Mr. Gildea seconded; all aye. Mr. Brodeur noted they would not be filling the position of Highway Superintendent and Assistant Highway Superintendent. Mr. Hartman added that the budget included the Highway Superintendent's salary, so the funding is there.

- 2. Mr. Dziczek read the letter on Chapter 61A, Section 14 notification for property on Village Street. For clarification, Mr. Johnson said he had spoken to Mr. Hartman prior to the meeting and told him the letter the Assessors received was different than the one the Selectmen received. The one the Assessors received made no mention of the bona fide offer. He felt the letter addressed to the Assessors was not in compliance. He did add, however, that it was a nice piece of flat land and the Board may want to consider it. Mr. Brodeur suggested placing the matter on a future agenda in about two weeks.

Further clarification was asked on why there were two different types of letters. Mr. Hartman explained his understanding was that they had consulted with Town Counsel and it was what he recommended. He said the option is exercised by the Board of Selectmen and the option to purchase is there with them as well. Mrs. Rozanski felt, however, that a certified letter to all should read the same. Mr. Brodeur requested that a copy of the Board's letter be provided to everyone. Mr. Johnson noted the seller does not pay back taxes if they sell the property to the Town.

- Mr. Hartman stated that another notice was received for Chapter 61A by a realtor on behalf of the Lees, however, it was rejected because it was not submitted properly, and assume it will be resubmitted by them again.

MINUTES OF THE SELECTMEN'S MEETING  
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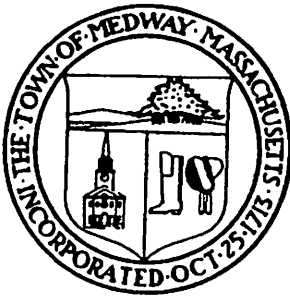
10:00 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary

mj

*approved*  
*1/25/99*



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155 VILLAGE STREET  
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## *AGENDA*

*DECEMBER 14, 1998*

*Location: Sanford Hall of Town Hall*

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 11/16 and 11/23, and executive session minutes of 11/23 (provided in previous packet).
- 7:05 p.m. - Continuation of public hearing for tax classification.
- 7:10 p.m. - Public comments.
- 7:15 p.m. - Continuation of public hearing for pole petition from New England Telephone Company at Highland Street (original info provided in previous packet; new info included in present packet).
- 7:20 p.m. - Lee Henry re: evaluation of John Forgione.
- ~~7:30 p.m. - Arti Mehta re: evaluation.~~
- 7:45 p.m. - Mary Ellen Lavenberg re: campaign for shared solutions/1495 corridor.
  - Administrator's Report.
    - \* Correspondence
    - \* For your information
    - \* Personnel activities
    - \* Other
  - Committee Reports.



- Action Items.

1. Discuss granting extension of hours for Main Street Cafe for Year's Eve.
2. Approve and sign licenses.
3. Discuss two pole petitions from New England Telephone for Milford Street and Summer Street, not requiring public hearings or abutter notification (can be taken out of order and discussed with Kathryn Craig at 7:15 p.m.)
4. Acknowledge resignation of Joan Sutton as Cemetery Commissioner (leaves only one member out of three on Commission).
5. Board sign Idylbrook grant agreement.
6. Discuss School Facilities Needs Identification and Evaluation Committee composition.
7. Discuss Building Inspector Bob Speroni's letter of 12/8 regarding the Cumberland Farms property.
8. Discuss Treasurer Marjorie Sanford's letter of 11/23 and Town Accountant Arti Mehta's letter of 12/9 relative to a part-time employee in Treasurer's Office.
9. Adopt policy for unaccepted streets.

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 14, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

7:02 p.m. - Mr. Brodeur called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved the Board approve and sign the warrant totalling \$378,448.52; Mrs. Rozanski seconded; all aye.

- Mr. Dziczek moved approval of the minutes of November 16th; Mr. Brodeur seconded; Mrs. Rozanski abstained; aye.

- Mr. Dziczek moved approval of the minutes of November 23rd with an amendment; Mrs. Rozanski seconded as corrected; all aye.

- Mrs. Rozanski moved approval of the executive session of November 23rd; Mr. Dziczek seconded; all aye.

7:05 p.m. - Mr. Johnson moved the continuation of the public hearing on the tax classification be delayed until next week as no reply had been received from the State on certification; Mr. Dziczek seconded; all aye.

7:12 p.m. - Two pole petitions that do not require a public hearing were taken out of order as Kathryn Craig was present from Bell Atlantic. It was noted they were for Milford Street and Summer Street and were within the Town's taking. Mr. Dziczek moved to approve petition #98-17 for change of ownership from sole to joint; Mrs. Rozanski seconded; all aye.

7:15 p.m. - The continuation of a public hearing for Highland Street was discussed with a new revised #98-13R plan. Ms. Craig stated, in conjunction with the builder, it was decided to move the pole up 45 feet, which the abutters have agreed to. Mrs. Rozanski moved petition #98-13R be approved by the Board; Mr. Dziczek seconded; all aye.

- On the other petition #98-14 that did not require a public hearing, Mrs. Rozanski moved to approve the existing pole be relocated; Mr. Dziczek seconded; all aye.

7:25 p.m. - Lee Henry came to speak to the Board about the evaluation of John Forgione. Mr. Henry had given him at least the required 42 points and felt he deserved the recognition for attaining those points. Mrs. Rozanski was concerned that there were safety programs in place. Mr. Henry noted one of his people had presented a workshop on safety to others after having attended a seminar on safety. Mr. Hartman noted he was hoping to form a safety committee with people such as this employee. Mr. Johnson asked if they all wear protective gear, and he was assured they do. Mr. Johnson moved to accept the evaluation of John Forgione with 44 points as presented by his supervisor and approve a merit increase; Mr. Dziczek seconded; all aye.

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7:35 p.m. - Mary Ellen Lavenberg came to speak to the Board about the campaign for shared solutions/I-495 corridor. She said she had been participating with Mrs. Rozanski on this campaign and gave the Board a report on the subject which included a summary of statistics and jobs. She noted the various issues they have been working on including transportation, sewer and the permitting process. Mrs. Lavenberg noted there would be an all-day meeting/workshop on January 23rd, with a snow date of January 30th.

Mrs. Rozanski stated they were both excited about the I-495 initiative with conversations centered around infrastructure and the permitting process which they were trying to streamline. Mr. Johnson did have a problem with groups infringing on officials rights, referring specifically to a report Rep. Marie Parente had filed. Mrs. Rozanski explained they were just looking for duplicity. Mr. Johnson asked what purpose this group was serving, and Mrs. Rozanski said it was for the sharing of information. Mrs. Lavenberg noted they already have a regional planning group, but Mr. Johnson felt the most important and most efficient group was local government. Mrs. Lavenberg still hoped they had the Town's participation.

7:50 p.m. - Administrator's Report.

#1. Mr. Hartman asked if they were ready to deal with the issue of the Town Accountant, but it was noted they were not and asked that it be brought up again on December 21st.

#2. Mr. Hartman brought up the day before Christmas and stated that the Library was closing at 1:00 p.m., and asked for direction from the Board on the other employees noting he could send a memo. Mrs. Rozanski assumed they would be taking comp time for the time off, and the most important thing when closing Town Hall to the public was to not close someone from their job. Mr. Johnson moved to send a letter stating if there is no critical business that needs to be done, for an employee to use comp, vacation or personal time and close the Town Hall at noon on December 24th; Mrs. Rozanski seconded; all aye. Mrs. Rozanski stated they were not cutting their hours. Mr. Diczek asked about the Highway Department, and said four had opted to work last time and four had not.

#3. Mr. Hartman brought up the presentation that the Bellingham people want to give on power plants on January 9th at 9:00 a.m. Mr. Johnson stated the meeting should address the Sithe development in Medway only. Mr. Brodeur agreed the Board should set up an agenda making it relate only to Sithe so Mr. Hartman said he would work on it.

#4. Mr. Hartman noted the correspondence received from EOEA on the Tiverton Power Associates Project with reference to the Algonquin gas pipelines and above ground facility work with a meeting scheduled on December 22nd at 10 a.m. in Mendon.

#5. Mr. Hartman brought up a fax received tonight from the MMA looking for support at a hearing to be held on December 17th for exemption of street lights. Mrs. Rozanski moved that Mr. Brodeur write a letter of support; Mr. Diczek seconded; all aye. Mr. Hartman clarified we pay a user charge and rent the lights; now we would own the lights under this legislation.

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#6. Mr. Hartman noted they have reached a tentative agreement on the highway foreman position and wage rate. He would be meeting with the Union for ratification next week.

#7. With reference to the JCRB, Mr. Hartman was recommending long-term to eliminate the JCRB with an article on a town meeting warrant but allowing for an appeals process to the Board of Selectmen or a sub-committee to the Selectmen. Mrs. Rozanski was not sure this was the way to go noting at one time, there was a timeline followed and a process with procedures. She felt if there was no action by the JCRB, it could be submitted to the Selectmen only if there was a recommendation with the evaluation. Mr. Hartman said he would try and get the current copy of the operating procedures of the JCRB. Mrs. Rozanski also recalled the effective date of a merit increase for non-union people was the first of the fiscal year. Mr. Hartman noted, however, that the policies indicate it is the anniversary date but is deferred because of appropriation. Mr. Johnson stated the Selectmen should meet as the JCRB so they can dispose of any outstanding cases, but Mr. Hartman said Town Counsel stated that cannot be done as there must be three citizen-at-large members, not including the Board of Selectmen. Mr. Brodeur pursued looking for new members asap while they worked to change the process. Mr. Hartman suggested another ad in the paper.

- Committee Reports.

- Mrs. Rozanski noted the IDC met and wrote a letter for Mr. Brodeur to sign as well asking the State for an extension for the Alder Street project. She said all bills are not in yet, and there would be landscaping to do in the Spring.

- Mrs. Rozanski said she had received phone calls over the weekend from people in the Village Street area, and asked that the Police Department be contacted for a review of their log of what accidents had occurred and where, believing it was near the Elm Club.

- Mrs. Rozanski brought up the Domino's in and out signs requested. Mr. Hartman said he would be discussing site plan approvals at another time, but noted that, according to Bob Speroni, they have one year to comply with the site plan from date of approval. With reference to the signs, based on a resolution the Board adopted, they determined a permit was not needed even though the size of the signs makes them non-conforming. Mrs. Rozanski agreed the signs were directional and for safety and they were not intending to burden the property owner. Mr. Hartman said he would come back to the Board again on the handling of site plans in the future.

- Mr. Johnson said he attended the Disability Commission meeting and believes the Selectmen would be in agreement with what was proposed, which is bringing all school buildings up to the Federal law standard as it pertains to the polling location and town meeting site, as well as other items such as fire extinguishers placed too high. He noted Chairman Sue Bouchard will send a memo of deficiencies to Dr. Bettencourt. Mr. Hartman added that Mrs. Bouchard has gone to meetings and most polling locations are not within ADA requirements, i.e. they need a 60" pad where there is a 48" pad now for the entrance. He added that he felt there were really only

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one or two concerns with the schools, and maybe the other concerns are more town problems than school problems.

- Mr. Johnson asked about the warrant authorizing some payments to DCI, and asked Mr. Hartman if there was more to pay. Mr. Hartman believed there were still monies outstanding which included liquidated damages and the 10% retainage.

- Action Items.

#1. Mrs. Rozanski moved to grant permission to Main Street Cafe to stay open until 2:00 a.m. with last call at 1:00 a.m.; Mr. Dzikczek seconded; all aye.

#2. The Board was presented with the annual licenses to sign. Mr. Johnson moved to release the licenses with the stipulation that all taxes were current with the Treasurer/Collector. The Secretary noted the Building Inspector and Board of Health have requirements and licenses/permits as well. Mr. Johnson amended his motion to include the Building Inspector, Board of Health and Treasurer/Collector; Mrs. Rozanski seconded Mr. Johnson's amended motion but added that they pass on Apollo; all aye.

#3. This was addressed earlier in the evening.

#4. Mrs. Rozanski moved to accept the resignation of Joan Sutton as Cemetery Commissioner with regret; Mr. Dzikczek seconded; all aye. Mrs. Rozanski asked Mr. Hartman for clarification as to their responsibilities.

#5. The Idylbrook grant agreement was brought up. Mr. Hartman noted the Park Commissioners were requested to sign the grant, but Town Counsel stated the Selectmen have to sign the contract and the Park Commissioners could countersign. He also said he recently attended a meeting specifically on this grant at which time he was asked to act as grant administrator so all future documents will come under his signature. He noted a first report is due on December 31st. Mrs. Rozanski suggested grant monies be utilized first. Mr. Hartman added he has asked to meet with the Park Commissioners as the plan must be pre-approved before they can begin work. Mrs. Rozanski moved the Board of Selectmen approve the grant contract for \$50,000 for the Idylbrook project; Mr. Dzikczek seconded; all aye.

#6. The composition of the School Facilities Needs Identification and Evaluation Committed was discussed. Mr. Brodeur noted some applications have been received, as well as the names of the designated representatives of the Planning Board and School Committee. Mrs. Rozanski moved to appoint Diane Borgatti as the Planning Board representative; Mr. Dzikczek seconded; all aye. Mrs. Rozanski moved to appoint Cheryl Harvey as the School Committee representative; Mr. Dzikczek seconded; all aye. Mrs. Rozanski suggested the FinCom and the Master Plan Committee be reminded to send a recommendation asap. She also thought placing another ad in the paper would be appropriate. Mrs. Rozanski suggested thinking about a time on the agenda to interview the candidates for the citizen-at-large position.

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#7. Conversation again went back to the Cumberland Farms property, and Mr. Hartman noted the changes that seemed to exist between the two different site plans the Board approved. He said in speaking with Bob Speroni, the site plans had been approved by the tenant not the owner, and there were changes made from one site plan to the other including no walkway in front of the Dominos store and the parking lot needs to be restriped with the handicapped parking in front of the store, not on the side. Mr. Brodeur felt they should not have been allowed to open if there were problems with the site plan and they could hold their new licenses now until the owner complies. In the future, Mr. Hartman stated the owner should be part of the process and site plans, if different, should be reviewed.

Mrs. Rozanski moved to reconsider the previous motion on the approval of licenses; Mr. Dzikczek seconded; all aye. Mr. Johnson moved to delay the issuance of licenses approved this evening for Apollo, as well as Donut Depot, Cumberland Farms and Dominos until such time that directional signs have been installed in accordance with the approved site plan; Mr. Dzikczek seconded; all aye.

#8. Mr. Johnson mentioned that Treasurer/Collector Marge Sanford had approached the FinCom via a letter for an additional part-time person for her office since one person on her staff was now spending about 18 hours doing insurance-related work. He stated FinCom approved her request prior to the special town meeting on December 7th. Mr. Hartman acknowledged receiving a copy of that letter but noted he had believed she would be going to the FinCom on this issue in January. He stated Town Accountant Arti Mehta did not feel that an emergency transfer by FinCom was a legal transfer. Mr. Hartman further stated that he had intended to put a proposal on the table for an individual to handle personnel matters as additional staffing under him as Personnel Director, rather than having that individual in the Treasurer's office. Mr. Johnson moved postponing discussion until December 21st so Mr. Hartman could submit his proposal, but noted he was not aware he needed additional personnel. Mr. Hartman explained the work the individual is doing, who is in the bargaining unit, was previously being done by the Administrative Assistant, but originally was in the Treasurer's office when all the problems occurred. He noted that work, on the whole, was a clerical function for personnel. The other half of the Administrative Assistant's job is being handled by the Secretary.

#9. Mr. Hartman stated that the Board has never adopted a formal policy for plowing/sanding of unaccepted streets, of which there is 5.6 miles. Technically, they are considered private property, and he was asking the Board to consider Town Counsel's recommendation that it be adopted. He added they need to find out what it will take to bring these streets into compliance since they have an effect on the chapter 90 monies coming into the Town, and no chapter 90 monies can be used on these roads. However, he said he feels these unaccepted streets should be plowed/sanded and that the policy should be adopted before it snows. Mr. Brodeur said the Planning Board should be aware of what was going on since a bond reduction could be involved. Mr. Hartman said he would institute a procedure with them if the Board approved the policy. He further stated the present procedure is defective as you cannot access certain streets. Mr. Hartman also suggested Counsel meet with every board and commission and go over with them what they can and cannot do, as there is a lack of coordinated efforts. However, he would have to request

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DECEMBER 14, 1998

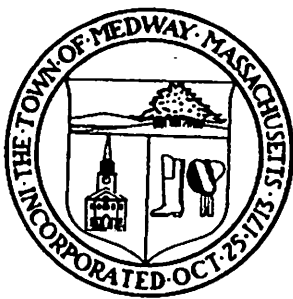
extra money in the budget for him to do this. Mr. Johnson brought up the amount of money paid to PMP Associates, the Planning Board's agent, asking what were they getting paid for. Mr. Hartman said he will suggest seeking proposals on this in the future. Mrs. Rozanski agreed this was an area that Mr. Hartman could be involved in coordinating the process. Mr. Hartman also noted that many of the bonds that are defective are 8 - 10 years old, and no clear criteria for default was ever established. Again, he said Town Counsel recommends this be done. Mr. Johnson moved to accept the policy as drafted; Mr. Dzikzek seconded; all aye. Mr. Hartman added he would talk to Town Counsel and Don Springer concerning their involvement. Mrs. Rozanski did not feel DPS should be the ones billing the owner of record, but Mr. Hartman said the agreement is issued by DPS. Mrs. Rozanski suggested the Treasurer, the Planning Board, and the Town Accountant also get a copy. Mr. Hartman said he would research this further. Mrs. Rozanski amended the motion to include subject to Mr. Hartman working out a procedure on billing; all aye.

9:45 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved*  
*1/25/99*



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

## ***AGENDA***

***DECEMBER 7, 1998***

***Location: Room 111 of Medway High School***

6:00 p.m. - Open meeting, sign warrants, approve minutes of 11/16 and 11/23,  
and executive session minutes of 11/23.

- Action Items.

1. Board ready for Town Accountant evaluation for  
next week?
2. Alder Street issues.

- Administrator's Report.

- Correspondence
- For your information
- Personnel activities
- Other

- Committee Reports.

6:30 p.m. - Tax classification hearing.



MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 7, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

6:08 p.m. - Mrs. Rozanski opened the meeting in Room 111 of Medway High School, prior to the Special Town Meeting.

- The Board briefly discussed some of the articles on the warrant, one being a change in the amount for health insurance from \$150,000 to \$200,000.
- With reference to the tax rate, Mr. Johnson was confident it would be reduced.
- Mr. Hartman believed the installation of software would be started next week.
- Some concern was noted about the financial condition of the Town, with Mr. Johnson feeling new growth saved us this year. Mr. Hartman noted the auditors have asked that action be taken on certain recommendations they have made for the past four years.
- With reference to repairs to the school roof, Mr. Hartman said January 1st was the deadline.
- Mr. Hartman recommended the Board grant an extension of time to Bardon-Trimount until April 30th for landscaping and final pavement, as recommended by the Town's engineer. He said this would allow appropriate feathering to be done and domes installed, and the subject of liquidated damages would be resolved. Mr. Brodeur asked about liquidated damages, and Mr. Hartman said they are not waiving them, but will be negotiating the fees.

Mrs. Rozanski moved to grant Bardon-Trimount an extension to April 30th with proper negotiations with the Town Administrator and preparing the road for snow plowing and liquidated damages not to be waived beyond these items mentioned, i.e. domes. Mr. Hartman noted the delay was to the Town's advantage as it allowed the pavement to settle. Mrs. Rozanski added that the IDC realizes all monies will not be expended by December 31st, and they feel comfortable with getting a six month extension to spend. Mr. Johnson asked if Bardon-Trimount should get their extension pending the Town gets their extension from the State? Mr. Brodeur reiterated the money has to be spent by December 31st, with Mrs. Rozanski stating they have verbal consent, and Mr. Hartman was confident the extension would be granted. Mr. Brodeur asked if the motion should be contingent upon the Town getting the extension in writing from the State? Mr. Johnson moved to amend Mrs. Rozanski's motion to include that the Board's decision on the cut-off of liquidated damages be limited to the extent that the State agency gives the Town an extension; Mr. Dziczek seconded Mr. Johnson's amended motion to Mrs. Rozanski's motion. With reference to reimbursement, Mrs. Rozanski felt about 2/3 had already been received.

6:40 p.m. - Mr. Dziczek read the ad that appeared in the local paper for the tax classification hearing. Members of the Board of Assessors joined Paul Keefe at this meeting. Mr. Keefe added that the preliminary analysis for FY'99 had been done, and figures had been prepared.. As

MINUTES OF THE SELECTMEN'S MEETING  
DECEMBER 7, 1998

Chairman of the Board of Assessors, Mrs. Murray stated that the Board recommended a single tax rate otherwise it would be difficult on the commercial and industrial properties, and it would not make that much of a difference on the residential properties. Mrs. Rozanski moved to accept the preliminary figures for a single tax rate; Mr. Dziczek seconded; Mr. Johnson abstained; aye. Mr. Dziczek moved to continue the public hearing since the figures were preliminary to December 14th at 7:05 p.m.; Mrs. Rozanski seconded; all aye.

6:45 p.m. - The Board briefly brought up the composition of the school facilities needs identification and evaluation committee. Mr. Brodeur said he would help write up the advertisement for the newspaper once approved tonight. He again surmised they did not have any problem with five citizens-at-large and any sub-committees they wanted.

6:50 p.m. - Mr. Dziczek moved to accept warrant #24 totalling \$763,858.03 as read; Mr. Johnson seconded; all aye.

- The subject of the Town Accountant's evaluation was brought up again, and Mr. Brodeur asked Mr. Hartman to write a paragraph about her performance, with Mr. Johnson asking for her to let the Board know what her goals for next year were going to be. Mr. Brodeur asked that she be placed on the agenda for December 21st. Mrs. Rozanski felt this was part of the JCRB issue. Mr. Hartman added that this was part of what Attorney Garrett gave the Board. Mrs. Rozanski asked briefly what was his recommendation, and Mr. Hartman said basically to write the by-law. Mr. Johnson again said the Selectmen should act as the JCRB.

6:55 p.m. - Mr. Hartman stated that the Town was going to be served a right of first refusal on the Lee property, but it was refused as there were not four certified letters to the appropriate boards. He also said another developer with the Pavlik property would like to do a 40B program and meet with the Board, as it would have to be sponsored by the Selectmen. Mr. Johnson did not have a problem meeting with him as long as the clock was not already ticking on the project. Mr. Dziczek felt that all the different boards that are usually involved should be allowed to attend.

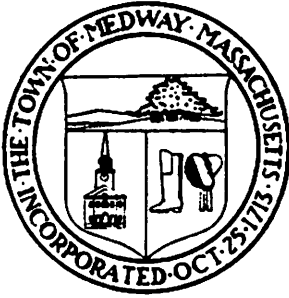
7:01 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary

mj

*Murray* 1/11/99



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### ***AGENDA***

***NOVEMBER 30, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants.
- Public Comments.
- 7:15 p.m. - Public hearing re: pole petition for Summer/Highland Streets.  
(Future public hearings to be held during the day.)
- 7:30 p.m. - Maryjane White re: evaluation of Pat Sampson.
- 7:45 p.m. - Chief Wayne Vinton re: evaluation of Shirley Heaton.
- Committee Reports.
- Action Items:
1. Consider and vote on the appointment of Paul Knueven as Associate Member to the ZBA.
  2. Discuss the potential membership of the proposed School Facilities Needs Identification and Evaluation Committee.
  3. Chairman to sign lease documentation for Highway vehicle, approved at ATM of 5/11/98 (no vote needs to be taken).

MINUTES OF THE SELECTMEN'S MEETING  
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Present: James Brodeur, Raphaela Rozanski, Harry Johnson, Joe Dziczek. Selectman Richard Gildea and Town Administrator Michael Hartman were not in attendance.

7:06 p.m. - Mr. Brodeur called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved to approve and sign the warrants totalling \$259,189.04; Mrs. Rozanski seconded; all aye.

- Public Comments.

- Rick Mainkin of 6 Drybridge Road came to bring his concerns to the Board concerning the traffic at Pond Street and Route 109 and the inability to make turns to get on that road. He noted he spoke to the Police Department and they recommended speaking to the Selectmen about this issue. Mr. Dziczek agreed the area around Cumberland Farms and Dominos was a potential problem especially with a bank coming in the area as well. Mrs. Rozanski stated that the Town has asked the State to look at the various intersections on Route 109, with Mr. Johnson adding a traffic study had been proposed. He felt taking land by eminent domain may have to be done, lights, or at least a change in the traffic pattern. Mr. Brodeur said that State approval needs to be received for lights. Mr. Johnson and Mrs. Rozanski said there was a meeting coming up with the Mass. Highway Director and Rep. Gardner, and they would bring this issue up with them. Mr. Mainkin asked that this be on a future agenda again. Mrs. Rozanski suggested finding out what the process is on behalf of the Town and do any funds need to be expended. Mr. Johnson recommended talking to Mass. Highway and the State Traffic Department for comments. Mrs. Rozanski asked the Secretary to check with the Building Inspector on the lack of double-faced "in and out" signs at Cumberland Farms.

7:22 p.m. - Mr. Brodeur opened the public hearing for a pole petition #98-13 at Highland Street. An abutter Bob Dunton was present voicing some concern as to when the house in that area would be constructed. Kathy Craig of Bell-Atlantic was present, and noted the location was correct and the existing pole would remain but a new pole would be placed to provide service to that new house. Bill Hassan, another abutter, said that #50 and #46 are already there now, with three families would be using the same driveway. He felt the pole should be in a different location. The Board agreed the layout shown did not define the area well, and asked that Ms. Craig return with a more explicit plan. Mrs. Rozanski moved the public hearing be continued to 12/14 at 7:15 p.m.; Mr. Dziczek seconded; all aye.

7:31 p.m. - Town Clerk Maryjane White came to meet with the Board concerning the evaluation of her assistant Pat Sampson. It was noted Mrs. White forgot to add the score for one question, thereby changing her score to 47. Mrs. White noted Mrs. Sampson had attended a State conference and more recently, a meeting in Holliston, and was familiar with the new voting machines. Mr. Johnson moved to accept the evaluation of Pat Sampson as written and to grant a merit increase; Mr. Dziczek seconded; all aye.

7:40 p.m. - Fire Chief Wayne Vinton came to meet with the Board concerning the evaluation of his clerk Shirley Heaton. Mrs. Rozanski clarified Mrs. Heaton had two part-time jobs - one with page 1.

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the Fire Department and one with the Building Inspector. The Chief noted how she assists him with reports and inspections. He said even though she was a clerk, she really was doing secretarial work. The Chief explained how he, Shirley, Marge and Mr. Hartman met to go over ambulance billings and abatements. He noted they were all working toward organizing ambulance receipts with follow-up in house. Mr. Johnson moved to accept Shirley Heaton's evaluation as written and approve a merit increase with a score of 53; Mr. Dziczek seconded; all aye. The Chief reminded the Board one employee of his has gone to the JCRB, and in January, 12 more evaluations would be done. Mr. Johnson agreed some action should be taken by the JCRB, and in their absence, the Board could assume their duties. Mrs. Rozanski felt those appointed could serve until they are replaced, they resign, or something is submitted in writing. Mr. Brodeur asked that an answer be given to the Chief by December 7th. Mrs. Rozanski asked who reviews employees in the absence of a JCRB, and the Secretary said that would be researched. Mr. Johnson also suggested contacting the JCRB secretary, by December 14th, to get the names of those waiting for an answer.

- Action Items.

- #1. Mr. Dziczek moved to appoint Paul Knueven as Associate Member to the ZBA; Mr. Johnson seconded; all aye.

- #2. The Board brought up the subject of who should make up the School Facilities Needs Identification and Evaluation Committee. Mr. Brodeur said he spoke to Dr. Bettencourt to get his input, and recognizing Steve Barrasso in the audience, asked him if he had Dr. Bettencourt's suggestions. Mr. Barrasso stated Dr. Bettencourt recommended: the Superintendent; a member of School Administration appointed by the Superintendent; a member of FinCom; a member of the Board of Selectmen; a School Committee member appointed by the Chair, probably a member of the present committee; a member of the Planning Board or of the Master Plan Committee; and one of the co-chairs of the School Council, a citizen as opposed to an employee, for a total of seven. The Secretary gave Mr. Hartman's recommendation, namely five citizens at large, but if need be, to also have one member of the Board of Selectmen; one member of the Master Plan Committee or the Planning Board; one member of FinCom; and one School Committee member, for a total of nine.

Mrs. Rozanski felt the Treasurer should be on the committee, along with CIPC, and maybe an Assessor since the issue was money. She said she spoke to Charlie Myers and the feasibility study has been integrated with the master plan, which is good for projecting for five years, but they need to know what the Town can afford. Mr. Brodeur said he had a problem with the Treasurer being on the committee since she was an elected official, but she was available anyway if they needed her as a resource without having to sit on the committee. He did agree that an Assessor would be good on the committee. Mr. Johnson did not feel an elected official should be on the committee since there would be no latitude in decisions. Mr. Brodeur felt Mr. Gildea could be utilized to bring info back to the Seniors, and Mr. Johnson could do the same with the Assessors.

Mr. Myers felt the purpose of the committee was to review what the subcommittee had put together, the proposed cost, timeline and affordability, and whether this same group can move page 2.

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forward, which is part of what a building committee does. Mrs. Rozanski thought this committee could look over sites and determine what the Town can afford, and did not feel Town Meeting had to establish that criteria. Mr. Brodeur commented the committee could be together for 3-4 years as they would have to probably be involved in three town meetings. He did not want to limit their scope but wanted it separate from a building committee, and more of a general committee for a master plan of the schools. He did add that some members could be on the building committee as well, but this committee would be more of an advisory board working with other boards.

Mrs. Rozanski said that all employees and elected officials would be available for assistance. She noted FinCom members had mixed feelings on the issue, but most wanted to listen to recommendations from the committee and not be a part of the process. Mr. Dziczek noted that the Town Administrator could help to expedite and resolve any problems that arise as a direct link to all departments.

Mr. Johnson felt that the committee should not be associated with Town groups, although they could be past members. He agreed the committee should have ex-officio members who would just provide input and information, i.e. the Town Administrator, a School Committee member, the Treasurer, an Assessor and Mr. Myers. The committee needs to look at the report and plan with those that are not for or against, but also to have the names of those who are willing to assist and what they are willing to do. Mr. Myers agreed feedback was important and that FinCom should be utilized as a resource.

Mr. Brodeur asked Mr. Myers if five citizens were appointed two weeks after town meeting, the plan could be implemented? Mr. Myers said it could be if at least one or two members of the committee understand all the details. Mr. Barrasso said if that was the case, he would add the Superintendent and the Town Administrator to the committee. Mr. Rozanski agreed they could be ex-officio without voting privileges, with Mr. Brodeur noting they could be available for each meeting. Mr. Barrasso added both offices could then provide secretarial assistance, input and information. Mr. Johnson commented he did not want to see this as being forced onto the residents. Mr. Brodeur surmised the Board recommended the Superintendent and Town Administrator as non-voting ex-officio members.

Mr. Dziczek noted the FinCom wanted clarification as to the committee's charge. Mr. Johnson agreed they should have a mission statement, but Mr. Brodeur stated at this time, they needed the composition of the committee, not the charge. He said they have immediate and future projected needs and their report should be geared for total build-out. Mrs. Rozanski agreed that town meeting should address the composition and length of service. The charge and mission statement could be prepared after the committee was formed. Mr. Brodeur asked the Board members to think about the length of term, but felt they were on the right road at this time. He commented there could be sub-committees under the main committee with different charges, i.e. looking for land. If there were 30 different people involved in this project, great.

Mr. Dziczek believed someone would request an article on a future town meeting warrant for a matrix on open space and land. Mr. Johnson felt several residents would be petitioning to change some residential/agricultural land to commercial/industrial, i.e. Cassidy and Lally.

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MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 30, 1998

- #3. The Chairman signed the lease documentation for the new Highway vehicle that was approved at Town Meeting on May 11, 1998.
- Committee reports.
- Mrs. Rozanski noted just meeting with Mr. Myers on the issue of the composition of the school facilities needs evaluation and identification committee.

8:45 p.m. - The meeting was adjourned.

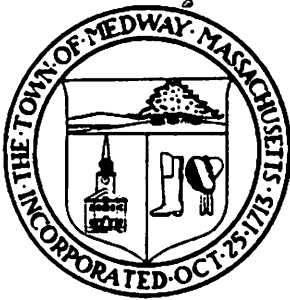
Respectfully submitted,

M. J. Fredette  
Secretary

mj

*Handwritten signature and date:*  
1/11/99





## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### ***AGENDA***

***NOVEMBER 23, 1998***

***Location: Sanford Hall of Town Hall***

7:00 p.m. - Open meeting, sign warrants, approve minutes of November 9th.

- Public Comments.

7:15 p.m. - Paul Knueven and Donna Bowser re: vacancy for ZBA alternate.

7:30 p.m. - John Larney of Old Colony Boy Scout Council re: presentation.

- Administrator's Report:

- Correspondence.

- For your information.

- Personnel activities.

- Other.

- Committee Reports.

- Action Items:

1. Sign agreement for administrative services with Blue Cross and Blue Shield.
2. Consider and sign proclamation for World AIDS Day.
3. Consider Housing Authority's request to assemble an Affordable Housing Committee.

8:30 p.m. - Executive Session.



MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 23, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

7:08 p.m. - Mr. Brodeur called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved to accept warrant #22 as read totalling \$933,941.89; Mrs. Rozanski seconded; all aye. Mr. Johnson noted his concerns with the high electric bill for the schools, also indicating the Memorial School was almost twice as much as the high school and the middle school. He stated that even water/sewer was more expensive at the Memorial.

School Committee Chairman Steve Barrasso was present and said he would ask the Superintendent to follow up on this, but did bring up the new technology system, the new HVAC system, and additional computers may contribute to the cost. Mr. Johnson believed the cost associated with electricity was around \$1/4 ~~billion~~ million.

- The minutes of November 9th were reviewed and corrected, with Mrs. Rozanski moving approval as amended; Mr. Johnson seconded; all aye.

7:20 p.m. - Candidates for the vacancy of ZBA associate member were introduced. First was Paul Knueven. Paul stated he had lived in Medway for 10 years, knew Jan Morris who told him about the ZBA, and felt the time had come to get involved in the community. Mr. Johnson asked if he presented any possible conflicts of interest. Mr. Knueven did not feel there should be any.

Next was Donna Bowser. She stated she has lived in Medway for 27 years and when she became interested in the functions of the ZBA, started attending their meetings. Noting the vacancy, she decided to apply and get involved in the community as well. She said she was a part-time realtor, but otherwise did not see any conflicts. Mrs. Rozanski explained to Ms. Bowser that she would have to excuse herself from a meeting if she was representing a landowner or abutter, as Ms. Tetrault and Mr. Morris have done in the past.

Mr. Johnson moved to appoint Donna Bowser as ZBA Associate Member through June 30, 2001; Mr. Dziczek for discussion. Mr. Brodeur added his support as Ms. Bowser had been showing an interest by attending meetings, but hoped Mr. Knueven would agree to serve on another board of interest. That was acceptable to Mr. Knueven. All aye on the motion.

7:35 p.m. - John Larney of Old Colony Boy Scouts Council came to meet with the Board accompanied by Scoutmaster Wayne Marshall and boy scouts Ben Atwood and Matt Marshall. Scoutmaster Larney presented two plaques to the Town noting there were 28 names on the first plaque starting with Norman Glickman in 1931 who was the first scout to attain the status of Eagle Scout. The second plaque was being presented awaiting the names of the next 28 scouts. Mr. Larney reiterated that scouting always benefits the community. The Board appreciated and accepted the gift to the Town.

7:40 p.m. - Public Comments.

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- Charlie Myers of the School Committee was present just to answer any questions the Board may have had about the master plan study they received. He also passed out to the Board members a copy of the enrollment figures obtained from Nesdec (New England School Development Council) and Miser (Mass. Institute for Social and Economic Research). Mr. Brodeur brought up the fact that the figures and income could change if students ended up going out of town that were predicted to be in the Medway schools. Mr. Myers noted the location of alternative schools was important, but time would tell.

Barry MacDougall, who was present, suggested the Board reserve the forming of the committee to review the master plan until it has been determined what is going on in the study. He said he looked at older Town reports and saw that investigations were done first to see what the needs were, but now it seemed as if the school was doing their own investigation. Mr. MacDougall brought up issues of property owners trying to keep their own land, and what was being done with zoning? What if the Master Plan Committee opted to buy land on the option of first refusal? He said it was good to look at the school needs, but what is good for the Town? He said he did not want to see more schools than homes.

Again, Mr. MacDougall brought up the feasibility study with a specific RFP and what the Town ended up with. He was concerned with SMMA indicating they were awarded the contract for the McGovern portion, but could not find the backup to substantiate this. Also, his concern with what was on the warrant article and what was approved. Mr. Johnson suggested Mr. Brodeur review the film of that Town Meeting, and Mr. Brodeur said he would before the 7th. With regard to zoning, Mr. Brodeur felt the only pending zoning issue was open space. He said he went through the whole school master plan and saw that the consultant did a study on four schools so he believed we got what we asked for.

Mr. Dzikzek brought up the available land in Town, noting, for example, on a tour of George Lee's land, all boards were represented. He felt a professional should do a matrix for the Town for all available land, which possibly was already being done, but felt different groups were starting to work together. He stated certain factors could reduce growth while still making sure the Town is still well-rounded. Mr. Brodeur was certain that, no matter what else, we would be in trouble soon with fitting everyone into classrooms. Mr. MacDougall asked if there was a new process in place to build new schools, but Mr. Brodeur said it still goes back to Town Meeting.

Mrs. Rozanski suggested that, since this discussion was under public comments, that they take what had been said under advisement and review prior to Town Meeting.

8:00 p.m. - Administrator's Report.

- Mr. Hartman referred to Bob Speroni's memo indicating the footbridge has been built, accepted and is ours. Mr. Johnson felt the bridge was 2' higher over ground level. Mr. Hartman indicated he would ask the Building Inspector about that, but thought there was to be a ramp there. Mr. Brodeur noted that the Building Inspector accepted the footbridge structurally.

- Mr. Hartman stated he received correspondence from the Park Commissioners indicating page 2.

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they had learned that some of their employees' positions were not placed in the classification system. Mr. Hartman said he would be working with them on this, but they were not part of the union contract. Mrs. Rozanski asked Mr. Hartman how he was doing on research on the JCRB, and he noted he was still looking at it. He did mention that the Board of Selectmen and Board of Health created a data processing clerk and an appointment was made. The minutes reflect that person was appointed in 1997. A potential conflict of interest was investigated. Mr. Brodeur asked if the appointment was made as reflected in Board of Health minutes? Mr. Hartman clarified they were in the Selectmen's minutes, and the source of funding is different than the previous employee.

Conversation then shifted to other employees, i.e. the new COA Director, who also works for the School Committee. Mr. Hartman stated under IRS regulations, the Town is still considered one employer, and employees becomes benefit eligible when they work 20 hours. Another potential employee that fits in the scenario is the Planning Board Secretary who has applied for the ZBA Secretary position. This issue would have to be revisited for budgetary reasons. Another example is Shirley who works part-time for two departments but is a full-time employee.

Mr. Brodeur brought up the Town Accountant, who is an employee of the Board of Selectmen not under the Town Administrator. Mrs. Rozanski stated, however, she is part of the Town staff so she should be under the Personnel Director. Mr. Hartman said he has not supervised the employee because she believes she is under the Selectmen. Mrs. Rozanski noted she would still go to JCRB and the Selectmen would make the recommendation. Mr. Johnson said it should be defined who she's working for under the supervision of Mr. Hartman. Mr. Brodeur suggested Mr. Hartman come up with a paragraph outlining a process, possibly a memo of understanding. Mrs. Rozanski reminded the Board certain things were statutory. Mr. Brodeur suggested the 14th to do Mrs. Mehta's evaluation, and asked the Secretary to provide the other Board members with blank evaluation forms. He thought he could call the Board members and submit a combined score. Mrs. Rozanski stated a merit increase for her would not be effective until July 1st. Mr. Johnson did not see why someone should be penalized if they don't belong to the Union. Mrs. Rozanski suggested possibly a contract with her as legislation allows some contracts with some people. Mr. Hartman stated it was to the Board's advantage to encourage those who are not part of the Union to grant them parity.

- The passing away of former School Principal John McGovern was brought up, and Mr. Hartman noted there was no official Town policy on draping. Mrs. Rozanski said it was an informal policy to drape Town Hall for elected officials only. Mr. Brodeur suggested Mr. Hartman come up with a policy, possibly by checking with other Towns. Mr. Dziczek felt this was opening up the door for others if they were not elected officials. Mr. Brodeur then suggested doing nothing for now but discuss it again later on.

- Mr. Brodeur noted Mr. Hartman would be on vacation next week.

- Committee Reports.

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- Mrs. Rozanski noted attending the MMA board meeting at which time several proposals were made concerning the 1999 legislative package including library funding, state mandates, an increase in excise tax abatement, ch. 70 relief program and the school spending account.

- Mrs. Rozanski said she and Mr. Dziczek attended the FinCom meeting and with reference to Park, FinCom was in favor of transferring \$7,000 so the tennis courts could be completed. Again on the issue of Park, she asked Mr. Hartman how the Idylbrook property was going. He stated he was working with Mark Aldridge for new specs for an RFP since the first bids were rejected because the low bidder had done the fields behind the Memorial School in a sub-standard manner. Mr. Hartman stated the Idylbrook grant contract was presently with Town Counsel for guidelines on the handling process since the documents indicate the Park Commissioners have to sign the contract which is contrary to what Town Counsel has stated before.

With reference to the corrosion control article from the Water/Sewer Department, Mrs. Rozanski said FinCom voted to defer a vote until they had an actual figure. Mr. Hartman noted bids were coming in this evening on that issue and they were unsure if there was sufficient appropriation, so the article was put on as a safety measure.

- Mr. Dziczek brought up the FinCom meeting as well and said they were wondering how the Board would charge the committee to review the school's feasibility study and how many people would be on it. Mr. Brodeur asked Charlie Myers for a recommendation, and asked the Secretary to include this as an action item for next week. Mr. Johnson felt the committee should be charged with studying the report before any further action is taken. Mr. Brodeur felt the FinCom were just looking for a recommendation from the Board since it was two weeks before Town Meeting. Mr. Johnson commented that the FinCom worked for the Selectmen, but Mr. Dziczek differed.

- Mr. Dziczek noted the holiday parade coming up on Saturday, the 28th at 4 p.m. Mr. Hartman added that Robert Power would be the Grand Marshall, and that it starts at the High School and proceeds down Main Street to Choate Park for the tree lighting.

- Mr. Dziczek also added that the boys High School soccer team won the State championship.

- Mr. Brodeur went over for the viewing audience what happened at the recent ZBA hearing with the 51 affordable houses that Narducci Corp. wanted to build. He stated they have proposed an alternate plan for 53 condos, and that the hearing has been continued to December 16th. Mr. Johnson noted the apartments were much smaller, and the number of children attending Medway schools might be less because it would be an ideal location for seniors to live.

- With reference to committee reports, Mr. Johnson said he would forego them since Labor Counsel was present to meet with the Board.

8:50 p.m. - Mrs. Rozanski moved to adjourn to executive session for the purpose of collective bargaining strategy for union and non-union personnel, and potential litigation, and to return page 4.

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to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Gildea - yes; Mr. Dziczek - yes; Mrs. Rozanski - yes; Mr. Brodeur - yes; Mr. Johnson - yes.

9:45 p.m. - Mr. Brodeur reconvened the meeting.

- Action Items.

#1. Mr. Hartman brought up the annual agreement for administrative services with Blue Cross and Blue Shield, noting it is dated July 1, 1998. Mrs. Rozanski moved to authorize the Chairman to sign the agreement; Mr. Dziczek seconded; all aye. Mr. Johnson had some reservations.

Mr. Hartman felt the FinCom has to be educated on Ch. 32 stating they don't understand what employees receive under collective bargaining and that state law governs. He added the Board elected to appoint an insurance committee and gave them authority which under law, could be the Board of Selectmen or Town Meeting. When it comes to bargaining, he would bargain with the insurance committee, not the Union, but each Union must be represented on the committee, which in the past, has functioned on a majority vote. From what he sees, it could have been adopted by the Board under section 19 of 32B. Mrs. Rozanski agreed information needed to be known. Mr. Hartman said the Secretary was trying to see how the committee was created. Mr. Johnson asked if the Town was in compliance. Mr. Hartman felt it had been adopted because they define "employee" by 32A which is 1040 hours, but all employees are 32B. He added it was in the Town's best interest to have the committee. He added if all employees were under the 60/40, we would be spending more money; the 90/10 was a lot less expensive. He noted he did want to propose some changes in the insurance plan in the future.

#2. With reference to the World AIDS Day proclamation, Mr. Dziczek moved it be signed by the Board; Mr. Johnson seconded; all aye.

- The Pavlick land was brought up, and Mr. Hartman noted it still has to go through the ZBA through the local incentive program like any other 40B but it goes through the process of the Board of Selectmen first which allows more control.

#3. The Board noted the Housing Authority's request to assemble an affordable housing committee. Mr. Hartman felt that Narducci's plan prompted them to feel the committee should be reactivated, and suggested they meet with the Board but after the first of the year and discuss the charge at that time. Mr. Johnson agreed someone has to monitor the subsidized housing when it is built as part of the contract.

- The Secretary was asked to see if Martin Murphy had moved to Norfolk and was a registered voter there, and if so, Mr. Knueven could be considered for the ZBA position. She informed the Board no letter of resignation had been received by the Office from Mr. Murphy.

- Mr. Hartman stated that based on the recommendation of the Council on Aging, Missy Dziczek had been hired as COA Director, and Gordon Grosby as Van Driver. A backup driver will be followed up with Mrs. Dziczek when Mr. Hartman returns.

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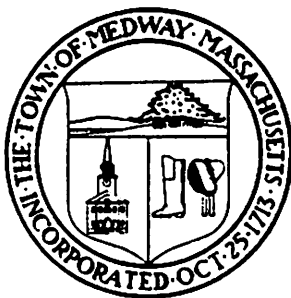
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10:15 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Reviewed &  
mailed 12/14/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### *AGENDA*

*NOVEMBER 16, 1998*

*Location: Sanford Hall of Town Hall*

- 7:00 p.m. - Open meeting, sign warrants.
- Public Comments.
- 7:30 p.m. - Review and approval of position of Highway Foreman.
- 8:15 p.m. - Kevin Conley re: sign permit.
- Administrator's Report:
- Correspondence.
- For your information.
- Personnel activities.
- Other.
- Committee Reports.
- Action Items:
1. Review and Chairman sign estimate #4 for Bardon-Trimount.
  2. Review and Chairman sign stop loss contract from LINA.
  3. Sign proclamation for Postmaster Ronald Pauline.
  4. Address letter from Barry MacDougall.
  5. Address letter from School Department
  6. Review and sign warrant for STM.

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Present: James Brodeur, Richard Gildea, Harry Johnson, Joseph Dziczek, Town Administrator Michael Hartman. Raphaela Rozanski was absent.

7:04 p.m. - Mr. Brodeur called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of warrant #21 as read totalling \$562,053.22; Mr. Dziczek seconded; all aye. In reviewing the warrants, Mr. Johnson commented that \$250 million had been paid on the Alder Street project. He noted his concern, however, that the Senior Center's electric bill was \$1,439. Mr. Brodeur recommended that bill be held out and reviewed. Mr. Hartman said MunEnergy should kick in soon and costs go down. Mr. Brodeur just wanted to be assured that it was not something that was contractor-related. Mr. Hartman said he would check it out in the morning, but then moved that the bill be paid conditioned that it was part of the Senior Center operating budget and bills, and not an expense of the contractor; Mr. Dziczek seconded; all aye.

With reference to Bardon-Trimount, Mr. Hartman stated they were withholding liquidated damages of \$275/day + 10% retainage. He noted they have asked for an extension through next April, which he is currently reviewing with DCI. Mr. Brodeur commented that possibly the concrete sidewalks could be waived for construction requirements. Mr. Hartman stated the Town would have to formally request an extension on the PWED grant from the State.

7:15 p.m. - Public Comments.

- Steve Barrasso, Chairman of the School Committee, expressed his disappointment with no cable coverage this evening as his comments related to a recent cable broadcast. He was also disappointed that Mrs. Rozanski was not here as he wanted to correct some misconceptions the Board had, including some remarks she had made.

Mr. Barrasso stated the chapter 70 funding constituted a complicated formula. He referred to Mrs. Rozanski's comments on not wanting to give the \$75,000 to the schools because she believed they were in excess of the foundation budget. He stated the foundation budget was \$13,684,408, with not all items counted, but spending was \$12,008,676. Their air has been to reduce the gap between both.

Mr. Barrasso said part of the process is understanding that chapter 70 money is an estimate; if it comes in higher, they would get then try to get it through town meeting with the support of the FinCom. He said they started in a deficit of \$300,000, and \$75,000 would have helped. He felt that cherry sheet monies not allocated, i.e. lottery funds in excess, entitles the schools to 60%, as when the Town was short some years back, they were asked by FinCom to absorb 60%; the same was true if there was excess.

Mr. Barrasso said he was troubled with the way the articles were dismissed as no vote was taken. He felt the process was the problem. Mr. Brodeur and Mr. Johnson both explained the vote was taken at the end of the meeting, after the cable cameras shut down. Mr. Barrasso did not feel the process should be determined by the loudest voice. He stated it was an explicit understanding with the FinCom that if chapter 70 monies were higher, the schools were entitled

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to it, and they would seek it.

FinCom rep, Dawn Boyan, agreed with the FinCom philosophy that if there is a deficit, a percentage belongs to the school, and the same with excess. Mr. Brodeur noted that the school department should be working on developing their new budget and could hope for new dollars. Mrs. Boyan noted, however, that funding, if available, would not be approved until after town meeting. Mr. Barrasso stated if additional school choice dollars come in, they would meet with the FinCom, but had been looking to a town meeting to get the \$75,000.

School Committee member, Diana Faust, also remembered the agreement with the FinCom with regard to chapter 70 monies and new growth. Mrs. Boyan noted this was an informal discussion with the FinCom that was held. As a matter of fact, Mr. Barrasso felt they were also closer to 70% than 60% of what they should receive.

Mr. Barrasso then touched on the issue of the school building committee which has been brought up several times, including being notified by the Selectman Chairman that the existing committee does not have any jurisdiction beyond the Memorial School, as well as asking for a copy of the feasibility study. He commented all they wanted was the townspeople to see the article on the warrant and decide for themselves. Mr. Barrasso noted the long-standing cooperative relationship between the boards.

Mr. Brodeur thought they would probably have an early Spring town meeting for them. In discussing the report, Mr. Barrasso felt others will be reviewing it. He also referred to Mr. Johnson's comments that Town Counsel's letter discussed "inappropriate use of funds" at their last meeting and asked for a copy of Counsel's letter. Barry MacDougall felt the contract with SMMA allowed for an independent review of the report, but did not specify a copy was to be given to the Town Clerk or the Library. Mr. Barrasso stated copies would be distributed, and again, asked for a copy of Counsel's letter. He stated Mr. Hartman had told him the Board would be voting to release the document, and would be expecting an apology if the letter did not mention "inappropriate use of funds". Mr. Johnson said he had attended the School Committee meeting and expressed appreciation for the work done, but did not feel this whole thing should be forced onto the townspeople. Mr. Barrasso said he had no problem with slowing down the process. Mr. Gildea agreed with Mr. Johnson noting the Board did not have anything to work with, and could not expect them just to go along with it. Mr. Barrasso commented Mr. Gildea has never been to one of their meetings either. Mr. Barrasso also mentioned Mrs. Rozanski as being the "champion of process" forever asking about "the process". He felt it was "assassination in innuendo", and asked for the identity of the FinCom people who aren't in favor of the school project according to Mrs. Rozanski.

Mr. Brodeur said he went through the entire report and felt it was very good and very complete. Mr. Barrasso said the word "feasibility" is a misnomer. Mr. Brodeur agreed noting 1/3 was feasibility, and the rest "where do we go from here". Again, he suggested an early February town meeting, with Mr. Gildea adding only for school articles. Mr. Barrasso said it has to be in January. Mr. MacDougall commented how difficult it is in winter for the seniors to get out. Mr. Johnson did not believe a town meeting was enough; the ballot was also needed. Mr. Brodeur  
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agreed it was a long process with town meeting, design funding, ballot question, debt exclusion, etc.

Mr. MacDougall again noted his concern that the school department was possibly circumventing the bid process designed to eliminate other bidders on this project. He also did not understand how the school department could secure the services of the architect for the Town, and not the Board of Selectmen. He stressed his concern with the process and the speed in which everything was progressing. Mr. Brodeur said his only concern was that SMMA did the Memorial School, and now this. Mr. Barrasso asked that he not confuse the architect with problems encountered with the contractor.

Mr. MacDougall queried why they had to start from scratch as there were plenty of plans that existed for schools already that we could utilize.

Mr. Dzikzek wanted to bring the Board's attention to the whole scope feeling they were just narrowing their thoughts solely on school. They need to define needs involving everything such as open space, master plan, the purchasing of land, etc. He stated they should not be afraid of the future, but did want figures from FinCom on all this. Mr. Brodeur was assured these were 1998 prices being presented, with Mr. Barrasso adding there was no question there would be escalation over 12 years. Mr. Brodeur suggested he come back in two weeks, but Mr. Barrasso said he would be at the Selectmen's meetings every week.

Mr. Brodeur went back to Town Counsel's letter of November 2nd noting some of the opinion mentioned therein including: once the task is completed by the Memorial school building committee, the committee ceases to exist; the status of any action taken by this committee is only exploratory and not binding on new proposals; and the wording on warrant articles cannot be changed by FinCom only if it fits within the four corners of the article. Mr. Brodeur said there are still outstanding payments to the architect, and he was not comfortable with the process of awarding, but felt they did what was asked of them. Mr. MacDougall said he would be sending a letter to the Board by the end of week showing them SMMA was in breach of contract.

Mr. Johnson asked Mr. Hartman about the distribution of Town Counsel's letter - was it a matter of public record. Mr. Hartman said the Board instructed him to retain the letter as a lawyer/client privilege, but when they spoke about the letter, he believed they made it public. Mr. Johnson said there would be no further action until Wednesday when Mr. Hartman could confer with Town Counsel. Mr. Hartman stated if Town Counsel approved its release, he would fax a copy to Mr. Barrasso and Dr. Bettencourt. Mr. Brodeur loaned Mr. MacDougall his copy of the SMMA report.

8:25 p.m. - Mr. Hartman brought up the position of Highway Foreman, noting DPS Director Lee Henry was here only to provide backup. Mr. Hartman stated now that they have a permanent DPS Director, the request is to approve the position of Highway Foreman. Mr. Brodeur provided some background information indicating there previously used to be a highway superintendent, and an assistant highway superintendent who became acting highway superintendent. Mr. Hartman stated where there used to be two positions, there are now two new created positions. He is  
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recommending leaving the previous two positions vacant as unfunded since he believed it was the previous board's intention to research a more managerial approach. The Foreman would provide the day to day contact with the employees and their assigned tasks. Mr. Hartman noted the Town has a history of promoting from within if qualified. He will have to bargain with the Union on the grade and salary, but will probably recommend a grade 9 which is in between the two vacant positions. Since it is a creation of a new position, it does not have to be cleared with the Union; he only has to bargain salary as part of management's rights. Mr. Hartman noted the DPS Director was doing the paperwork and chapter 90 reimbursements.

Mr. Johnson asked about the job description format, and Mr. Hartman said it was the Town's adopted format which includes the definition, distinguishing characteristics, examples of work and recommended minimum qualifications. Mr. Johnson asked about the advertisement, but Mr. Hartman said the Board need not get involved in that process. Mr. Johnson said he would withhold his vote. Mr. Dziczek moved the Board accept the position of Highway Foreman and advertise; Mr. Gildea seconded; Mr. Johnson abstained; aye.

8:40 p.m. - Kevin Conley of Long Distance Tire came to meet with the Board concerning a request for a larger sign for his business at 85 Main Street which had been denied by the Building Inspector. Mr. Conley felt the original sign was only a temporary sign, and now the request was for the double-sided one presented tonight which was 34 square feet. He stated the Building Inspector felt the height and location were fine, but the size did not conform to zoning by-laws. Mr. Conley gave examples of the square footages of other signs in the area, i.e. Reardons-220, Burger King-122, Mobile-90, Summit Bank-48, Dunkin Donuts-42 - all estimates from his best judgment.

Mr. Johnson reminded Mr. Conley that the Board had said some weeks ago said that there would be no more favorable consideration for Mr. Conley until the drainage requirements of his site plan had been complied with. Mr. Conley said he was to plant some evergreen trees, which he did. He felt he was in compliance. Mr. Johnson asked if Mr. Speroni had signed off. Mr. Hartman stated Mr. Speroni did, and Mr. Conley has completed the requirements in accordance with the site plan.

Mr. Brodeur brought up the point of the nearby residents who had come to meet with the Board to voice their concerns with water run-off. Mr. Conley said he completed berms at the end of September. When asked by Mr. Johnson why the Board should grant the variance, Mr. Conley said so his logo can be seen properly with specials advertised as other businesses. Mr. Dziczek was assured there was no traffic obstruction with the sign. Mr. Johnson stated maybe the by-law should be changed if everyone wants to change their signs, but moved Mr. Conley be granted the variance; Mr. Gildea seconded; all aye.

Mr. MacDougall stated he would like to see the Board do an inventory of Main Street signs; which ones have been given permits and which ones haven't, and then send a letter to merchants if they were in non-compliance. Mr. Brodeur said that the Building Inspector could be charged with that, including those that are grandfathered. Mr. Dziczek thought that, when businesses come into Town, they should be given information on signs right away.

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- Administrator's Report.

- Mr. Hartman said that the Master Plan Committee suggested development of a brochure to spur economic development, which could information on signs as Mr. Dziczek suggested, a simplified version of the permitting process, etc. He felt with the upcoming computer capabilities, the brochure could be done in-house.

- Mr. Hartman acknowledged a lengthy packet from Rep. Marie Parente on the I-495 Initiative/Campaign for Shared Solutions. Mr. Dziczek got the impression her letter seemed to represent Milford more, but Mr. Hartman understood she was trying to tell the Board to be careful or they could lose local control.

- Mr. Hartman reminded the Board of the continuation of the ZBA comprehensive plan public hearing on Wednesday, November 18th.

- Mr. Hartman stated that the appraisal for Holliston to tie into CRPCD and the value of the plant system should be done in about a week and they will share that information with us.

- Mr. Brodeur thanked the Fire Department for the receipt of calendars which included drawings on fire safety by Medway students.

- Committee Reports.

- Mr. Johnson said he attended a water resource board meeting in Bellingham. He noted DEP gave an extensive briefing, and asked DEP to send a copy of their presentation to Medway since we had the sewer plant here. Mr. Johnson felt this was a resource we have abused. It was brought up that reclaimed water could be used which would reduce usage.

- Mr. Johnson said the Assessors were working on and hoping to balance the budget.

- Mr. Johnson said he recently attended a joint meeting with Mr. Hartman and Blue Cross/Blue Shield. He came away believing we had the best system in the country and that the Town gets the most for their dollars.

- Mr. Johnson thought it would be a good idea if Sithe came back to give another presentation for the people around here.

- Mr. Johnson noted receipt of the SMMA report on schools.

- Mr. Johnson asked that extra copies of the Master Plan Committee's draft be available for those that would request it.

- Action Items.

#1. Mr. Hartman noted it was not necessary for the Board to review the estimate for page 5.

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Bardon-Trimount since their taking action on the warrant took care of this action item. Mr. Brodeur signed the estimate.

#2 Mr. Hartman asked the Chairman to sign the stop loss contract from LINA. He stated it was the same coverage, but needs to be renewed every year. He noted that the stop loss is \$60,000; anything over that is paid by Stop Loss. Mr. Johnson moved to accept policy #FSL160115 with LINA effective July 1, 1998; Mr. Dziczek seconded; all aye. Mr. Brodeur signed the document.

#3. The Board signed the proclamation for Postmaster Ronald Pauline. It was unsure at this time who would attend the ceremony.

#4. The Board addressed the letter from Barry MacDougall dated November 12th in which he requested that a committee be formed to investigate the feasibility of the Town adopting a school voucher system to be used towards a public or private school of their choice.

At this point, Mr. Barrasso interrupted to advise the Board he had just spoken to the Superintendent and by Wednesday, a copy of the SMMA report would be at the Town Clerk's office and at the Library.

Mr. MacDougall brought the discussion back to the voucher system, and Diana Faust noted any parent could utilize school choice.

#5. The letter from the Superintendent dated November 13th indicating the action taken at the November 12th School Committee meeting was acknowledged. The letter stated the vote taken which was to adopt the master plan study for the Medway public schools dated November 6, 1998 and submit it to the Selectmen for review and implementation, and to take other specific steps as outlined and pertaining thereto.

Mr. Johnson said he had not read enough of the report to discuss a site plan for the high school, but knew there were few vacant areas available in Town to use for a site. Mr. MacDougall asked that consideration be given to alternate options, i.e. double sessions. Mr. Johnson again brought up the Treasurer's concern by her attendance at the recent School Committee meeting indicating that we may have reached our debt and borrowing limit. In speaking with the Superintendent, Mr. Johnson said the Committee was not charged with determining cost, but the feasibility study includes cost.

#6. The Board reviewed the warrant with the corrections made. Mr. Johnson moved to sign and accept the warrant as corrected; Mr. Dziczek seconded; all aye.

- Mr. Hartman brought up a letter received today by fax from CSG to the American Arbitration Association on the Library project which has been referred to Town Counsel. In speaking to the Town Accountant, she said the library project is paid in full. Since the Town has paid the general contractor, the matter should be between the general contractor and the sub.

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NOVEMBER 16, 1998

- Mr. Hartman noted receipt of a letter from Berlin Steel demanding direct payment for the outstanding balance which had been referred to Town Counsel, and a copy of which was sent to the Clerk of the Works, John Boczanowski, and the Chairman of the school building committee, Linda Reynolds.

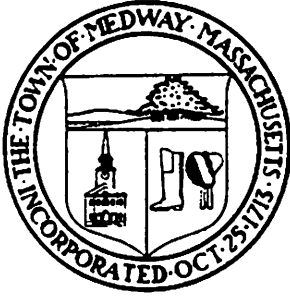
- Mr. Hartman brought up a piece of land on Trotter Drive that we did not accept enough of. Part of the acceptance includes a small semi-circle portion of which the Board has already approved site plans for Marzilli and Timber Tree. The footbridge is almost 90% complete and the Building Inspector is ready to shut down them because they don't have enough frontage. Kiewit is ready to transfer the property to the Town and has submitted the deed for the transfer. Mr. Brodeur asked if this has to go to town meeting. Mr. Hartman explained the Town already accepted that piece but it did not get recorded on land records and has not been registered. Mr. Johnson moved to accept the land from Union Rock at the end of Trotter Drive for 3,713 sq. ft; Mr. Dziczek seconded; all aye.

9:45 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved  
12/14/98.*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### *AGENDA*

*NOVEMBER 9, 1998*

*Location: Sanford Hall of Town Hall*

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of 10/19/98, 10/26/98, 11/2/98.
- Public Comments.
  - Administrator's Report:
    - Correspondence.
    - For your information.
    - Personnel activities.
    - Other.
  - Committee Reports.
  - Action Items:
    1. Approval of Bell-Atlantic pole petition #98-16 (no public hearing required)
    2. Approval of mutual aid agreement for police services.
    3. Sign proclamation for Postmaster Ronald Pauline.
    4. Review warrant for STM.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 9, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Town Administrator Michael Hartman. Joseph Dziczek came late to the meeting.

7:03 p.m. - Mr. Brodeur called the meeting in Sanford Hall of Town Hall.

- Mrs. Rozanski moved the Board approve and sign warrant #20 totalling \$854,836.94; Mr. Gildea seconded; all aye.
- Mr. Brodeur asked that the proclamation for Postmaster Ronald Pauline include the recognition of "Ronald Pauline Day". The Secretary will revise it.
- Mrs. Rozanski moved approval of the minutes of October 19th with a minor correction; Mr. Brodeur seconded; all aye.
- Mrs. Rozanski moved approval of the minutes of November 2nd; Mr. Gildea seconded; all aye.
- Mr. Johnson acknowledged the help of Megan Fovel and Laura Bullock with clean-up work for the Park Department.
- Mr. Johnson asked Mr. Hartman if he had received any explanation from the Housing Authority on the grade report the Board recently received. Mr. Hartman said he was awaiting a return phone call from Mary O'Leary.
- Public Comments.
- Barry MacDougall, who was in attendance, cited recent odors seemingly emanating from CRPCD. The Secretary explained CRPCD had called the Office during the day and noted a septic system failure on Farm Street was the apparent problem.

Mr. MacDougall stated that a Supreme Court decision he recently heard about allows vouchers for parents to send their children to private schools. He noted that people may opt for this with ultimately children leaving Medway schools. This related to the feasibility study recently undertaken which could then have errors on the total number of students if vouchers were used. He felt this area needed to be addressed and the Board of Selectmen needed to assume control of this as well as any building.

Mr. Brodeur reiterated he had sent a letter to the School Department on behalf of the Board informing them of the mandate that all contracts go through the Board of Selectmen, and that they will be the ones appointing a new committee. Mrs. Rozanski noted the Ed Reform Act expires in the year 2000.

Mr. MacDougall commented that the Department of Education has stated building maintenance will be more specific in the future, however, for now, it is not serving the needs of the taxpayers as they deserve basic maintenance.



MINUTES OF THE SELECTMEN'S MEETING  
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Going back to the voucher system, Mr. Brodeur questioned if that would reduce the funds Medway would receive if students went elsewhere. Mrs. Rozanski believed the money followed the students, but there would be a decrease in revenue to the Town.

Going in another direction, Mr. MacDougall felt it made sense to buy up all the farm land if it comes up for sale as it would eliminate some of the building problems we were having.

Mr. Johnson inquired as to what the School Department has already paid to SMMA, knowing that in March/April \$21,250 was paid, and subsequent payments later on, assuming about \$10,000 was left, but felt that the draft should have been presented prior to almost all the funds being expended.

Mr. Hartman said, in speaking with the Superintendent last week, the report should be available this week. Mr. Gildea said he would request a copy.

Mr. Johnson asked about the approval process for payment to SMMA, assuming they were submitted to Dave Verdolino and approved, but does the School Committee see them?

(7:30 p.m. - Mr. Hartman left the meeting to attend a bid opening in the Water/Sewer Department.)

Mrs. Rozanski asked the same question trying to find out if there was backup. Mr. Gildea said, in speaking with Charlie Myers, he did not believe some invoices had been paid, and in fact, they were. He was concerned that the Town Accountant would pay an invoice without backup.

- Committee Reports.

- Mrs. Rozanski said she would try to attend an upcoming forum with DEP on December 3rd with regard to streamlining procedures, spills, 23Es, and the sewer relief fund.

Mrs. Rozanski stated that John Larney, on behalf of the Old Colony Boy Scouts of America Council, approached her with regard to presenting a plaque to the Town at a Selectmen's meeting noting the names of the 32 Medway Eagle Scouts. She asked if the Board would like to vote to accept and display, and so moved that the Board set a date to accept the plaque at their convenience; Mr. Gildea seconded; all aye.

Mrs. Rozanski said she was going to the MMA Board of Directors meeting the next day with regard to a cap on the foundation budget.

- Mr. Johnson said he attended a water resources meeting. He noted some action has been taken to have a study done, and a copy of that study will be coming to the Town. Mr. Johnson said there was also discussion on infiltration and surface water into the sewer system. No one had a solution. He asked for a copy of the slide presentation. He noted Mrs. Rozanski, Mary Ellen Lavenberg and Jean Johnson attended as well. Mr. Brodeur wondered if, when received, the slide presentation could be put on cable.

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7:50 p.m. - Chief Vinton came to request the Board sign an emergency transfer for a control panel for the Police/Fire Communications system which went down. He stated while responding to a fire on Main Street, the system failed, and Millis Fire Department helped them dispatch. The problem was they could transmit but not receive, so there was no communication for police and fire. The system has been repaired several times in the past, and Voorhees came in for a temporary fix with remotes. Mrs. Rozanski asked if there was an upgrade planned? The Chief stated he and Chief Lambirth have asked for three years that CIPC consider it.

Mr. Johnson asked for further background. The Chief stated the system operates 24 hours a day, 7 days a week since the Police Station was built 8 years ago. The panel is now a total loss, and believed it went down because of age, use, and that it was an old analog system.

Mr. Brodeur asked if there were any funds available? The Chief said none of the three departments (Police, Fire, Police/Fire Communications) have the funds.

Mrs. Rozanski moved to approve the request of Police/Fire Communications to ask the FinCom for an emergency transfer for replacing of the control panel for \$9,000; Mr. Gildea seconded; all aye. The Chief said he will still pursue an upgrade from CIPC, and noted the system was on the State bid list, *and that the \$9,000 panel is compatible with any other system.*

- Action Items.

- #1. The Board reviewed a joint petition from Bell-Atlantic and Boston Edison for the removal of pole #79 on Holliston Street, not requiring a public hearing. Mrs. Rozanski moved to approve petition #98-16; Mr. Gildea seconded; all aye.

- #3. The Board will sign the proclamation for Ronald Pauline next week.

- #2. The Board noted receipt of a mutual aid agreement for police services, noting it replaces an existing pact between many neighboring towns. Mrs. Rozanski moved approval of the proposed mutual aid agreement; Mr. Gildea seconded; all aye.

- Administrator's Report.

- Mr. Hartman presented to the Board a job description for the proposed position of Highway Foreman for discussion next week. Mrs. Rozanski asked if they would abolish the other positions that are vacant? Mr. Hartman said he would allow them to remain as two positions on the classification system that are not filled or funded but still exist. He noted where there were two older positions, now two new positions have been created as part of the restructuring process.

- Mr. Hartman brought up the subject of the day after Thanksgiving, as he has received inquiries concerning the Board's adopting a policy. Mrs. Rozanski recalled each year it was voted to be a paid day, and after the union contract, it was gone. She said the option is there for employees to use vacation or personal days. Mr. Brodeur said the Town Hall could be closed to the public, with Mr. Hartman noting some offices may be closed, and some may be open,  
page 3.

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depending if the employees have vacation or personal time to utilize.

Mr. Johnson moved to close the Town Hall on November 27th, the day after Thanksgiving; Mr. Rozanski said it should be amended to be closed to the public; Mr. Johnson seconded the amendment; Mrs. Rozanski then amended Mr. Johnson's amendment to include notifying the public; Mr. Gildea seconded; all aye.

8:20 p.m. - Mr. Dziczek arrived for the meeting.

- #4. The Board reviewed the warrant articles. Some comments were made on the following:

PROP. 18  
STM  
ART. 5  
↓  
- health insurance - Mr. Hartman stated the Town Accountant feels there is more of a shortfall than the FinCom. He advised FinCom they should fund what the Consultant recommends. The FinCom's article was eliminated as it was a duplicate of the Board's.

- merit increases - Mr. Hartman noted some of the departments listed had already included the amounts in their budgets, but Planning Board and Library remain on the warrant.

- stabilization fund - Mr. Johnson asked what was in stabilization now remembering in FY97 there was \$380,000. He also had some concerns about transferring any more monies.

- tennis court - Mr. Hartman stated that \$19,000 had been funded at Town Meeting, but the bid came in at \$26,000. He noted they would like to do the renovations in the Spring.

- hand railings - Mrs. Rozanski asked if this should be an emergency transfer. Mr. Johnson said he would rather see it on the warrant, but Mrs. Rozanski noted Carla Cataldo had indicated if it was a safety issue, they could consider it for a transfer.

- exercise programs, landscaping, and maintenance - Mr. Johnson thought they were operating expenses and the Town should not be funding them at this time. These should have been part of their budget. Mr. Hartman ensured them the Town would be doing snow removal in the parking lot and on the sidewalk.

- salary for board of health - Mr. Hartman noted the clerk was an employee for GIS data entry, not a consultant. Mr. Johnson thought they were authorized to have a consultant, and this should be an expense, not a salary. He did not believe the Board created this position. Mrs. Rozanski thought the position was done without the Board's approval starting with Sandra Collum. Mr. Johnson asked Mr. Hartman to look at how it was created.

- corrosion control - Mr. Hartman noted they were coming back for more funding for the project, noting sub-bids were being opened this evening and the general bids next week. Mr. Johnson asked that an approximate figure be put in.

- ed reform act funding - Mrs. Rozanski believed they were already at 110% of the page 4.

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NOVEMBER 9, 1998

foundation budget. Mr. Hartman added that the Town Accountant believed they were at 122%. Mr. Dziczek believed the money had been sent to the Town for the school, but Mrs. Rozanski said they already spent those monies. This brought Mr. Johnson's thoughts on the 69% reimbursement for the new school and that the Town only gets \$500,000 each year for 20 years. Mr. Brodeur asked Mr. Hartman if the \$75,000 had not been budgeted. Mr. Hartman believed it was in their budget.

- building committee - Mr. Hartman explained this was the article that was rewritten with the Board's corrections.

- consulting school services - Mr. Dziczek said he knew the school department had just received the feasibility study and would vote on the issue on Thursday. This article may not go along with the study. Mr. Brodeur added that unofficially the Memorial school building committee helped this sub-committee. Mr. Johnson said when you put an article on the warrant, you are saying you agree with it. He stated he can't deal with it seriously when he knows you can't borrow any more money. Mrs. Rozanski noted she was not comfortable with this article and the one that followed, which was to acquire funding for architectural and engineering services for the McGovern School. She added this Town Meeting was not set to rush through a capital project of this magnitude. Mrs. Rozanski reminded the Board they said they would not support this issue until they saw the feasibility study. They don't have the information to show the Medway voters. Mr. Dziczek felt the people know. Again, Mrs. Rozanski asked if they felt these articles were appropriate for this Town Meeting, or would it be more appropriate to have another special town meeting if the feasibility study answers everyone's concerns. Mr. Brodeur just wanted to be assured they would have another special town meeting. Mr. Johnson brought up the point that the deadline may be impacted with another date. Mr. Hartman noted from a spreadsheet prepared by the Treasurer that on a house assessed at \$175,000, the highest impact of taxes would be \$800 with no other growth.

- architectural services - Mr. Johnson felt an appropriate group of people should study the feasibility study and make a report with a recommendation in 90 days. After the evaluation is done, then a building committee could be appointed in cooperation and conjunction with the school committee. If this group is not formed, who is going to evaluate the study for the Town and give that information to them, indicating if they are in agreement or not, and give a recommendation. The Board also discussed asking for recommendations in 30-60 days and to have another special town meeting in January/February solely on school-related articles.

- back to the new building committee - Mr. Dziczek asked how many should be on the committee. Mr. Johnson felt that could be left to the Selectmen, and also felt a sum of money should be added for related expenses. Mr. Hartman noted, on the previous committee, one was a member of school administration which allowed work to be done by them.

- Mr. Johnson brought up Narducci's plan with the ZBA and asked if Special Counsel was going to meet with the Board. Mr. Hartman said he met with him on the 21st and he helped prepare some correspondence for the ZBA Chairman.



MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 9, 1998

- Going back to the warrant, Mrs. Rozanski formally moved to include the articles they kept in or amended, and delete the other articles; Mr. Gildea seconded; all aye.

9:35 p.m. - Mr. Brodeur said they had continued the public hearing to this evening for C&R's Ron Murphy who wanted to relocate his Class II license to the location of Long Distance Tire. Mrs. Rozanski moved that they reconvene the hearing; Mr. Gildea seconded; all aye. The Secretary explained she had not heard from Mr. Murphy after the initial hearing, the Building Inspector had not heard from him, and no communication was received by the Planning Board with reference to a revised site plan, so she assumed he was not interested in pursuing the issue. Mrs. Rozanski moved the hearing be closed; Mr. Dziczek seconded; all aye. Mrs. Rozanski moved to disapprove the application for a Class II license for C&R Auto because of lack of further information; Mr. Dziczek seconded; all aye.

- Mr. Hartman stated he had received a phone call today from Ken Hamley with reference to meeting with the Board to discuss his group's position on further expansion of power plants. Mr. Brodeur recommended some time in January. Mrs. Rozanski suggested the second Saturday in January, the 9th.

9:50 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved as  
amended  
11/23/98*



MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 2, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Town Administrator Michael Hartman. Joseph Dziczek was absent.

7:00 p.m. - Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved to approve warrant #19 totalling \$342,865.93 as read; Mr. Gildea seconded; all aye.

- There were no public comments.

- Mr. Johnson mentioned that our debt is \$14 million according to City and Town.

7:05 p.m. - Philip McNulty came to meet with the Board concerning the evaluations of three employees. Mr. Brodeur commented Mr. McNulty always does a good job on documentation.

Mr. McNulty said Marie Penza, Staff Librarian-Circulation, had been with the Town since 1983 scoring a 42 on her evaluation form. His internal form prepared prior to the Town's form notes how she has met challenges during the year rated her as outstanding. Mrs. Rozanski moved to approve her evaluation at 42 points and approve a step increase; Mr. Johnson seconded; all aye.

Mr. McNulty stated Lorie Brownell, Library Assistant, scored a 43 on the Town's evaluation form and outstanding on the internal form. He noted she has been with the Town only one year, but found she is someone they can rely on to fill in when someone leaves. Mrs. Rozanski moved to approve her evaluation at 43 points and approve a step increase; Mr. Gildea seconded; all aye.

Mr. McNulty also scored Katherine Buday, Staff Librarian, with a 43 on the Town's evaluation form. He noted she changed grades when she changed positions, and had been at a step 1 since October of 1997. He, however, noted that evaluation forms have to be reviewed on their anniversary date with the Town, not the anniversary of being in a certain position with the Town. He recommended this eventually be changed. On the internal form, Mr. Johnson noted Ms. Buday scored commendable. Mr. Johnson stated he had a problem with a merit increase being approved with a "commendable" comment on an internal form, and a 43 on the

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 2, 1998

Town form. Mrs. Rozanski moved to approve the evaluation of Ms. Buday with 43 points, and to approve a step increase; Mr. Gildea seconded; all aye.

Mr. Brodeur asked if the transition from the Shopping Center back to High Street had been a good one, and if the increase in visibility had improved circulation? Mr. McNulty said there has not been a drop in circulation, and it was an ideal situation.

Again, Mr. Johnson noted his concern with the way evaluations are handled and that a 42 from a department head is an automatic merit increase. Mrs. Rozanski said the original intention was to reward special individuals, not a routine given. Mr. Brodeur stated the Board was challenged earlier on this and lost.

7:35 p.m. - Administrator's Report.

- Mr. Hartman acknowledged receipt of a letter from the U. S. Dept. of Housing and Urban Development stating that the Medway Housing Authority had scored 100.00% on their assessment for fiscal year ending June 30, 1998. Mr. Johnson questioned if the Housing Authority did not want to be evaluated in certain areas, that they so noted that, as an attachment to the letter indicated many "x"s denoting an excluded indicator or component. Mr. Hartman suggested dropping the Housing Authority a memo on the Board's behalf asking why those items were excluded.

- On a follow-up about the St. Joseph's Mens Club, Mr. Hartman said he had spoken to the Fire Chief when he found out that the Building Inspector and the Health Agent both had inspected the premises and it was not within their jurisdiction. He indicated the best way to handle this was through the Fire Marshall, so he had instructed Chief Vinton to make a determination.

- Mr. Hartman referred to a copy of Town Counsel's opinion on several school-related issues. The first item was with reference to the permanent school building committee, wherein he basically states the committee was formed for the task at hand, the new elementary school.

On the second issue of the scope of the existing first committee, anything that committee does is exploratory. Hence, they should have not have awarded the



MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 2, 1998

bid to the architect as only the Selectmen should bind the Town. However, Mr. Brodeur noted they did, and we've paid for it.

Mrs. Rozanski asked where do they go from here? Mr. Hartman said the first thing to do is let the School know. Mrs. Rozanski said the Superintendent and the School Committee have to be told that the building committee does not exist. Mrs. Rozanski moved to direct the Town Administrator to write a memo to the School Committee stating the permanent school building committee does not have any authority beyond the Memorial School. Mr. Hartman said the memo should come from Mr. Brodeur to Mr. Barrasso, Chairman to Chairman. Mrs. Rozanski so amended her motion; Mr. Johnson seconded; all aye.

In discussing the feasibility study, Mr. Hartman reminded the Board Art Bettencourt had indicated three weeks ago that there was a draft available, but it had to come as a direct request. The Board believed they had done so, but Mrs. Rozanski moved that the Board of Selectmen request a copy of the completed feasibility study as authorized by Article 5 of the Town Meeting of October 27, 1997 prior to any further action; Mr. Johnson seconded; all aye. It was requested this be a separate memo from the other from the Chairman. The Board agreed they need to see the finished product that's already been paid for. Mr. Hartman said he would do both memos the next day. He also suggested the communication from Town Counsel be considered as privileged at this time.

Mr. Johnson was concerned the document the School Committee signed with the architect allows that architect to move on in involvement with the whole picture of future construction. Mr. Hartman again stated the Board of Selectmen needs to take control. Mr. Brodeur commented on the successful projects of past architects, i.e. fire station, police station and library, but was concerned about some of the problems encountered at the Memorial School, and now future construction was possibly ahead. Mr. Johnson just wanted things to be done in the proper manner.

Mr. Brodeur felt that the Town had probably received one-half of their money's worth, and may have to spend a few dollars more to refine what they have.

The third issue involved what is voted at Town Meeting. Mr. Maciolek clearly indicated the wording of an article cannot be changed without an amendment from the floor. He also felt that the FinCom should fit within the "four

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NOVEMBER 2, 1998

corners of the article" as determined by the Town Moderator or Town Counsel. Mrs. Rozanski recalled in the past the probable wording of the motions were provided by the FinCom to the Board three days in advance of Town Meeting.

With reference to the joint statement with FinCom, Mr. Hartman said he had spoken to John Collett but FinCom would probably not be meeting again until November 18th so they would not be able to provide the Board any comments until possibly November 23rd.

- Mrs. Rozanski referred to Mr. Hartman's letter with attachments on the access funds. It was noted the president of Cable Access, Frank Pelletier, was upset with the \$95,000 being placed in the Town's treasury and not given directly to the PEG access group, and seemingly not able to access those funds. However, Mr. Hartman said he had told Mr. Pelletier the process was to speak to Treasurer Marge Sanford and Mr. Pelletier has not done so. Mr. Hartman reiterated the money went to the Town, and the Board of Selectmen is the Town. Mrs. Rozanski felt this was difficult for the access group to purchase capital items, however, Mr. Hartman stated the money is there for them; they just have to follow through on the process since it is a gift and similar to a revolving fund.

- Committee Reports.

- Mrs. Rozanski mentioned the Town received the \$50,000 for the Idylbrook grant. She noted Park Commissioners Al Magliaro and Mark Aldrich were there to receive the grant. She asked Mr. Hartman to notify Chairman Ellen Gove the Board would be looking for the contract to sign.

- Mrs. Rozanski said she observed binder was down on Ellis Street and that berms were starting to be constructed on Oakland Street.

- Mr. Brodeur said he received a letter at home from the resident at 8 Crooks Street because she felt she had not received a response to previous letters sent to the Town relative to a flooding problem. Mr. Hartman stated Mr. Henry had met with her to discuss the problem. Mr. Brodeur said he would respond to her letter through the Board since she was stating she wanted to hook up the catch basins through sewer which cannot be done.

MINUTES OF THE SELECTMEN'S MEETING  
NOVEMBER 2, 1998

- Mr. Brodeur noted a copy of a letter from Park Commissioner Chairman Ellen Gove and Park Superintendent Fred Sibley to Megan Fovel and Laura Bullock thanking them for some work they did. It was suggested the Selectmen provide them with a certificate, and Mr. Hartman will find out exactly where it was they did this work.

- Action Items.

#1. A letter from the Medway Lions Club was acknowledged requesting a permit to conduct their annual Christmas tree sale at the Shopping Center. Mr. Gildea moved the Board grant the permit; Mr. Johnson seconded; Mrs. Rozanski abstained; aye.

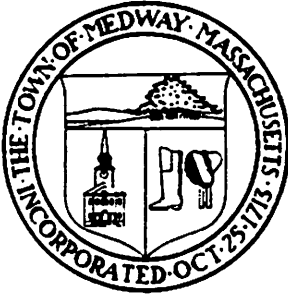
8:30 p.m. - The meeting was adjourned.

After the meeting was adjourned, Mr. Johnson asked Mr. Hartman if the letter had been written to the contractor on the Alder Street project concerning liquidated damages being assessed to them because the job had not been completed by the end of the month. Mr. Hartman said the letter had not been written yet, but the contractor has been notified. The issue of liquidated damages needs to be worked in with other unresolved contract issues.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved 11/9/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

**Michael J. Hartman**  
**Town Administrator**

### *AGENDA*

*OCTOBER 26, 1998*

*Location: Sanford Hall of Town Hall*

- 7:00 p.m. - Open meeting, sign warrants.
- Public Comments.
- 7:15 p.m. - Marjorie Sanford, Treasurer/Collector re: evaluation of Kim Shorey.
- 7:30 p.m. - Public Hearing re: application for a Class II license for C & R Auto at 85 Main Street.
- 7:45 p.m. - Public Hearing re: application for a Keno license for Medway Restaurant at 102 Main Street.
- 8:15 p.m. - Jeanne Pinkham re: vacancy on Cultural Council.
- Committee Reports.
- Action Items:
1. Request by Carol Langford for canisters in Town Hall.
  2. Installation ceremony of new postmaster.
  3. Board members to sign PWED project reimbursement forms.

NOTE: TOWN ADMINISTRATOR MICHAEL HARTMAN WILL NOT BE IN ATTENDANCE.

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 26, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joseph Dzikczek, Town Administrator Michael Hartman was absent.

7:06 p.m. - Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved to accept and sign warrant #18 totalling \$1,211,258.84; however, he did recommend that the Board take some action at a future date regarding a study on motion sensors at the schools saying that the electric bill for the schools is too high with \$250,000 spent on lights alone per year; Mrs. Rozanski seconded; all aye.

7:15 p.m. - Public Comments.

- Virginia Calapa was present and gave the Board a letter from the Open Space Committee requesting that they hold a special town meeting. Of particular interest is the open space zoning by-law rejected by the attorney general. She stated the Planning Board also endorses the holding of a special for the other zoning articles that were rejected by the attorney general. Mrs. Calapa stated this would make the by-law available immediately if approved the day of town meeting. She noted that this specific by-law was co-written by the Open Space Committee. Mr. Johnson noted 100 voters were required for zoning by-law changes. Mrs. Rozanski suggested discussing this later on in the evening as an action item.

7:25 p.m. - Public Comments.

- Barry MacDougall shared with the Board a copy of a letter given by Jack Ryan to the Finance Committee. Mr. Brodeur noted the letter was written on Friends of the Elders stationary and referred to future needs the FinCom should be aware of, including \$150,000 for an expansion to the Senior Center, \$40,000 for a garage for two vans, and \$58,000 for salaries. Mr. Johnson said that the letter was not from the FOE, but from Mr. Ryan himself. Mr. MacDougall felt, to have received positive approval, it would have been better to have heard from the Council on Aging.

- On another issue, Mr. MacDougall said he believed the Town of Medway was engaged in a fraudulent practice through the school's building committee on a feasibility study, but that is not how the article passed at town meeting. There was

MINUTES OF THE SELECTMEN'S MEETING  
OCTOBER 26, 1998

a change in the way the motion was made, but when the RFP went out, the wording was the way the original article was written on the warrant, but not the way it was passed. One version was for renovations and the other was for a feasibility study. Mr. MacDougall stated he had a problem with this because the only one who was in a position to know was the same architect for the Memorial School; others were at a disadvantage with less than two weeks to respond, and we have yet to see a study.

Mr. Brodeur asked if any payments had been made yet; Mr. Johnson said at least 90% was paid four warrants ago. Mr. MacDougall added other bidders could approach the Town for damages. Mrs. Rozanski wondered what the Board could do now since the money has been spent. Mr. MacDougall said the school committee should appoint a committee which would be overseen by the Board of Selectmen. There was a substantial investment involved here, and the townspeople should be given all options. Mrs. Rozanski said it would require a whole new bid process and a whole new appropriation. Mr. Johnson suggested this be tabled for later as an action item.

7:35 p.m. - Mr. Dziczek read the ad for a public hearing for a Class II license for C & R Auto to be located at Long Distance Tire, 85 Main Street.

C & R was represented by Ron Murphy, who stated he used to be located at 16 Main Street and just recently leased his property to another individual, because now he just wants to sell cars, not repair them.

Mr. Johnson commented he had not heard yet if the berm situation at Long Distance Tire had been done yet as part of the site plan.

Mrs. Rozanski noted there was no modification to the building or property; this was regarding six spaces near the street.

Mr. Brodeur said this was changing the requirement for the number of spaces, and the combining of two businesses. Mrs. Rozanski noted from Mr. Speroni's memo that it was an allowed use. However, Mr. Brodeur said this was a change in the site plan and requires their going to the Planning Board.

Mrs. Rozanski referred to a salesroom, and Mr. Murphy said he would just be occupying a small space in the building.

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Mr. Murphy also stated 26 spaces were striped off, but they can do 30 or even more.

Mrs. Rozanski still did not see a problem as the relationship between the two businesses was different and Long Distance Tire was not requesting a Class II license.

Mr. Brodeur again said Mr. Murphy would be utilizing customer spaces intended for something else, specifically Long Distance Tire. He felt it was still a change in use and required a new site plan review. He did not think they could avoid the process. Mrs. Rozanski felt if Mr. Conley of Long Distance Tire was asking for the license, it would be an enhancement.

Mr. Brodeur changed the conversation to, if they grant the license for sales, it would start to change the character of the town as well; however, Mrs. Rozanski stated they have granted Class II pocket licenses in the past for people to operate out of their homes.

Mr. Johnson agreed it was a new plan, and the operation was different than what was originally approved. Mr. Brodeur told Mr. Murphy he needed to have a hearing with the Planning Board, but did not see any problem with his getting approval from the Selectmen after that process was completed.

Mrs. Rozanski agreed noting Mr. Murphy has been a good neighbor with no problems. She stated they could give him the license, but he could not conduct business. Mr. Brodeur said there may be an abbreviated process, but only if the Building Inspector deems it is not a change in use, and could be waived.

Mrs. Rozanski moved the public hearing be continued to November 9th; Mr. Johnson seconded; all aye.

7:50 p.m. - Mr. Dzikczek read the ad for a public hearing on the application of Medway Restaurant for a keno license.

Myron Gale was present representing Medway Restaurant as its president. He stated that the last two times the original hearing was held, he was not aware he needed to be in attendance. Mr. Johnson explained it was part of the process, and to allow the public to voice their concerns.

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Mr. Brodeur noted his concern with the restaurant usually at a full house and the playing of keno possibly preventing some from leaving and others from coming in. Mr. Gale explained they can run keno from 12 Noon to 11 p.m., so it would not pose any problem with the breakfast crowd. He said he would run the keno from maybe 1 p.m. to 4 or 5 p.m. so it did not interfere with the dinner crowd as well. He stated he wanted to apply for the license because some of his customers have requested it. The Secretary noted keno was already at the VFW and China Lotus in Medway.

Mr. Brodeur said he has learned that the law has changed and package stores can no longer offer keno.

Mr. Gale noted that in the future, patrons may have to designate 4,500 sq. ft. for keno unless they have a liquor license which would supersede it.

Mr. Johnson moved to recommend approval to the State for a keno license for Medway Restaurant; Mr. Gildea seconded for discussion. The Secretary noted they first have to withdraw their original vote of June 15th before voting to recommend approval this time.

Mr. Dziczek said he was concerned with others loitering around on the sidewalk and playing keno from outside, and he was opposed to those just coming to play keno. Mr. Brodeur said it can be a condition that the TV cannot be seen from outside the restaurant. Mrs. Rozanski felt it would be a violation of the license if people loitered outside.

Mrs. Rozanski moved the hearing be closed; Mr. Dziczek seconded; all aye. Mr. Johnson moved to rescind the Board's original vote of June 15th in opposition; Mrs. Rozanski seconded; all aye. Mr. Johnson moved to recommend to the State Lottery Commission the granting of the keno license to Medway Restaurant; Mrs. Rozanski seconded; all aye.

8:10 p.m. - Treasurer/Collector Marjorie Sanford came to meet with the Board regarding the evaluation of Kim Shorey.

Mr. Brodeur reviewed the evaluation done by Mrs. Sanford and said she seemed to have rated quite favorably. Mrs. Sanford felt that the delinquency rate was now at less than 3%, where in the rest of the State, it was between 6 and 7%.  
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She stated that Ms. Shorey gets the demands and the bills out on time, and that they will soon be starting tax takings at a lower amount (\$100,000 less this year); she sets up and maintains receivables; prepared work sheets as the auditors requested; and has taken all courses offered. Mrs. Sanford said she wants to set up a new system especially for foreclosures for the next six months. She noted she was presenting redoing job descriptions for the whole office.

Mrs. Rozanski moved to approve the evaluation of Kim Shorey with 44 points and approve a step increase; Mr. Gildea seconded; all aye.

8:17 p.m. - Jeanne Pinkham came to meet with the Board to request appointment to the Cultural Council. Ms. Pinkham discovered, in reviewing her records, she had been past chairman when the Cultural Council used to be the Arts Lottery Council in 1984.

Mr. Johnson moved to accept Jeanne Pinkham as a member of the Cultural Council through 10/16/00; Mrs. Rozanski seconded; all aye.

8:20 p.m. - Committee Reports.

- Mrs. Rozanski announced there was a water resources meeting to be held on November 5th in Bellingham. She stated the DEP would be there and area towns as a sub-committee of SWAP, and she would be attending bringing back to the Board information on water recharge.

- Mr. Brodeur noted the public hearing held last Thursday with Sithe at which many Bellingham people were present. Mr. Johnson felt their issues were not relevant to the town's issues. He said we need a peak facility in case other plants go down, and with the buffer zones there, there will be less noise with the new facility.

Mr. Brodeur wondered about the 100 hours per year at the present facility on fuel oil vs 2000 hours per year at the new facility with natural gas. He asked if they should request a decibels and particulates level and a copy of their report.

Mr. MacDougall asked if the Board had read the letter he wrote, had they considered putting certain articles on the warrant, or the forming of a committee?  
page 5.

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Mr. Johnson stated they were no longer bound by the decision of the judge of years ago on how to derive the tax base; now, you can use income, cost less appreciation, and comparable sales. He also stated that years ago, Boston Edison was 33% of the tax base; now it is 3%.

Mrs. Rozanski suggested a letter be drafted so they could respond by 11/9. Mr. Brodeur said he would work on it.

- Action Items.

#1. Carol Langford, representing the Youth Center Committee, had requested to place penny canisters in town buildings. Mr. Johnson was not objecting to this, but questioned if they were a bonafide group. Mrs. Rozanski felt it would be alright subject to seeing verification of their organization, and moved to approve her request. Mr. Johnson amended her motion to include approval once it becomes a bonafide non-profit organization; Mr. Gildea seconded; all aye.

Mr. Brodeur stated they were just approving this one; any others would have to request the same to the Board, and they can't begin until they have non-profit status. Mr. Johnson noted, however, that the Library Director could still tell them he does not want it in the library; as could the Police Chief tell them that he does not want it in the Police Station. That is their choice even though the Selectmen said it was alright with them.

#2. The letter regarding the installation ceremony for Medway's new postmaster on 11/19 was brought up. Mr. Dzikczek moved to authorize Mr. Hartman to do up a proclamation and have the Board sign; Mrs. Rozanski seconded; all aye.

#3. Five PWED reimbursement forms for the Alder Street project were given to the Board to sign, with Mrs. Rozanski noting it was almost \$200,000.

With reference to this project, Mr. Johnson said some action should be taken on this. He said today was the completion date, and it was not completed. Mr. Johnson moved to notify the general contractor, with a copy to the engineer, that the Board realizes the completion date is at hand, and we will be withholding liquidated damages from this point on until further notice, with Mr. Brodeur writing the letter; Mrs. Rozanski seconded; all aye.

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- Mrs. Rozanski moved to set a date for a special town meeting for December 7th at 7:00 p.m. at Medway High School, and further to open the warrant tonight to be closed at 12 Noon on Friday, November 6th; Mr. Dziczek seconded; all aye. The Secretary was asked to notify all boards and Mr. Hartman of this.

- Mr. MacDougall asked about the status of the building behind Ton Hall. Mr. Brodeur felt it was with the Board of Health.

- Mrs. Rozanski asked about the letter to Town Counsel on several school-related issues, and the Secretary said Mr. Hartman had written the letter asking for a response by 11/2 or 11/9.

- Mr. Brodeur looked at the draft letter to be sent to Dr. Bettencourt seeking additional information on the proposed school project. This prompted Mr. Gildea to ask why we've paid people for a feasibility study that is not complete. Again, Mr. Brodeur went back to feasibility vs renovations. Mr. Johnson again also brought up that bid documents went out on 12/3 to be returned on 12/19. Where are the options. Mr. Dziczek said he thought they had all the answers but not in a report. Mr. Johnson stated the people they paid were to produce a study.

Mrs. Rozanski recalled that Mr. Hartman was told there was a draft, they have spent \$85,000 for something; but the Board has not seen a report, and they have to judge on what they have not seen. Now it has gone to a plan, and if they still need a feasibility study, they still need more money.

- Mr. MacDougall brought up the issue of the building behind Town Hall again. He said he was told the Board of Health would not make the decision, and that this Board would make the decision.

Mr. Johnson read from the Selectmen's handbook, chapter 111, section 143, where it indicates between the Board of Health and the Board of Selectmen, they can get rid of a nuisance after a public hearing. Mr. MacDougall said he requested a public hearing and also questioned their tax exempt status. The tax exempt status comes under the Assessors according to Mr. Johnson.

Mr. Johnson moved to hold a public hearing on 11/16; Mrs. Rozanski seconded; all aye. The Secretary will research the advertisement procedure.

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- Mrs. Rozanski moved to accept with regret the resignation of Sue Cooper from the Historical Commission; Mr. Gildea seconded; all aye.

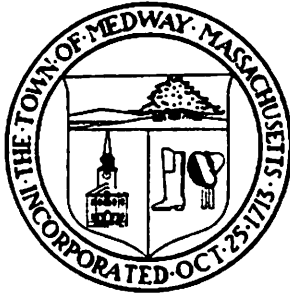
9:15 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary

mj

*Original  
11/9/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### *AGENDA*

*OCTOBER 19, 1998*

*Location: Sanford Hall of Town Hall*

4:00 p.m. - 7:00 p.m. - OPEN HOUSE

7:00 p.m. - Open meeting, sign warrants, approve workshop minutes of 8/22/98, Selectmen's minutes of 9/14/98, 9/21/98, 9/28/98, 10/5/98, and executive session minutes of 9/21/98.

- Public Comments.

7:20 p.m. - Public Hearing re: pole petition Trotter Drive.

7:30 p.m. - Bob Speroni, Zoning Enforcement Officer re: zoning by-laws.

7:50 p.m. - Marjorie Sanford, Treasurer/Collector re: evaluation of Kim Shorey.

8:00 p.m. - Arti Mehta, Accountant re: end of FY'98 overview.

- Administrator's Report:

- Correspondence.
- For your information.
- Personnel activities.
- Other.

- Committee Reports.

- Action Items:

1. Sign software maintenance agreement with DataNational.
2. Sign contract for SAFE Program for Fire Department.
3. Re-appointment of LEEANNE DICKSON to Cultural Council.
4. Consideration of Bell-Atlantic letter re: public hearings.
5. Vote to accept gift for Senior Center from Medway Lions.

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Present: James Brodeur, Raphaela Rozanski, Harry Johnson, Joseph Dziczek,  
Town Administrator Michael Hartman. Richard Gildea was absent.

7:00 p.m. - Mr. Brodeur called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved to accept and sign warrant #17 as corrected totalling \$440,010.43; Mrs. Rozanski seconded; all aye.

- For the record, warrant #16 was signed during the previous week totalling \$962,788.81.

- Mr. Johnson voiced some concern about funds being sent to the Diocese for a cemetery fund started in 1943, and asked Mr. Hartman to see if he could resolve the issue as it was a perpetual account.

- Mr. Dziczek mentioned, in speaking with JCRB secretary Arlene Doherty, that there are not enough members. He said he was willing to become a citizen-at-large instead of a Selectmen's rep, which would allow another Selectmen to take his position.

Mr. Hartman did not think it was a good idea to have two Selectmen on that board, and asked if he should investigate the need for a JCRB? The Board agreed. Mr. Hartman will review the personnel-by law, the personnel policies, the union contract and come back to the Board. He noted most towns have eliminated personnel boards that have a town manager or administrator.

- Mrs. Rozanski moved approval of the minutes of the August 22nd roads/sidewalks workshop; Mr. Dziczek seconded; all aye.

- Mrs. Rozanski moved approval of the minutes of September 14th; Mr. Dziczek seconded; all aye. Mrs. Rozanski asked a follow-up question on the school principal bonds. Mr. Hartman said it had been taken care of and paid out of the other insurance account.

- Mr. Johnson moved approval of the minutes of September 21st; Mr. Dziczek seconded; Mr. Brodeur abstained; aye.

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- Mrs. Rozanski moved to approve and release the executive session minutes of September 21st; Mr. Johnson seconded; Mr. Brodeur abstained; aye.

- Mrs. Rozanski moved approval of the minutes of September 28th; Mr. Johnson seconded; Mr. Brodeur abstained; aye. Mr. Johnson asked a follow-up question on the maintenance of the school buildings. Mr. Hartman said he had written a letter to the Superintendent, which Mr. Brodeur had read, and then was forwarded. It was believed a copy of that letter was in his packet, but he would make up an additional copy for Mr. Johnson.

- Mrs. Rozanski moved approval of the minutes of October 5th as corrected; Mr. Dziczek seconded; all aye.

7:20 p.m. - The ad for the public hearing for New England Telephone Company was read. This was for conduit to new service terminal location on Trotter Drive. No one was present to speak for or against the petition. Mr. Dziczek moved to approve petition #98-12; Mrs. Rozanski seconded; all aye.

7:25 p.m. - Bob Speroni came to speak to the Board as Zoning Enforcement Officer regarding the Zoning by-laws in general and its enforcement at Mr. Dziczek's request on behalf of the Board.

Mr. Speroni stated Chapter 40A sets the guidelines and parameters. Our Zoning by-law mirrors that chapter and umbrellas us. Each Town has their own ordinances, i.e. we cannot require a special permit for day care centers, but can set restrictions. It was noted the Zoning by-law indicates that the Building Inspector is the enforcer of the by-law. His governance is under Mass. General Laws and enforced through 783 CMR with section 7 of the Zoning Enabling Act of Chapter 40A stating that the Building Inspector shall be the Zoning Enforcement Officer. Section 12 of that Act states that the Board of Selectmen appoints the Zoning Board.

Mr. Speroni gave out a handout highlighting certain changes from when the basic by-law was established in 1951, with sign by-laws adopted in 1969 where you need a sign permit, and then size and location restrictions came in 1983. He noted that the by-law needs to continuously be looked at to come up with some proposals periodically, have Planning Board hearings, and then put on a warrant.



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Mr. Dziczek noted his concern with the Cerel property where he felt since it was a new business, the sign should not be grandfathered just because it was there. Mr. Speroni noted no existing sign can be reworded, i.e. at Cerel's. If a new realtor goes in, it is a new business and rewording. He noted buildings, structures and uses are grandfathered. Mr. Speroni stated the only reason Mr. Early (at Cerel's) came to the Board was because he wanted a sign larger than six square feet, but permits are still issued to be in compliance.

Mr. Dziczek explained his concern about signs from Pond Street to Holliston Street on Route 109. Mr. Speroni stated that in the Zoning By-law, it is noted that if an applicant is denied by him, he could grieve to the Zoning Board. Mr. Dziczek requested Mr. Speroni go to him as liaison or Mr. Hartman if he has any problems.

8:00 p.m. - Town Accountant Arti Mehta came to speak to the Board with an end of FY'98 fiscal budget overview.

Mr. Dziczek thought they were to see a report every 30 days. Mr. Hartman said, with the new computer system, that could be done, but Mrs. Mehta suggested quarterly.

Mr. Johnson brought up that the balance sheet was sent to the DOR on October 13th, and felt it should have gone to the Assessors before the DOR. Mrs. Mehta said this was the first time in 11 years she had been late in sending it in.

She noted that out of the \$750,000 free cash, \$460,000 is already gone, and that \$290,000 is the real number. She noted that cherry sheet money is down and will so advise the FinCom.

Mr. Brodeur brought up Mr. Hartman's memo indicating the way he felt the budget process should be, basically that all budgets go to the Selectmen before they go on to the FinCom. Mr. Hartman further elaborated that the Board as CEO should be the focal point on the budget. He noted, in speaking with John Collett, that the FinCom is not interested in changing the process. Mrs. Rozanski recalled in previous years issuing a joint statement from both boards to all departments with the FinCom then meeting with the Board to make projections. Mr. Hartman reiterated it was the Board's choice to exercise their authority.

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Mr. Johnson felt the Assessors know best what the revenue will be, but Mr. Brodeur suggested directing Mr. Hartman to request projections from the FinCom. Barry MacDougall, who was present, agreed with Mr. Hartman that he would rather see the Board involved in that process. Mr. Dziczek, however, said that the FinCom has sub-committees specifically established now because the Selectmen did not want that responsibility. Mr. Hartman again said that the Board should see the entire budget, not just pieces of it. Mr. Dziczek did not feel the FinCom would be totally opposed, but there would have to be a comfortable transition.

Mrs. Rozanski said there should be some budget statement made. Mr. Hartman agreed but needed a clear direction from the Selectmen. Mr. Brodeur said a budgetary statement can be made, but he did not want to break up what has been established with the FinCom and Selectmen. Mr. Hartman explained that the budget is an executive document and you need a clear vision. He recommended the Board spearhead the budget process, not the FinCom.

Mr. Johnson stated he wanted people working on these boards, but if they want to rule by exception and something is different than the budget, then it can be adjusted. Certain people know how much money is coming in, and they shouldn't be discouraged. FinCom was created to act on our behalf. Mrs. Rozanski stated, however, they don't have the policy, so how can you rule by exception; the Board of Selectmen needs to issue the guidelines. Mr. Dziczek said the FinCom has them, but he believed they would be pleased if a statement was made by the Board. Mrs. Rozanski again suggested jointly, but they still need a policy statement.

Mr. Brodeur recommended asking the FinCom for their financial guideline for FY'00. Mr. Hartman said he then preferred to see the Selectmen, Assessors and FinCom get together as he still believed it should be centralized.

Mrs. Rozanski moved to request Mr. Hartman contact the FinCom chairman to advise him that the Selectmen would like the FinCom's recommendations and guidelines so it could be discussed as an action item on the November 2nd agenda; Mr. Dziczek seconded; all aye. Mrs. Rozanski added that the Board would like to make a joint statement with the FinCom. Mr. Hartman said he would send the chairman a copy of the section from the Selectmen's handbook relevant to this. The Board requested the memo be sent by Mr. Brodeur.

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Mrs. Mehta brought up the ambulance receivables and said that a process needs to be set up. Mr. Hartman said that the auditors see this every year; either we collect the funds or write it off. Mrs. Rozanski moved to place this in the hands of Mr. Hartman and ask that he come back to the Board with a proposal by 11/9; Mr. Dziczek seconded; all aye.

Mrs. Mehta brought up police details outstanding from 1992-1995 totalling \$8,000. Mr. Johnson assumed this involved contractors/builders who need the details and should be pursued. Mr. Brodeur felt an agreement signed by both parties should be available. Mr. Hartman believed it should be curtailed before it even gets to that point with a promise to pay. Mr. Brodeur asked Mrs. Mehta to give the outstanding list to Mr. Hartman, and Mr. Brodeur said he would look for a sample copy of an agreement. Mr. Hartman felt the Board should not be involved in collections. Mrs. Rozanski moved to put this issue in the hands of Mr. Hartman for a proposal on the handling of stale bills relating to police details by 11/2; Mr. Dziczek seconded; all aye.

Mr. MacDougall was aware that, when he met with Sgt. Saleski, the Police type up the bills and send them Town Hall; he didn't believe there was any follow-up. Mrs. Rozanski moved to include in Mr. Hartman's proposal a list of the outstanding details to the Board; Mr. Johnson abstained; Mr. Dziczek seconded; aye.

Mrs. Mehta said she was working on the Schedule A which is due October 31st.

Mr. Johnson brought up the Board of Health's letter concerning Mrs. Mehta's insistence on needing a social security number for an individual applying for a Title V loan, which he understood had been resolved today. Mrs. Mehta stated she did not know about this letter until this evening. Her response to the Board of Health has been for them to communicate to the DOR that the tax division has no authority in the Town in these matters. She stated she could not put her signature on something she feels is not right. Mr. Brodeur asked if Mr. Hartman could do up a memo for any future problems. Mr. Hartman said he<sup>12</sup> meet with the Health Agent and Mrs. Mehta.

Mr. Johnson expressed his concern about liens for betterments being recorded in the courthouse, and felt the Treasurer should be processing them with page 5.

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a copy going to the Board. Mr. Hartman said he would research the process, but believed the liens were being done through Town Counsel. Mr. Brodeur felt there should be some notice to the registry as well, with Mr. Hartman agreeing there should be a policy formalized.

Mrs. Mehta briefly brought up several school issues including that the principal and interest payments of \$500,000 would be coming up soon for 20 years for the new school. Mr. Hartman mentioned the increase in school employees increasing health insurance costs. Mrs. Rozanski believed 110% of the foundation budget had already been appropriated. The new school proposal of \$75 million was brought up. Mr. Brodeur agreed more information is needed from the school department on this issue, and they also need to be advised that the Board has not set a special town meeting date.

Mr. Hartman spoke of attending the recent FinCom meeting with the school department, and noted they were operating under the impression they have a school building study committee, which some feel is limited to the Memorial School. Dr. Bettencourt disagrees on this. Mr. Hartman also felt a tight timeframe was being created which would make it difficult for any other architect to be involved.

Mr. Johnson had a problem with this feeling they could be called on this by other architectural firms. Again, the Town felt we were <sup>to</sup> have a feasibility study done, and it could be construed as misappropriation of funds and the citizens are due an explanation.

Mr. MacDougall noted how the reading of the motion at Town Meeting by the FinCom differed from what actually appeared on the original warrant article. Mr. Brodeur believed the Town Moderator reviews the motions, and we are obviously bound by what was voted regardless of what actually was written. Mr. Hartman reminded the Board they approve the language on the warrant as well, and the article should have been amended on town meeting floor from what was written.

Mr. MacDougall also voiced his concern in the process of the whole school renovation issue, and asked how they could request the Town put another \$80 million into a process that is already flawed.

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Mrs. Rozanski recommended Mr. Hartman ask Town Counsel about these various school-related issues. Mr. Brodeur agreed. Mr. Hartman noted that Town Counsel has already stated that the Board selects the architect, and the building committee should be under the Board's jurisdiction, not the school committee, but you have to say you want that control.

Mrs. Rozanski said it should be part of a policy discussion that articles cannot be changed on the warrant, and how the whole process should operate.

9:30 p.m. - Administrator's Report.

- Mr. Hartman asked for the Board's signatures on the call for the state election.
- Mr. Hartman noted that the Water/Sewer department will now have two new employees which will bring them up to full staff.
- Mr. Hartman mentioned speaking to Bob Garrett about the two new COA positions. The Union feels since the other COA positions are Union members, these two should be as well.
- Committee Reports.
- Mrs. Rozanski spoke of attending the Norfolk County Selectmen's Association meeting, most of which was related to public transportation and the PWED program.
- Mrs. Rozanski brought up the 495 collaborative, and that she asked Senator Magnani's office to issue a statement concerning towns not wanting to lose local control to state agencies.
- Action Items.

#1. Mr. Hartman stated that the software sub-committee has met and reviewed several software choices, and they unanimously agreed to go with DataNational. He asked the Board's support on this agreement either this evening, or when he returned. He noted that the first year was \$74,488 with a 22% discount; years 2 and 3's annual maintenance were around \$16,000 per year.

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Mr. Hartman further stated that DNC agreed to make changes in their program to accommodate our needs. DNC is familiar with our equipment and are a topnotch firm who will meet our needs into the future. Mr. Hartman noted the system will be on 365 days a year, 24 hours a day, 7 days a week.

Mr. Johnson felt if they add on GIS, they may need another server as they are the largest user of the computers.

Mr. Dziczek moved to accept and go into agreement with DataNational Corporation, and for the chairman to be authorized to sign the agreement; Mrs. Rozanski seconded; all aye. Mr. Hartman added that the equipment should be up and running January 1st.

#3. Mr. Dziczek moved to re-appoint LEEANNE DICKSON to the Cultural Council through October 19, 2000; Mr. Johnson seconded; all aye.

#2. The Board reviewed the SAFE contract and award to the Fire Department of \$3,566.21. Mr. Dziczek moved to approve and sign the contract; Mr. Johnson seconded authorizing the chairman to sign; Mr. Brodeur deferred to the Vice-Chair; Mr. Brodeur abstained; all aye.

#4. The Board noted receipt of a letter from Bell Atlantic's Kathryn Craig requesting the Board consider public hearings on pole petitions to be held during the day. Ms. Craig noted many towns have now adopted this format. The Board felt this had merit as long as there was adequate information available and abutters were still notified. Mr. Hartman said he would meet with Ms. Craig and get back to the Board. Mr. Dziczek just suggested letting the Board know of a date of when a pole petition has been approved.

#5. The need to vote and accept a gift for the Senior Center was brought up. Mr. Johnson moved to accept the gift for \$2,000 from the Medway Lions for the Senior Center; Mr. Dziczek seconded; all aye

- Mr. Brodeur noted that Mr. Hartman would be away from the office from 10/24 to 10/29 at the ICMA conference, but is reachable if needed.

- Mr. Johnson brought up a frequent problem of when a piece of land is given

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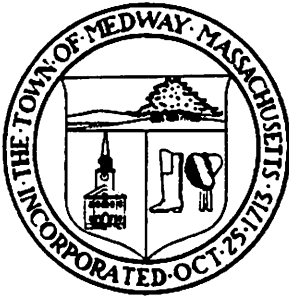
to the ConCom, and that the Assessors office cannot given an abatement on it unless the land has been accepted by the Town, and only the Board of Selectmen can do that. Mrs. Rozanski clarified that the Board accepts the land and gives it to the ConCom for their care; Mr. Johnson agreed.

10:00 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Handwritten signature and date:*  
11/9/98



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

**Michael J. Hartman**  
**Town Administrator**

### AGENDA

**OCTOBER 5, 1998**

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants.
  - Public Comments.
- 7:15 p.m. - Public Hearing re: pole petition Holliston Street.
- 7:30 p.m. - Jim Ferry of Blue Chip Advertising re: soliciting for Massive Video.
- 7:45 p.m. - Walter Sampson re: van driver for Senior Center position.
  - Administrator's Report:
    - Correspondence.
    - For your information.
    - Personnel activities.
    - Other.
  - Committee Reports.
  - Action Items:
    1. Discussion on need for a special town meeting.
    2. Discuss invitation to attend joint meeting with Holliston Selectmen and Franklin Town Council on October 14th re: Holliston sewer project.
    3. Approve one-day liquor licenses for St. Joseph Parish.
    4. Discuss attendance at MMA Meeting & Trade Show 1/15-16.

Note: Selectman Drizek will not be in attendance.



MINUTES OF THE SELECTMEN'S MEETING  
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Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joseph Dziczek, Town Administrator Michael Hartman.

7:00 p.m. - Sanford Hall of Town Hall.

- The Board briefly discussed the notice by EOE A - MEPA unit for a consultation meeting to be held the next day at the existing Medway station on Summer Street at 10:00 a.m. Mr. Hartman explained it just arrived in the mail as is with no distribution list, and felt it was being circulated to determine whether there is a need for an environmental impact report. Mr. Gildea and Mr. Hartman said they would try and go.

Mr. Brodeur did see a problem in that this could create questions in the future, i.e. an extreme heat wave in the summer or a power outage at another time of the year. Now it is operating 40 hours a year and they were proposing 2000 hours a year. What emergency is there beyond what is needed now?

Again, the Board noted their dissatisfaction with the official notification they received.

Barry MacDougall, who was present, felt he was seeing a trend of a lack of notification for public comment and a pattern of circumventing public input. He had his own questions, i.e. what is the pay back on Sithe's return investment, and why the increase in hours? Mrs. Rozanski agreed there should be an opportunity for more public input and the deadline of October 13th does not give everyone sufficient time.

7:20 p. m. - Mr. Brodeur officially opened the meeting.

- Mr. Johnson moved to sign and approve warrant #15 totalling \$479,742.22; Mr. Gildea seconded; all aye.

7:25 p.m. - A public hearing was called for a pole petition on Holliston Street. Carl Olsen, an abutter, was present. He expressed his concern for a mess that is sometimes left behind by the work done, but otherwise he had no problem.

Mr. Johnson moved to grant pole petition #98-11 of New England Telephone for conduit on Holliston Street; Mrs. Rozanski seconded; all aye.  
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7:30 p.m. - Blue Chip Advertising was not present for their appointment with the Board. Mrs. Rozanski moved to deny the application of Blue Chip due to lack of information; Mr. Gildea seconded; all aye.

7:35 p.m. - Joe Hoban and Walter Sampson came to speak to the Board about the senior center van driver position. Mr. Sampson said they came up with 19 hours on the average.

Mrs. Rozanski said they talked about the cost and over two years it was \$54,844.99 or about \$27,400 each year in the vicinity of 20 hours. She said there was no other company around that would do transportation with the proposal that was done. Mr. Gildea said the grant would take care of 80% and they would have to put in 20%. He also said other towns were not satisfied with a private contractor and Transit Alternatives went out of business anyway.

Mr. Hartman added that insurance would be less than \$1,000 a year. He noted that maintenance would be the responsibility of the Council on Aging, or a charge back if the Highway Department has to do it. Mr. Sampson said there was \$11,000 in the budget for transportation in addition to the salary. Mr. Hartman said the total budget this year is \$21,000, and last year it was \$27,000.

Mrs. Rozanski moved to approve the job description for the senior center van driver at a grade 3; Mr. Gildea seconded; all aye.

Mr. Hartman said he would be advertising both this position and the council on aging director. Mr. Johnson suggested doing other papers as well, such as the Globe. Mr. Brodeur asked if this was a policy direction? Mr. Hartman said he would do the Middlesex News, Milford Daily News, Country Gazette, and post it in Town buildings. Ideally, he felt they should advertise in a more professional paper, i.e. one local, the Beacon and the Globe. Mrs. Rozanski felt that the guidelines of the job might determine where to advertise, with Mr. Hartman agreeing where they stood in the organization could be the determinant.

7:45 p.m. - As Blue Chip Advertising showed up, Mrs. Rozanski moved to reconsider the solicitor's permit; Mr. Gildea seconded; all aye.

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Representing Blue Chip was Dave Barotti. He stated they do promotional advertising to businesses and door-to-door, giving something, for example, 2 for 1 when they purchase the promo. He stated they have solicited in other towns for Massive Video.

Mr. MacDougall suggested they restrict their promos to the mail. Mr. Barotti said they want the personal touch so they tell their clients they only go in person. He went over some of the concepts of the promo, i.e. for \$19.95, you get 10 free rentals, etc.

Mr. Johnson moved to approve the solicitor's permit for Blue Chip Advertising from 9 a.m. to 6 p.m., Monday through Saturday from October 12th through December 31, 1998; Mrs. Rozanski seconded; all aye. He was asked to touch base with the Police Department and let them know where they were soliciting each day.

- Administrator's Report.

- Mr. Hartman noted the communications concerning the I-495 Mass. Technology Collaborative breakfast the next morning in Westborough, and the Time-Warner adjustment to service costs.

- On personnel activities, Mr. Hartman said he assisted Mark Flaherty with the interviews for the Water/Sewer position. The position was offered to two individuals, and one accepted.

- Mr. Hartman said he has secured the services of special counsel, Albert Robinson, Wellesley's town counsel. The ZBA hearing has been continued to October 21st, and Mr. Morris formally wrote to the Planning Board outlining his recommendations as to what should be done at their meeting tomorrow night, including getting more information from the applicant. Mr. Robinson left their meeting with a complete packet, and Mr. Hartman believed the Board will be happy with his services. The Board asked for a copy of Mr. Morris' memo.

Mr. Johnson hoped they all go into this with a positive attitude, with Mr. Hartman adding that they should look at the permit with restrictions. Mr. Brodeur agreed they were going in the right direction. Mrs. Rozanski asked that they make sure all questions get answered.

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- With reference to the recent purchase of 4" large diameter hose for the Fire Department, Mr. Hartman said they have to now train the troops in its use. He gave the Board the proposed agreement between the Town and the Mass. Fire Academy that needed the Board's approval, noting there was money in the budget for this.

Mrs. Rozanski moved approval of the course for \$1,190; Mr. Johnson seconded; Mr. Brodeur abstained; aye. Mr. Johnson moved to authorize the Vice-Chairman to sign; Mr. Gildea seconded; all aye.

- Mr. Hartman stated that the work order for the temporary water service for Alder Street has been deleted, was rewritten, and now asked the Chairman to sign it. Mr. Brodeur said he would look it over this evening before he left.

- Mrs. Rozanski followed up on Ellis Street. Mr. Hartman said the contractor was putting the binder coat down on Wednesday.

- Mrs. Rozanski brought up the cable franchise fee payments, and she said it was the intent of the Cable Advisory Committee that any funds that resulted in the Time-Warner investment would go to PEG Access Group. She said that the Town Accountant needs a letter for the files to this effect from Mr. Hartman and Mr. Myers.

8:30 p.m. - Public Comments.

- Mr. MacDougall just wanted to report on school accreditation research he had done. He stated the linkage that is supposed to exist between new facilities and accreditation is not necessarily so. He said the State requires interim reports, and a two year report after accreditation which occurred in 1995 noting their progress or lack of progress on items discovered by the accreditation committee. He felt the State had a good handle on where we stand all the time.

Mrs. Rozanski<sup>asked</sup> about the maintenance of school facilities in that research. Mr. MacDougall said it is a requirement to have plans for existing and new facilities. He said they need to ensure plans are created and approved by the Board.

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Mr. MacDougall stated Rep. Finneran wants to look at ed reform again, and Mr. MacDougall suggested the Board draft a letter to him asking only for control to come back to the Town, and the Board of Selectmen or the School Board. He noted that accreditation is usually mentioned with new construction.

Mrs. Rozanski felt that when the audit is done, they would look at maintenance as a certain percentage has to go to it. Mr. Johnson agreed that the letter from Mr. Driscoll of the Department of Education was a good source of information.

Mr. Brodeur asked what steps should be taken now? Mr. MacDougall said the Board could suggest the schools have a maintenance plan with the role of each janitor defined, maybe even have a maintenance foreman. Mr. Brodeur said the outcome should have a certain standard of cleanliness for all town buildings, but if they have to intervene with the schools, then they have to include the library and town hall, and then they should have a standard.

Mr. Johnson moved to forward to the School Committee and Superintendent a letter from the Board of Selectmen bringing their attention to the letter from Mr. Driscoll of the Department of Education, as well as citing the comments from Dr. Bettencourt to Mr. MacDougall if no definitive program is in place, and to implement one immediately to show they are in compliance with a plan, and to send the Board a courtesy copy of that plant. Mr. MacDougall said they should be able to provide a schedule of when they are doing something. Mr. Johnson did not feel they had that authority, but they can show their concern. Mr. Brodeur agreed they need to demand a cleanliness minimum. Mr. Johnson felt the Board of Health should be inspecting the schools; Mrs. Rozanski seconded Mr. Johnson's motion; all aye. Mr. Johnson suggested the chairman sign the letter, but Mrs. Rozanski wanted to be assured the letter came from the Board. She added the Board can request copies of reports of inspections.

Mr. Johnson also brought up the parking of students on the high school lawn, and the many ways they exit from that area. Mr. Hartman noted it was to be paved with specific driveways but it was deleted from the budget by FinCom, even though the Selectmen, the Safety Officer and the DPS approved. Mrs. Rozanski thought that capital dollars were specifically segregated in the budget. Mr. Johnson asked that Mr. Hartman get in touch with the Safety Officer on this.

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Mr. MacDougall said he would be attending the next School Committee meeting and passing on the same information he provided to the Board, but again he said there should be better communication between the Selectmen and the School Department. Lastly, he stated that the accreditation report of 1995 was dated January 19, 1996, and he would follow-up on that report.

- Committee Reports.

- Mr. Johnson brought up the travel problem on Route 109 around 4:00 p.m. especially from the Shopping Center to Highland Street. Mr. Brodeur said they could restrict the construction company's work to maybe 3:00 p.m.

Mr. Johnson moved to direct the Police Chief to open Routes 109 and 126 in both directions at 3:00 p.m.; Mrs. Rozanski seconded; all aye.

- Mr. Johnson said he went up Alder Street and it was looking good with the pipe in. He noticed the bus stop at Alder and West Streets, and suggested the Safety Officer be asked to take a look at Trotter Drive instead of Alder Street for a bus stop as it seemed to have less traffic.

Mrs. Rozanski noticed that the gas was still not connected. Mr. Hartman said the gas company is free to come in, and they are talking to them about extending the line since once the binder is down, they can't touch it for five years.

- Mr. Johnson said he had a meeting with the Treasurer and another individual, and the Accountant asked about an article on the warrant for health insurance. He had an agent come in because he felt it was time to look it over again.

Mr. Hartman said he was concerned about the size of the group, and maybe they should look at MIIA. He said he met with them two weeks ago, and will again be meeting with them on the 14th. Every year the FinCom takes off 25%, and so we have been underfunding for 4 years. We were at \$1.4 million now.

Mr. Hartman noted the Town offers 60/40 with Blue Cross/Blue Shield, and 90/10 with Harvard Pilgrim. He mentioned that most of the Police Department took Pilgrim when we went to a managed care network.

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As an aside, Mr. MacDougall asked if Police and Fire were covered by the Heart law, as he saw some of them smoking on the job.

- Mr. Brodeur noted receipt of a letter from Tri-County referencing the lowering of assessments, and that the State will fund 1/3 of the cost. He asked that the FinCom get a copy of that letter.

9:07 p.m. - Action Items.

#1. The Board discussed the need for a special town meeting. Again, the only potential articles seem to be from the Planning Board and Mr. Hartman will remind their secretary to submit them. So, for the time being, no date is set.

#2. The Board discussed the invitation from Sam Corda to join the Holliston Selectmen and the Franklin Town Council for a joint meeting relative to the Holliston sewer project. It was noted this was the same night as the Norfolk County Selectmen's Association meeting and most could not attend. Mr. Hartman was asked to check on alternate dates. Mr. Brodeur reminded Mr. Hartman that he cannot be involved.

#3. One-day liquor licenses for St. Joseph Parish were brought up. Mrs. Rozanski moved to approve a one-day license for October 10th from 7:00 p.m. to midnight; Mr. Johnson seconded; all aye. Mrs. Rozanski moved to approve a one-day license for October 17th from 7:00 p.m. to midnight; Mr. Gildea seconded; all aye.

#4. The MMA meeting and trade show to be held on January 15th and 16th was brought up. Mr. Brodeur and Mr. Dziczek will not be going; Mrs. Rozanski already has her reservations; Mr. Gildea, Mr. Johnson and Mr. Hartman were not sure yet.

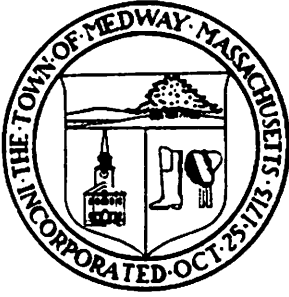
9:25 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj  
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*approved*  
*10/19/98*





## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

**Michael J. Hartman**  
**Town Administrator**

### AGENDA

**SEPTEMBER 28, 1998**

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of September 10th.
  - Public Comments.
- 7:15 p.m. - James Sanchez re: CIPC vacancy.
- 7:25 p.m. - Steven Bridges re: Disability Commission vacancy.
- 7:35 p.m. - Barbara Maffeo & Carol Recchino re: Cultural Council vacancies.
- 7:45 p.m. - Kevin O'Connor re: Conservation Commission vacancy.
- 8:15 p.m. - R. P. Marzilli, Joe Hanlon & Paul Yorkis re: site plan for  
R. P. Marzilli Company, Alder Street.
- 8:00 p.m. - Walter Sampson re: COA Director position & Van Driver positions.
- 8:45 p.m. - Jim Ferry of Blue Chip Advertising re: soliciting for Massive Video.
- 9:00 p.m. - Donald Springer & Jan Morris re: use of Special Counsel.
  - Administrator's Report:
    - Correspondence.
    - For your information.
    - Personnel activities.
    - Other.
  - Committee Reports.

- Action Items:

1. Chairman to sign amendment for Housing Authority's Comprehension Plan.
2. Decide on date for Open House of Town Hall - Monday, October 19th, from 4 - 7 p.m.?
3. Open and close warrant for Special Town Meeting -  
Could open this evening and close on Friday, October 9th;  
Review October 19th; Sign October 26th; Posted October 27th;  
Special would be on November 16th.
4. Chairman to sign letter of understanding with Time-Warner.

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Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joseph Dziczek, Town Administrator Michael Hartman.

7:00 p.m. - Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved to approve and sign warrant #14 totalling \$658,565.41; Mr. Gildea seconded; all aye.

- Public Comments.

- Barry MacDougall, who was in attendance, said he attended an earlier meeting at the school, and they apparently feel the need for a special town meeting to start construction this summer. He didn't know if they already had state approval for reimbursement, but felt they were moving along too quickly. Mrs. Rozanski stated the School Department has not requested a special town meeting be held yet. Mr. MacDougall noted they need to meet with the State Department of Education by January 1st in order to meet timelines. Again, Mrs. Rozanski said he was jumping ahead and nothing has been decided yet. Mr. Johnson said the Department of Education's letter dated September 16th lays out the timeline for FY'99. He did not know anyone who could meet that timeline if they received the letter.

Mr. MacDougall further went on to state that he requested a copy of the plan to maintain school facilities, and Dr. Bettencourt said they had none. Mrs. Rozanski commented that 50% of the maintenance budget has to go toward the facilities. Mr. MacDougall felt that when accreditation time comes along, they spend the funds to meet requirements, but in the meantime, the appearance is appalling. Mr. Johnson noted receipt of Dr. Bettencourt's letter of September 18th listing goals and objectives, but nothing in it regarding accreditation. Mr. MacDougall said the Board of Selectmen should take a leadership role on various issues, i.e. maintenance and accreditation. Mrs. Rozanski noted the school spending requirements have to be certified by the Board.

7:15 p.m. - Mr. Johnson moved approval of the minutes of September 10th with a correction of adding "for the temporary connection" in reference to work order #2 for Alder Street; Mrs. Rozanski seconded as amended; all aye.

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7:25 p.m. - James Sanchez met with the Board concerning the CIPC vacancy. He indicated Rick Potter, one of the members of CIPC, had told him about the opening and he expressed his interest. Mr. Sanchez said he knew how capital expenditures worked and would like to be involved in that budget process.

Mr. Johnson moved to appoint James Sanchez to the CIPC through June 30, 2002 as the Selectmen's rep; Mrs. Rozanski seconded; all aye.

7:30 p.m. - Steven Bridges met with the Board concerning the Disability Commission vacancy. He noted he was a disabled veteran, a member of the emergency management team, and wanted to continue being involved with the Town. The Secretary noted Sue Bouchard, chairman of the Disability Commission, looked forward to Mr. Bridges coming on board.

Mrs. Rozanski moved to appoint Steven Bridges to the Disability Commission through June 30, 2000; Mr. Gildea seconded; all aye.

7:35 p.m. - Barbara Maffeo met with the Board concerning the Cultural Council vacancies. She stated Carol Recchino was also scheduled to come this evening but another commitment prevented her from attending to request appoint to the same Council. Mrs. Maffeo expressed her desire to be involved in the Council, as well as Mrs. Recchino whom she explained had a theatrical background and recommended to also be appointed to fill a vacancy.

Mr. Johnson moved to appoint Barbara Maffeo to the Cultural Council through September 28, 2000; Mrs. Rozanski seconded; all aye.

Mrs. Rozanski moved to appoint Carol Recchino to the Cultural Council through September 28, 2000; Mr. Gildea seconded; all aye.

- Mrs. Rozanski had prepared an award certificate for a young man attaining Eagle Scout status, and moved the Board sign it; Mr. Johnson seconded; all aye.

7:50 p.m. - Mr. Brodeur left the meeting on a fire call.

- Kevin O'Connor came to meet with the Board concerning the Conservation Commission vacancy. He stated he was an attorney in environmental law and land

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use areas and felt he could add to the Board with his interest. When asked about a conflict of interest, Mr. O'Connor said he did not represent developers.

Mr. Johnson moved to appoint Kevin O'Connor to the Conservation Commission through June 30, 2000 for the unexpired term of Daniel Padien; Mr. Gildea seconded; all aye.

8:00 p.m. - Walter Sampson and Jack Ryan came to speak to the Board about the COA Director and senior center van driver positions. Mr. Hartman explained he had been working on the job descriptions primarily with Mr. Sampson and Joe Hoban. After refining them, they applied points, and came to a grade 9. They followed the same procedure for the van driver and came to a grade 3.

Mr. Sampson expressed the need for a director asap to get the senior center operating properly.

Looking at the van driver position first, Mrs. Rozanski advised doing a background check. Mr. Johnson felt it was imperative to set hours for the driver, i.e. 4 hours a day, 5 days a week. He was also concerned that this person would be employed by the Town of Medway, and if it was a part time position, there would be no health insurance for that individual. Again, he wanted them to deliberate on what was more beneficial to the Town.

Mr. Hartman said there were two issues. If it is an individual contractor, there is no liability for the vehicle. There is also certain criteria established by the IRS, and if you set hours, it is under the IRS established criteria. They could explore the possibility of a private contractor. Mr. Hartman also stated he believed the budget was approved predicated on certain assumptions, one being that it would be a Town employee. Mrs. Rozanski believed the intention was for the individual to work 18-20 hours a week.

Mr. Gildea explained they do not do hospital runs, just doctor visits, and they don't have to take the appointment if it would put that individual over the maximum hours. Mrs. Rozanski felt that could come later, the job description should be clarified first. Again, Mr. Johnson said the choice should be - a private contractor or a Town employee? Mr. Gildea said the cost would probably be \$18-\$20 an hour under contract or \$2,000 - \$3,000 a month.

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Mr. Johnson moved to table this decision until next week so that figures could be prepared and information gathered for one versus the other, as well as the hours to be worked. He stated he wanted to know about alternative transportation even though Mr. Gildea and Mrs. Rozanski may already know, he doesn't. This subject was tabled by consensus.

Mr. Hartman said on the COA director's position, the COA did a survey of other municipalities and their description is similar to Franklin's and Milford's. It was placed at a grade 9 and is competitive with other positions, most working under 30 hours a week.

Mrs. Rozanski again suggested a background check. Mr. Johnson inquired as to what funds were available? Mr. Sampson said 18 hours a week for the balance of the fiscal year. Mr. Johnson assumed the individual was responsible to the COA chairman, but asked who would monitor the funds? Mr. Hartman explained it was still through the warrant process. Mr. Sampson added they wanted this person responsible to the COA chairman so there are not others telling this person what to do. Mr. Hartman suggested the person should be under him, but the Council did not feel that way. He would view this person as an additional department head who would bring specific issues to his office. Mr. Johnson agreed Mr. Hartman should be included as ultimately the person is under the Board of Selectmen/Town Administrator.

Mr. Hartman explained he was more concerned with the role as an employee. Mr. Johnson said the job description should include "the evaluation and administration of this employee shall be under the Board of Selectmen through the Town Administrator". Mr. Hartman said he would make up a corrected job description for the Board.

Mr. Johnson moved to approve the job description for the Council on Aging Director as amended; Mr. Gildea seconded; all aye.

Mr. Johnson moved the job description be placed at a grade 9 as a part time position of 18 hours; Mr. Hartman said he would add the sentence that the position is part time but recommended that it read "hours worked shall not exceed 18 hours per week on the average"; Mr. Gildea seconded; all aye.

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8:30 p.m. - Representatives from R. P. Marzilli including Mr. Marzilli, along with Joe Hanlon and Park Yorkis came to speak to the Board about the site plan for that company on Alder Street.

Mr. Hanlon explained this was a landscaping company and they received a use variance to operate there located on 11 acres at the end of Trotter Drive, with .02% coverage. Mr. Marzilli stated this would be their corporate headquarters employing about 25 people, with office and storage space, good buffering, and they had already met with abutters.

Mrs. Rozanski went over the letter sent by the Planning Board indicating their provisions. One of the provisions Mr. Johnson noted was referenced in ESP's letter of July 28th indicating they asked the Planning Board for consideration for undisturbed areas and that tree plantings in the buffer zone not be required. Mr. Hartman brought up Mr. Speroni's letter stating that plantings must be installed whether the area is disturbed or not per the Zoning by-laws and that only the ZBA can waive that restriction. Mr. Hanlon said they did not request a waiver for that; they only wanted a waiver from the landscaping plan which was costly.

Mr. Johnson moved the site plan be approved as presented with the stipulation set down by the Zoning Enforcement Officer that the plantings be installed adjacent to the residential district; Mr. Gildea seconded; all aye.

8:45 p.m. - Joe Dziczek arrived at the meeting.

- Again, Blue Chip Advertising did not come to meet with the Board as scheduled.
- Administrator's Report.
- Mr. Hartman wanted to call the Board's attention to the fact that the Open Space by-law was not accepted by the Attorney General's office because of an incorrect public hearing notice. He stated the Planning Board will be scheduling another public hearing so the Board needed to think about calling a special town meeting.

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Mr. Hartman stated that the Superintendent's Office had scheduled a meeting of the sub-committee of the School Committee on the facilities master plan for tomorrow evening at 7:00 p.m. in his office, and chairmen of different committees were invited, i.e. Planning Board, Master Plan Committee, FinCom, Board of Selectmen. Mr. Hartman believed more specific information on the plan would be given out at that time.

- Mrs. Rozanski had some follow-ups. On the technology plan, Mr. Hartman said he felt the choice had been narrowed down to two potential providers with a decision being made in the next two weeks. On paving of streets, Mr. Hartman said they were paving, but not reclaiming, i.e. the parking lot and Hill Street would be done mid-October. With reference to 50 Oakland Street, that would be one of the first berms to be done. On Ellis Street, Mr. Hartman said it was graveled last week and they would be putting down the binder coat late this week. On the Sanford Mill grant, Mr. Hartman said ConCom had done some negotiating, but the stakes have not been laid yet indicating the property line. They hope to start some work on Wednesday morning, with \$1,500 of the \$3,000 having been expended so far for a bicycle rack, sign, bituminous and picnic table. He knew the deadline was September 30th.

- Mr. Johnson brought up the joint letter from the Assessors, Treasurer, Accountant and FinCom about transferring the \$460,000 from free cash to reduce the FY'99 tax levy. He stated the Town Accountant had asked that all four write the letter and they agreed. He put the Board on record not to spend that money in free cash, and one of the first items on the warrant should be to do that.

- Mr. Johnson brought up June Murray, Chairman of the Board of Assessors' letter concerning lack of space. They are still concerned about this issue.

- Mr. Johnson said he was not notified by emergency management of the "disaster day". Mrs. Rozanski said the plan is to notify the Board of Selectmen and let the Board of Selectmen know if they should not attend.

- Mr. Johnson brought up Redgate II's definitive plan, and said they had not been notified and it was Chapter 61A agricultural land. Once notified, they have 120 days to respond on right of first refusal. Mrs. Rozanski asked Mr. Hartman to check it out.



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9:10 p.m. - Don Springer, Chairman of the Planning Board and Jan Morris, Chairman of the ZBA came to meet with the Board concerning the comprehensive permit submitted by Narducci Corp.

They both felt the Town should hire special counsel for this plan, with Mr. Springer stated this plan took the Planning Board by surprise. He felt if it was allowed to go through, it would be bad for the Town and put people at a disadvantage as to the number of houses the site could handle. Mr. Morris noted the different groups represented at the ZBA hearing.

Mrs. Rozanski did not want to discuss the pros and cons of the issue, but tonight was just to decide if they needed to hire special counsel which ordinarily the Board does assign. Mr. Hartman noted this issue posed a conflict for Mr. Maciolek.

Mr. Morris felt that without proper legal representation, the Town could be set up in a financial bind. They need an experienced attorney with comprehensive permits. He said he did a call vote over the phone and all members agree.

Mr. Gildea asked if everyone got the letter from Fred Sanford? The Board members had.

Mr. Springer brought up the fact they were all volunteers and this was too important issue to leave with volunteers.

Mr. Dziczek asked if funds were available for special counsel, and Mr. Hartman said there was an appropriation, and they could go to the FinCom for an emergency transfer if need be. Mr. Dziczek brought up that when he was on the ZBA for Heritage Village, they did not use special counsel. They just made sure they did their paperwork to protect the abutters, and there was no conflict.

Mr. Johnson understood the plan was for 20 town houses on 5 acres with 4 sections, with 6 or 7 being subsidized. Mr. Springer noted a stream in the center. Mr. Johnson asked why we needed special counsel now when we did not need one when Heritage Village was done? Mr. Springer said he was not opposed to affordable housing, but he was opposed to the State coming in and saying what will be done.

MINUTES OF THE SELECTMEN'S MEETING  
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Mr. Morris said the comprehensive subdivision plan attorney did not want an extension granted, but then granted one week. This can automatically go through if timelines are not met; however, these were not preliminary plans and there was no engineering, no sewer and drainage run-off shown, and they want to protect the wetlands. Mr. Hartman assumed this was a negotiative process, and if so, special counsel would be helpful.

For the record, Mr. Morris said the ZBA also has no objection to low or moderate income housing.

Mr. Hartman said the appointing of special counsel has been delegated to him if the Board wants him to follow through on it. He could come up with a short list of attorneys. Mrs. Rozanski clarified state statute says the Board of Selectmen appoints special counsel.

Mr. Springer said they would need special counsel for their meeting on October 6th. Mr. Hartman noted they could call a special meeting to decide on the person. Mrs. Rozanski said it was the consensus of the Board to assign seeking special counsel to Mr. Hartman.

9:35 p.m. - Action Items.

#1. Mary O'Leary was present on behalf of the Housing Authority to request the Chairman sign the amendment for the Housing Authority's comprehension improvement assistance program. She noted the grant is submitted every year and although they did not receive as much as they requested, did receive \$127,500 to do vinyl siding and some repairs at Maple Lane.

Mr. Dziczek moved to have the Vice-Chairman sign the amendment; Mr. Johnson seconded; all aye.

#2. The Board discussed the proposed open house at Town Hall. Mr. Hartman noted this was a necessary ingredient to have the Sheriff's community service workers back to finish the town hall. It was noted that Time-Warner would be willing to provide some refreshments. Mr. Gildea moved that the date of October 19th, from 4-7 p.m. be set for the Open House; Mr. Dziczek seconded; all aye. Mr. Hartman noted he had a follow-up from the Medway Lions Club on the cost of the chairs which was provided to them. Press releases would be in the paper and on page 8.

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Cable and all boards and committee members would be invited.

#3. The Board discussed the need for a special town meeting. Mr. Johnson noted the Treasurer and Accountant can't reconcile the books and were off by \$22,000 at this time. He said the free cash has to be certified. Mr. Hartman said the figure was to go in on the 15th, and Kathy Reed of the DOR is not allowed to give an extension. He said it takes the State 30 days to certify free cash.

With reference to the special, Mrs. Rozanski stated they could say "no spending articles" as it would not be fiscally prudent. The only other items for a special so far were the zoning-by laws articles not approved.

Mr. Hartman said the Accountant feels part of the problem in reconciling was the age of our computer system; the staff is new and needs to be trained. Mr. Johnson said you should be able to ask for a balance every 30 days. Mr. Hartman added that he felt a lockbox for deposits was the way they should go. Mrs. Rozanski said it was within the Board of Selectmen's purview to make that policy.

With reference to going from a 3 to 5 man-board, Mr. Hartman said he asked Town Counsel about the process but had not received an opinion yet.

The Board asked that the subject of a special be reconsidered next week.

#4. The letter of understanding from Time-Warner was brought up. Mr. Hartman said this incorporates the changes to the equipment we were getting at Town Hall.

Mr. Dziczek moved to accept the recommendations of the Town Administrator and have the Vice-Chairman sign the letter of understanding; Mr. Johnson seconded; all aye.

- The Secretary brought up a phone call received from a concerned resident about the improper condition of school grounds, noting she and others want to see something done but hesitate to bring this to the school's attention for fear of repercussions.

MINUTES OF THE SELECTMEN'S MEETING  
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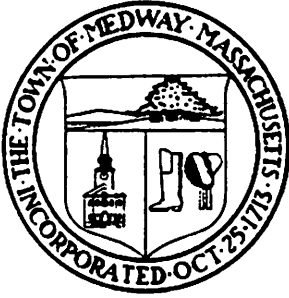
Mr. Hartman was asked to speak to the Superintendent about signs on school property concerning no dogs allowed.

10:45 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*MS*  
10/19/98



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### ***AGENDA***

***SEPTEMBER 21, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants.
  - Public Comments.
- 7:15 p.m. - Pole petition public hearing re: Cottage and Maple Streets.
- 7:30 p.m. - Chief Vinton re: presentation of defibs.
- 7:45 p.m. - Mike Suprenant re: Alder Street project.
- 8:00 p.m. - Apollo reps re: Building on Route 109 and licenses.
- 8:30 p.m. - Jeff Dufficy re: sign for Dominos on Route 109.
- 8:45 p.m. - Marge Sanford re: evaluation of Lynda Pastore.
- 9:00 p.m. - Blue Chip Advertising re: soliciting for Massive Video.
  - Administrator's Report:
    - Correspondence.
    - For your information.
    - Personnel activities.
    - Other.
  - Committee Reports.

- Action Items:

1. Sign proclamation for United Nations Day.
2. Sign VHB contract for Summer Street reconstruction.
3. Reservations for Norfolk County Selectmen's Association.
4. Chairman to sign budget revision for Senior Center grant.
5. Chairman to sign grant for Council on Aging van.

- Executive Session

MINUTES OF THE SELECTMEN'S MEETING  
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Present: Raphaela Rozanski, Richard Gildea, Harry Johnson, Joseph Dziczek, Town Administrator Michael Hartman. Selectman James Brodeur was absent.

7:01 p.m. - Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.

- Warrant #13 was discussed by the Board. Mr. Johnson noted a correction would be done with the withholdings in school salaries, and a notation that work done in the Middle School was corrected to read for the Memorial School. Mr. Johnson moved approval of the warrant totalling \$605,266.11 with the correction of the school payroll being done; Mr. Gildea seconded; all aye.

Mrs. Rozanski noted receipt of a comment from Linda Reynolds concerning a computer expenditure the Board had a question on. Mr. Johnson stated it was corrected and the checks released.

7:08 p.m. - Public Comments.

- Barry MacDougall was present in the audience bringing up the issue of the management of the process of town documents to be signed that he felt belonged with the Board rather than other town boards, feeling some questions could be raised about the payment of some invoices.

Mr. MacDougall also felt the Assessors should investigate addressing leaving an option of a utility measuring volume of units. Mrs. Rozanski felt that issue belonged with the Board of Assessors, but that his first comment aptly belonged to the Board.

Mr. MacDougall also noted his concern for the maintenance of school facilities feeling their plans could set the framework for plans for the rest of the town.

Mr. MacDougall stated he had received a copy of accreditation standards, and hoped the town had a copy as well.

7:15 p.m. - A public hearing was called for pole petitions by New England Telephone for Cottage and Maple Streets. Bell Atlantic was represented by Sandra Culligan. She noted that, at both locations, they had reached maximum capacity

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and these were upgrades. On petition #98-08 at Maple Street, a new service terminal box and conduit would be placed, but on petition #98-09 at Cottage street, just conduit. There were no comments from the audience.

Mr. Dziczek moved approval of both petitions as read; Mr. Johnson seconded; all aye.

7:22 p.m. - Administrator's Report.

- As there was some time, Mr. Hartman mentioned the approval and non-approval of several zoning by-laws by the Attorney General. He believed the Planning Board had the intention of resubmitting them. Mr. Dziczek did not feel any of the rejected by-laws affected the comprehensive permit pending. Mrs. Rozanski agreed noting there are no variances involved with the ZBA, but possibly some conditions placed on it. Mr. Dziczek mentioned it would be good for the Board to meet with the Zoning Enforcement Officer, and Mr. Hartman said he was working on placing him on the agenda.

Mr. Hartman stated he felt it would be good to discuss the enforcement of the sign by-law, especially political signs, as there is a recent opinion by the Assistant Attorney General involving the town of Berlin. Upon reading that opinion, Town Counsel determined it was a free speech issue and recommended that it was not enforceable. As an example, Holliston chose not to enforce the by-law. Insofar as Medway was concerned, they are responding to complaints on town property which is under section 12. Mr. Hartman said he was looking into different locations of signs on town property which, under the town by-law, is a penal law and enforceable by the Police Department. The Tree Warden will remove any signs on town trees.

7:30 p.m. - Fire Chief Wayne Vinton was in attendance for a presentation of defibrillators to the Town. He read a prepared statement indicating 6 units had been donated jointly by the Medway Lions Club, Medway Pride Day Committee, the Newcomers and Friends Club. He noted funds were also appropriated a Town Meeting through CIPC. He introduced EMT trainer John Misiuk who, with Mike Heavey, demonstrated their use. Mr. Heavey noted these new units were 1/3 the size of the old ones.



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Chief Vinton said the police officers will also be trained on their use as there will be one in each vehicle as first responders. He noted their compatibility as they can be inter-used between vehicles and ambulances. Chief David Lambirth also noted his appreciation for his men having the equipment in their cruisers. Some time was taken at this point for pictures by the press.

7:50 p.m. - Mike Suprenant, resident engineer for the Alder Street project from Design Consultants Inc. was present as requested to meet with the Board.

Mr. Hartman reiterated the Board's concern for work order #2 on the water main to which Mr. Suprenant provided further breakdowns. He also said, in reading the contract, temporary service should be the responsibility of the contractor so he asked Mr. Suprenant for this breakdown indicating the amount for the temporary service and the amount for the additional connections and fittings. Mr. Hartman again said he felt the temporary service, totalling almost \$15,000, had to with the original order, and although an estimate, believed that was the contractor's cost. He stated if it was their intention to approve the extra work, then not to pay for the temporary service.

Mr. Hartman did feel it was prudent to move on the water service so the area could be developed in the next five years, and would be a reimbursable expense. He would not want to see land on one side developed, and not on the other side. He noted if someone applied for the water service, they would have to pay for it and then reimburse the State, but they would lose the opportunity to use that part of the grant. Mr. Hartman noted they were still under budget. Mr. Johnson noted if the Board approved everything, they would be at 99.9% of the budget. He asked Mr. Hartman if the temporary service (item #345.6) was already done, and he said it was, but items #381 and 309 were not done yet. Mr. Hartman stated that the temporary service is ultimately between the town and the contractor, but that there is some basis for the contractor that there is extra work but the maintenance of the service belongs to him.

Mr. Johnson moved approval of extra work order #2, but in that extra work order to exclude item #345.6 totalling \$14,495; Mr. Dziczek seconded for discussion to ascertain the total amount for this work order was \$22,105.57; all aye.

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For clarification, Mr. Hartman mentioned that, in the contractor's point of view, he bid under the standard specifications and there was an item for relocation of the water main. Those standard specs also have it as a temporary item, and was brought up for the first time at the preconference. In the contract, it does not say how you would get paid for it, only that you will do the work.

Mrs. Rozanski asked Mr. Hartman to check with the Water/Sewer Dept. for the town's process as she felt the design work has not been changed to the design of the water main.

Mr. Hartman stated the IDC did not do the re-laying of the water main phase, but found it had to be done. In looking at Mr. Suprenant's figures, Mrs. Rozanski determined the cost was \$4,010, which was not originally anticipated in DCI's contract. Mr. Dziczek moved approval of the additional services proposal for \$4,010; Mr. Gildea seconded; all aye.

Mr. Hartman said that the subgrade on the road was in place, the structures were in, and the water main will be started within the next week. They were building the retaining wall now, but were concerned with getting the concrete sidewalks in before winter even though the State would be flexible if everything could not be finished because of winter.

8:25 p.m. - Representatives for the Apollo building on Route 109 came to meet with the Board. They included: Ed Cannon, attorney; Gene Dvorkin, president; Earl Miller, general counsel and Bob Potheau, property owner.

Mr. Hartman explained they were asked to meet with the Board when it was discovered there was a recent change in ownership. He had consulted with Town Counsel and this meeting with the Board is the procedure and policy.

Mr. Cannon said that Michael Jarrett was the property owner in September of 1997, at which time it was sold to Mr. Dvorkin. They will proceed on the new application if the Board prefers to do that. He noted Mr. Dvorkin employed 5 people, and was aware of the Town's concerns on the building itself. Mr. Dvorkin, s the tenant, is cooperating and showed that cooperation by vacating the building on May 1st. Mr. Cannon felt Mr. Dvorkin has done all he can.

MINUTES OF THE SELECTMEN'S MEETING  
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Mrs. Rozanski brought up the site plan on the building, at which time Mr. Potheau addressed the Board. He stated he had hired an engineering company, Mr. Merrikin, to handle the project for him but he was not notified of certain issues having to do with the property and the appeal period passed by. He had understood Mr. Merrikin was to negotiate and assumed everyone was happy. It was represented that he would tear the building down, and he wants to do it. Mr. Potheau felt the license was a separate issue.

Mr. Potheau stated, to take the building down, telephone and electric lines had to go. He believed the telephone lines were just removed 2-3 weeks ago, and has hired a contractor to take down that portion of the building that is encroaching. He stated his attorney, Colin Smith, who had spoken with Town Counsel moved. Now, Francis Dorham is his attorney and he had told him to speak to Town Counsel. Mr. Potheau understood the Building Inspector could not give permission for a demolition permit until there was a release from the electric company and a digsafe number provided. He believed when Edison moves the lines, it would take two days to tear down the building. He believed all valuable inventory had been cleared out otherwise he was not responsible. Mr. Dvorkin said it would all be out by tomorrow.

Going back to the license, the Board was reassured by Mr. Dvorkin that he would be able to operate his business once the building was gone. Mr. Dziczek noted they were concerned with safety issues involving fire engines getting it and around the building, and that they were not doing anything near the wetlands.

Mr. Johnson asked how many cars he would be selling, and Mr. Dvorkin said he generally does not sell cars to the public, but he could take in as many as 40 cars in one month, with as many as 300 cars on the lot at one time, with a maximum of 25 on display.

Mr. Miller said he did not want to limit Mr. Dvorkin in the selling of cars and what was in the back lot for salvage. Mr. Potheau, as the property owner, said he did not know if the property would always be there in the future; there were no limitations when he bought it. The record so notes that. Mrs. Rozanski reminded Mr. Potheau that Mr. Dvorkin was the one applying for the license.

- A momentary break was asked here by the Apollo reps.

MINUTES OF THE SELECTMEN'S MEETING  
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- Jeff Dufficy was present to speak to the Board about a sign for Dominos at 122 Main Street, which the Building Inspector had denied as the total area was greater than was allowed in the Zoning by-laws. He explained to the Board what type of sign he was requesting, and that basically, he had already ordered not knowing there might be a problem. Mr. Dziczek moved to approve the sign for Dominos as presented this evening for a total of 87.5 square feet; Mr. Gildea seconded; all aye. Mr. Dufficy was reminded by Mr. Hartman that this was the best time to plant the trees that the Board required be done.

9:07 p.m. - The Apollo reps returned. Mr. Cannon expressed their legitimate concerns because of the changes that would be occurring in the area soon, and asked if the maximum amount of cars for the license could be held in abeyance until they send in their yearly application in November. Mr. Johnson moved to grant the Class II license for a maximum of 25 cars in front of the fence; Mr. Dziczek seconded; all aye. Mr. Dziczek said to Mr. Dvorkin that when the area is redone in front of his building, he may want to revisit the Board with another site plan.

Mr. Johnson moved to approve a Class III license for Apollo for land and buildings at 2-4 Main Street; Mr. Dziczek seconded; all aye.

- It is noted for the record that Blue Chip Advertising did not show for their appointment with the Board to discuss a soliciting permit for Massive Video.

9:20 p.m. - Treasurer/Collector Marjorie Sanford was present to review her evaluation of Lynda Pastore. Mrs. Sanford complimented Ms. Pastore for: her conscientiousness, being detail-oriented; altering procedures for the better; taking extra courses, and computer proficiency. Mr. Hartman backed up her comments noting the retirees, who have to talk to Ms. Pastore about insurance problems, were happy with how she was handling the work. Mrs. Sanford agreed she was impressed with the way Ms. Pastore took on the assignment.

Mr. Dziczek brought his concerns about looking into alternatives on insurance. Mr. Hartman stated Ms. Pastore is strictly handling the clerical end; the rest of the insurance issue rests with him and the Board.

Mr. Dziczek moved to approve a step increase for Lynda Pastore from a grade 4, step 1 to a grade 4, step 2 effective 9/8/98; Mr. Gildea seconded; all aye.  
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9:35 p.m. - Administrator's Report.

- Under personnel activities, Mr. Hartman mentioned that Mrs. Sanford has requested an upgrade for Ms. Pastore and some re-write in her job description, and he is working on it.

Mr. Hartman said they have reached an agreement with the Council on Aging Senior Center Director's position at a grade 9, and will be on the agenda for next week. Mr. Johnson said it should be introduced next week and voted on the following week.

- Committee Reports.

- Mr. Johnson stated he went to the Norfolk County Advisory Board meeting where they voted and passed on some bills. They recommended going to the legislature concerning the fees to probate court. Mrs. Rozanski was there as well. They will meet again in October. The annual 2-1/2% increase is not included in the bill to the Town.

- Mrs. Rozanski said that the Norfolk County Selectmen's Association meeting was cancelled, so she went to the Norfolk County Advisory Board meeting instead.

- Mrs. Rozanski asked Mr. Hartman about the Technology Committee. Mr. Hartman said they were close to selecting the vendor and then it will be taken back to the Steering Committee. Mr. Johnson said he was notified by the present computer firm that they ready for the year 2000. He did feel it was necessary to buy cobalt chips for programming and have parallel systems while they are coming out with the new ones.

- Mrs. Rozanski asked Mr. Hartman about road progress. Mr. Hartman explained the difficult time they have had trying to find the reclaimer, and today, was a no show again. Many structures have been raised in anticipation.

- Action Items.

#1 The proclamation for United Nations Day on October 24th was signed by the Board.

MINUTES OF THE SELECTMEN'S MEETING  
SEPTEMBER 21, 1998

#2. The VHB contract for Summer Street reconstruction was brought up. Mr. Hartman said there were some grammar changes by Town Counsel, otherwise it was fine. He stated as soon as the Chairman signs it, they will work on the design. Mr. Dziczek moved to approve and have the Chairman sign the contract with VHB for the Summer Street reconstruction project; Mrs. Rozanski seconded; Mr. Johnson abstained; aye.

#3. The Norfolk County Selectmen's Association dinner for October 14th was brought up. Mrs. Rozanski and Mr. Johnson said they would both attend; Mr. Gildea and Mr. Dziczek would not; the Secretary would check with Mr. Brodeur.

#4. The Board noted the budget revision for the Senior Center grant since the funds are budgeted and is an approval required by the State. Mr. Dziczek was concerned he should abstain from voting as his wife was the Outreach Worker, but Mr. Hartman did not feel it was necessary. Mr. Dziczek moved to approve the budget revision of \$2816.84 previously designated as administrative funds and to now be used for construction costs; Mrs. Rozanski seconded; Mr. Gildea abstained; aye.

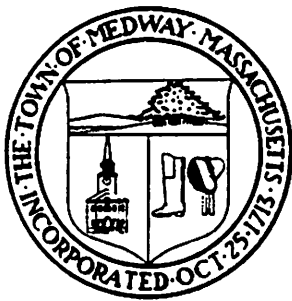
#5. The grant for the Council on Aging van was brought up. Mr. Dziczek moved the Vice-Chairman be authorized to sign it; Mr. Gildea seconded; all aye. Mr. Hartman noted they are awaiting delivery, and that the COA raised \$8,000 toward its purchase, costing the Town nothing.

10:00 - Mr. Dziczek moved the Board adjourn to executive session for the purpose of discussion of contract negotiations as it relates to union and non-union personnel, not to return to public session; Mr. Gildea seconded; all aye. The vote: Mr. Gildea - yes; Mr. Dziczek - yes; Mr. Johnson - yes; Mrs. Rozanski - yes.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*M. J. Fredette 10/19/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### ***AGENDA***

***SEPTEMBER 14, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of August 24th and 31st.
  - Public Comments.
- 7:15 p.m. - Joint meeting with Park Commissioners re: vacancy.
- 7:30 p.m. - Caritas Hospital.
- 7:45 p.m. - Marjorie Sanford re: student activity accounts.
- 8:00 p.m. - Barry Roth re: Class II license (previous holder: C & R Auto).
- 8:15 p.m. - Solicitors permit re: soliciting aerial photographs of your property.
- 8:30 p.m. - Elizabeth Speroni re: request to place sign on town property.
- 9:00 p.m. - Rep. Gardner re: update. (Sithe)
- 9:30 p.m. - Paul DeSimone and IDC members.
  - Administrator's Report:
    - Correspondence.
    - For your information.
    - Personnel activities.
    - Other.

- Committee Reports.

- Action Items:

1. Sign proclamation for United Nations Day.
2. Sign school construction requisitions #20 and 21 and change order #12.
3. Vote on Norfolk County Commissioners' request for support of legislation on taxes back to the towns.
4. Re-appoint members of Medway Pride Day Committee.
5. Discuss VHB contract for Summer Street reconstruction.
6. Sign memorandum of agreement for apportionment of funds in the amount of \$288,405.



MINUTES OF THE SELECTMEN'S MEETING  
SEPTEMBER 14, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Town Administrator Michael Hartman. Selectman Dziczek was absent.

7:05 p.m. - Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall.

- Mr. Johnson moved to accept warrant #12 as read totalling \$858,285.56; Mr. Gildea seconded; all aye.

- Public Comments.

- Jill Rubin Myers said she was here this evening as the FinCom liaison to the Board.

- Mr. Johnson moved approval of the minutes of August 24th; Mr. Gildea seconded; Mrs. Rozanski abstained; aye.

- Mrs. Rozanski moved approval of the minutes of August 31st; Mr. Johnson seconded; all aye.

7:15 p.m. - The Board convened their joint meeting with the Park Commissioners in reference to the vacancy created by the resignation of Maureen Giles. All Board members praised Mrs. Giles for her many years of faithful service. Mr. Brodeur noted three residents had voiced an interest in the position: Jim O'Brien, Mark Aldrich and John Larney. Mr. O'Brien was asked to speak first.

Mr. O'Brien spoke of his many years involved in youth activities and that his goals were to see a rotation on the use of town fields and the acquisition of more fields. He felt we spent too much money to upkeep what we do have indicating the need for more space and that Idylbrook and land behind the Burke School will help. He said the issue of finding a location for rollerblading should be studied more. He was somewhat aware of staffing and funds for the Park Department.

Mr. Larney spoke next. He mentioned his many years being active with the Boy Scouts and the youth. He noted his concern with large liability issues with roller blading. He said his goals would be to have greater access to the Charles river, make the playgrounds larger, to see a walking program instituted for the seniors, and to name a resident blue heron. With reference to the combining of some conservation and park issues, i.e. Idylbrook, Mr. Larney was not sure yet.

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Mr. Aldrich was next, also speaking of his many years involved with youth and sports in town, along with recreational improvements to the fields. He stated he had worked on capital improvements for five years and has a good scope of what was going on and many ideas. His goals were to prioritize, to consider a sports board rather than individual boards, to see the youth get involved with the elderly, to address the 8% growth increase of children in town, and to research the issue of skateboarding further.

The Board expressed their thanks for three qualified candidates, with Mr. Brodeur adding if there were five Park Commissioners, the other two who did not get the position could have filled the quota. The actual vote was then taken with Mark Aldrich receiving 4, Jim O'Brien 1 and John Larney 1. On that basis, Mrs. Rozanski moved to appoint Mark Aldrich to the unexpired term of Maureen Giles as Park Commissioner until the next election; Mr. Johnson seconded; all aye.

Mrs. Rozanski asked the Park Commissioners if they wanted to request a change of three to five commissioners at the next town meeting? They stated they would let the Board know. Mrs. Rozanski moved to close the joint meeting; Mr. Gildea seconded; all aye.

7:30 p.m. - Helen Cleary and Nancy Connors representing the Neponset Valley Coalition came to speak to the Board about their concern for the continuing existence of services at Southwood Hospital. Dr. Cleary stated that, since the sale of the hospital, the possibility exists that services at the emergency room will be terminated. Mrs. Connors stated if the emergency room is not available, then local responders would have a longer distance to travel to another emergency room and/or impact other local ER's. She noted November 1st has been mentioned as a possible closing date. Mrs. Connors felt there was not enough concern in the different communities serviced by Southwood and she and Dr. Cleary were part of a group to bring citizen awareness to the forefront.

Barry MacDougall, who was in attendance this evening, noted he has observed the tremendous amount of ambulances coming and going at Southwood and was also concerned about the health care of patients there, including his mother who was receiving chemo treatments.

Mrs. Connors mentioned the growth explosion in the area and that closing a facility was not the way to handle that potential increase in patients. Again, she  
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MINUTES OF THE SELECTMEN'S MEETING  
SEPTEMBER 14, 1998

stated they were asking for nothing but to make the public more aware. She noted the review of the license would be evaluated the next day and the members of the different coalitions would be in attendance.

8:15 p.m. - Mrs. Rozanski read the ad that appeared in the local paper for a public hearing for a Class II license for Barry Roth for 16 Main Street. Mr. Brodeur opened the hearing, but temporarily suspended it to just take a few minutes with Treasurer/Collector Marjorie Sanford who had asked to meet with the Board on the subject of student activity accounts. Mrs. Rozanski moved to temporarily suspend the public hearing; Mr. Johnson seconded; all aye.

Mrs. Sanford stated there was an existing dilemma on student activity accounts now that the State had passed a law about those accounts. She passed that text around to the Board members. Mrs. Sanford said she and Kathy Garabedian of the School Business Office had researched this issue, and have discovered that the principals now have to open the accounts, and as such, the principals "shall give bond to the municipality".

Mrs. Sanford said there were several options available for coverage, but in the meantime, the Board had the authority to have the Town Accountant release the checks for the student activity accounts while the principals are in the process of applying for the fidelity bonds. She said if the money is not released to the principals, the classes could lose out on the reservations and commitments they have made.

When Mrs. Rozanski asked why it took so long to get to this late rush for release, Mrs. Sanford said everyone was relying on the fact that we had a blanket bond, and then found out we didn't. Mrs. Sanford said they would like to release the initial checks this week, with the option of closing the accounts if the principals don't follow through.

Mr. Johnson brought up the fact that the student activity accounts had been accessed for many years, but this time, we were just correcting the issue. Mr. Hartman agreed noting the Town Accountant had come across the statute over the summer. Mrs. Rozanski moved to waive the request for bonding temporarily and have the Town Accountant issue the checks for the student activity accounts; Mr. Johnson seconded; all aye.

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8:25 p.m. - Mr. Johnson moved to reconvene the public hearing of Barry Roth; Mrs. Rozanski seconded; all aye. Mr. Roth was represented by Attorney Francis Doran Sr.

Mr. Doran stated that Mr. Roth had entered into a lease agreement with Ron Murphy, the owner of the property at 16 Main Street, and would be dealing with high-line vehicles. Mr. Roth had also made the agreement that, when the construction on Route 109 was completed, he would hot top the front area of the lot and upgrade.

Mrs. Rozanski was assured a background check had been done. As there were no other questions or concerns, Mrs. Rozanski moved to close the public hearing; Mr. Johnson seconded; all aye.

Mr. Johnson moved to approve a new Class II license for Barry Roth, Bluestone Management Corp., D/B/A Medway Imports at 16 Main Street for not more than twelve unregistered vehicles to be on the premises at one time; Mrs. Rozanski seconded; all aye.

Mr. Doran understood that there would be only one license holder at this address, and Mr. Murphy would no longer have a license. The Board agreed, however to clarify and finalize the issue, Mrs. Rozanski moved to amend the motion to include that C&R's Class II license was hereby revoked; Mr. Johnson seconded; all aye.

- Representatives from Air Marketing International did not show for their appointment with the Board to request a solicitor's permit for canvassing the town to sell aerial photos of residents' property.

8:40 p.m. - Elizabeth Speroni came to speak to the Board about placing a Speroni's sign on the town's island at Route 126 and Milford Street. Ms. Speroni mentioned they have a small sign on the restaurant, but showed the Board a diagram of a 4' x 6' sign they wanted to place on the island.

Mr. Hartman mentioned that the ZBA cannot give permission for someone to use Town property as it is exempt from their jurisdiction.

Mr. Johnson was concerned about view obstruction, but Ms. Speroni had a  
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letter from Safety Officer Jeff Watson giving his recommendation to placement.

Mr. Johnson moved to approve the sign for Speroni's with the disclaimer for any damage to the sign on town property. Mr. Brodeur asked for a six foot clearance from the bottom of the sign to the ground. Mr. Johnson amended his motion to include the condition. Ms. Speroni produced a letter from her insurance company attesting the town was not responsible for the sign. At this point, Mr. Gildea seconded Mr. Johnson's motion. Mrs. Rozanski told Ms. Speroni she had no claim to the property if the corner gets reconstructed. Mr. Hartman suggested also amending the motion to include adding the Safety Officer's letter and the insurance company's letter to the motion; all aye on the amended motion.

8:55 p.m. - Rep. Barbara Gardner came to meet with the Board for an update. She introduced some people who accompanied her as being representatives from Sithe New England located in Charlestown. They were: John O'Brien, vice-president; Jim McGowan, vice-president of development; Anne Houston, project manager; Marsha McCleary, manager of project development; Phil Mooney, project engineer; and Mark Cerel, local attorney out of Medfield.

Mr. Cerel spoke first stating he represented Sithe and they were present this evening to give the Board an overview of their proposed expansion of a peak power plant in Medway. He introduced Mr. O'Brien who stated they had won the bid for non-nuclear Boston Edison plants. Mr. introduced Mr. Mooney.

Mr. Mooney outlined plans for a 540 megawatt peaking facility of three new generators similar to the existing units which are 180 megawatts. He stated that the Medway site was ideal as they would be using natural gas, the transmission hub can be interconnected, there would be no additional water used, it was state of the art combustion and catalyst, and the noise levels would be looked at. Benefits included the additional jobs that would be created since it was a 24 month project, the increase in tax revenues, and the low-level profile of an appropriate use of the site. He noted hearings would be held with DEP. Mr. Mooney stated they bought 90 acres, but they gave a permanent easement to Boston Edison for the switchyard. Primarily they are providing backup power but will be meeting state and local regulations. Mr. Johnson was assured there were no stranded costs. Mr. Mooney mentioned the cost to Site was approximately \$150 to 200 million.

Mr. Brodeur suggested they plant tall evergreen trees in the fall as a sign of  
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good faith for noise. Rep. Gardner added that she had touched base with area legislators and informed them Sithe would be outlining their proposal to the Board this evening. Mr. Johnson asked for copies of the site plan and what has been recorded for the Board.

9:30 p.m. - All the members of the IDC were present to meet with the Board.

- On an unrelated topic, Mr. DeSimone mentioned receiving a phone call from Carla Cataldo, a member of the Master Plan Committee, asking if Gino Carlucci could do some demographics for the town. Mrs. Rozanski moved to resolve to give up to \$500 to the Master Plan Committee to do demographics for Industrial I and to take the cost out of the Selectmen's consulting budget; Mr. Gildea seconded; all aye. Mr. Hartman was asked to so advise the Committee. Mr. Hartman noted they have funds in their budget, but not for this.

- Mr. DeSimone said he and Mr. Mitchell left the last Selectmen's meeting totally confused with the Alder Street project. He was understanding that anything on record before Mr. Hartman came is now null and void, and the resolution stating the IDC was the lead agency is no longer valid.

Mr. Brodeur agreed the contract was awarded by the Selectmen prior to the by-law hiring a Town Administrator was passed, but noted work was going on and proceeding. He said Town Counsel has ruled between the time the resolution was adopted and the signing of the construction contract that the only legal authority to approve the changes in work lies with those who signed the construction contract. Mr. Brodeur reiterated that the Town Administrator was in charge of all construction projects.

Mr. Hartman did bring up a work order signed by Mr. DeSimone for a utility bill for construction services per order of the IDC which left some confusion with the engineer. He stated he was looking at that issue and others.

Mr. DeSimone referred to the resolution which designated the IDC as the lead agency on this project, and said work orders are not bills. Mr. Brodeur pointed out, however, that extra costs cannot be approved except by those who signed the construction contract. Mr. DeSimone said he called Bell-Atlantic and Boston Edison, and stated they would have walked off the job if he had not signed the work order. He noted the work order had been initiated by someone, but  
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needed to be signed. Mr. Hartman reiterated a work order is a promise to pay the amount due. Mr. Brodeur stated the Town has the right to request lines be moved free of charge as utility companies are there by privilege and no cost should be involved if they are existing or need to be relocated. Mr. Hartman further explained the Town's position was that Bell-Atlantic was told to move the pole, and they have said they would move it when they get around to it if the Town would not pay them. Unfortunately, the pole is in the Town's right of way, and we want them to move it. He noted the fee is probably allowable in the grant, but was concerned about setting precedents with utility companies. Insofar as schedules were concerned, according to Mike Suprenant, Mr. Hartman believed they were within one week of being on schedule.

Mr. DeSimone stated, as of September 1st, when he called Boston Edison who had initiated the work order, nothing had been processed through this office, so the IDC voted to approve and sign the work order, and on that basis, the work would be done by the end of the week. He felt Boston Edison was always receptive to negotiations and there was money in the grant which covered it. Mr. Hartman stated he believed this was extortion; things were moving along without the signing of the work order. Mr. DeSimone said whether they pay the bill or not was not relevant. He stated on August 3rd he sent a memo to Mr. Hartman with the work order, to which Mr. Hartman said he told Mr. DeSimone on the phone he would take it under advisement and not sign it. Mr. DeSimone commented he would not have done it if he had known Mr. Hartman would not sign the work order, but Mr. Hartman felt most of the work was done before the work order was signed anyway. Mrs. Rozanski stated if the Town is aware of what is being done, then we have to pay for it.

Mr. DeSimone brought up the water line noting the PWED grant does not pay for it - new, relocation or temporary; however, Mr. Hartman told him differently noting it was the same as Chapter 90 and it was covered. He felt he and Mr. Mitchell were the only ones who knew about PWED grants. Mr. Brodeur stated the Board of Selectmen can only approve on a project what was voted at Town Meeting, in this case, \$973,450. Mr. Hartman, therefore, noted that this was part of the contract, according to his interpretation and the engineer, as they were relocating within a certain area the contract includes. Mr. Johnson brought up a point of order - he had not seen the contract and was not totally aware of what was going on.

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Mr. Hartman brought up the fact that the project needs to be done by December 31st. He noted water services have been fully removed and are in the process of relocating. Mrs. Rozanski reiterated that the Board enters into contracts and Mr. Hartman administers those contracts.

Mr. DeSimone stated the IDC was concerned about the deadline as well. They had also heard work orders were being questioned and they wanted to make sure the work continued.

Mr. Johnson moved approval of work order #2 for Bardon-Trimount not to exceed \$36,600.57; Mrs. Rozanski seconded for discussion. Mr. Brodeur felt they need a report from the engineer on each item of work order #2. Mrs. Rozanski moved to table approval of the work order until the next meeting when the engineer would be asked to attend; Mr. Johnson seconded adding they take action on the work order at that meeting; all aye.

Mrs. Rozanski noted Mr. Gildea and Mr. Johnson needed copies of certain parts of the contract so they were familiar with it.

Mrs. Rozanski brought up work order #3 and moved its approval in the amount of \$12,980; Mr. Gildea seconded. Mr. Brodeur noted the contract sum needed to be amended to reflect non-approval of work order #2 at this time, and initialed the deduction. Mrs. Rozanski amended her motion to include the Chairman be authorized to sign the work order with his correction; Mr. Johnson seconded; all aye.

The Board moved on to the proposal for construction survey. Mr. Brodeur noted his concern with the owner doing the surveying, but asked Mr. Hartman to check what was being charged as the figures reflected estimates. Mrs. Rozanski moved to approve construction survey services not to exceed \$7,520; Mr. Gildea seconded; all aye.

Mr. DeSimone gave his figures to date on the project to the Board, noting there would be a possible deficit of \$7,000 if they pay Boston Edison. He questioned the reimbursement process noting their secretary had been designated to do it. Mr. Hartman said that would not change.



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Mr. DeSimone brought up a possible conflict of interest for Mr. Mucci and Mr. Parrella stating he was not satisfied with the answer they received on this issue, and were asking that Town Counsel be requested to put something in writing. Mr. Brodeur felt this was something he could discuss with Mr. Hartman. Mrs. Rozanski said Mr. Brodeur could request a written opinion, and they could ask the Ethics Commission themselves.

Mr. DeSimone asked what was the position of the IDC at this point? Mr. Brodeur stated the IDC were the best advisors they had. Mr. DeSimone wanted to know where does authority lie with the Alder Street project? He stated, in the past, they verify invoices and then the Selectmen sign the warrants with those invoices included in those warrants. Mr. Brodeur felt they should go along as it is.

Mr. DeSimone stated they were close to submitting a grant for sewer on Alder Street, and they might just put binder down.

11:25 p.m. - Administrator's Report.

- Under personnel activities, Mr. Hartman stated he was notified by the Acting Highway Superintendent he would be retiring on November 7th, just under 29 years with the Town.
- The question was brought up for the necessity of a ballot question to increase the size of a board. It was felt a majority of a vote by the board, on most issues, can place that question on the ballot, but Mr. Hartman will check on that as well as the appointed vs. elected issue. He noted if the Board wanted to go to a department of public works, they would have to create an elected board of commissioners which would be autonomous and the Board of Selectmen would lose control.
- Committee Reports.
- Mrs. Rozanski noted attending the MMA Board meeting where they discussed recycling and retirement policies, and bonding library projects. She mentioned the upcoming Norfolk County Selectmen's Association meeting on October 14th with a rep from the Department of Transportation.

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- Mr. Gildea mentioned the open house at the Senior Center where approximately 400 people attended. He noted receiving a plaque for his efforts.
- Mr. Johnson noted the upcoming Norfolk County Advisory meeting on Tuesday and the ZBA hearing on Thursday.
- Mr. Hartman said he had met with ConCom last Tuesday and reiterated to them they could spend funds without appropriation, so they will be drawing up proposals. He noted they have almost \$40,000 and last year collected \$22,000 in fees. Mr. Johnson was interested in their fee schedule and if they charged a fee for their agent to do an order of conditions.
- Mr. Johnson stated he frowned on Sithe coming this evening with the Board and the public not being made aware of it.
- Action Items.

- #1. The Board asked that another copy of the proclamation for United Nations Day be given to them for signing next week.
- #2. The Board reviewed school construction requisitions #20 and #21 and change order #12. Mrs. Rozanski moved approval of change order #12 for \$14,161; Mr. Gildea seconded; all aye.

With reference to the requisitions, Mr. Brodeur was concerned that some of the changes in the contract should be considered errors and omissions by the architect and should be checked out. He suggested Mr. Hartman talk them over with Dave Verdolino, Linda Reynolds or John Boczanowski.

Mrs. Rozanski moved approval of requisition #20 for \$176,758; Mr. Gildea seconded; Mr. Johnson abstained; aye.

Mrs. Rozanski moved approval of requisition #21 for \$13,177; Mr. Gildea seconded; all aye.

- #6. Mrs. Rozanski moved the Board sign the memorandum of agreement for apportionment of funds for \$288,405; Mr. Gildea seconded; all aye.

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- #4. Mrs. Rozanski moved to re-appoint the members of the Medway Pride Day Committee: Ann Sherry, Debbie Bain, Debbie Mosher and John Parrella through June 30, 1999; Mr. Johnson seconded; all aye.
- #5. The VHB contract for Summer Street reconstruction was brought up. Mr. Hartman explained when it is approved by the Board, it will be the negotiation process for Village Street. He noted the cost was negotiated down to \$141,000 and up to \$11,500 for expenses, requiring it be done in 7 months. A copy is now with Town Counsel for his review. Mr. Johnson moved it be tabled until Town Counsel approves; Mr. Gildea seconded; all aye.
- #3. The Norfolk County Commissioners' request for support of legislation on taxes back to the towns was discussed. It was noted that, with this legislation, 50% would come back to the towns in the form of a new stabilization fund where now 100% goes to the State.

Mrs. Rozanski moved the Board of Selectmen support this legislation and for the Chairman to send a letter to Rep. Gardner and Senator Magnani in that regard; Mr. Gildea seconded; all aye.

12:10 a.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*M. J. Fredette*  
10/19/98

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Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joseph Dziczek, Town Administrator Michael Hartman. (Selectman Johnson arrived at 7:00 p.m.)

6:33 p.m. - Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall.

- Warrant #11 had started to be signed earlier in the week but a majority of the Board was not able to come in. This evening it was approved totalling \$422,238.68. Mr. Johnson did ask that a hold be placed on part of the school building bills dealing with computers.

- Mr. Brodeur brought up a request by Patti Muratori for a block party on Forest Road on September 12th from 4-8 p.m. Mrs. Rozanski moved it be approved; Mr. Dziczek seconded; all aye.

- Mr. Brodeur brought up various correspondence relative to the Alder Street project. Mrs. Rozanski referred to Mr. Hartman's memo dated September 8th to the Board and questioned who the various parties were that he referred to as having been informed that the Town Administrator is solely responsible for administrative oversight of the project. Mr. Hartman stated they were the contractor, the engineer and the utility companies as they were the ones who were confused.

Paul DeSimone and Paul Mitchell were present with Bob Heavey. Mr. DeSimone asked for a copy of Mr. Hartman's memo to the Board; Mrs. Rozanski provided it. Mr. Brodeur confirmed there were problems there including the water main issue, which he and Mr. Hartman had discussed. He felt that the by-pass was the contractor and engineer's responsibility. Mr. DeSimone stated that the water line has been an issue since day one, and noted the water main was the problem. The problem was relocation, not replacement. He said the cost was \$55,000 to relocate, but it was kept separate in case the grant did not cover it, and then could be pulled out.

Some discussion on the water line and work order #2 for \$36,600.57. Mr. DeSimone stated the cost was not covered by the grant and knew that in advance. Mr. Hartman said he did not have written confirmation but new services were not covered, but the relocation was covered by PWED. Mr. Brodeur noted they can only spend dollars in anticipation of reimbursement.



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Mr. DeSimone said that the project was not being worked on now, just the drainage. Mr. Hartman differed saying work was going on; it had not stopped.

Mrs. Rozanski stated she went to a meeting where Mike Suprenant said the cost of the water line was not included, approved by PWED, including relocation as part of the specs. Mr. DeSimone said the project has to be completed by December 31, 1998. They cannot afford delays. Mr. Hartman stated he was informed that the criteria for PWED was the same as for Chapter 90. The actual physical relocation is reimbursable under Chapter 90, and so it is reimbursable under PWED - it is the same criteria. Mr. DeSimone felt that PWED was separate. Mr. Hartman pointed out that the original estimates, approved by PWED, included the work.

Mr. Brodeur stated they were spending money on water main relocation from one side of the street to another, assuming it was under the grant, and going ahead with the work. New water services were not included as part of the original submission, so they know it is not reimbursable.

On another issue, Mr. DeSimone stated it bothered him that this Board was questioning whether Boston Edison should be reimbursed. Mr. Hartman clarified it was his decision. Mr. DeSimone said the work order went back to June 9th. It needed to be executed and needed a signature. Without that, they couldn't go out. The poles were relocated, and the lines are sitting there. He went on record to state that no one invited them to this meeting and the Board was going to vote on the water line. Mr. Brodeur said the Board was going to talk about the temporary by-pass; that's all, and to sign warrants. Mrs. Rozanski said she was unaware of anything else.

However, Mr. Hartman stated if the Town is not going to pay <sup>for the temporary</sup> ~~the bill~~ <sup>connection</sup>, the contractor should be notified. Mr. Hartman said this issue is still being discussed with his office and Boston Edison in consultation with Town Counsel. He stated that this type of fee has not been charged to any other town. Mrs. Rozanski asked if work was proceeding? Mr. Hartman said no, and this could delay the project as the wires are still on the old poles.

Mr. DeSimone questioned whether Boston Edison was paid or not, were they going to sign the work order? Mr. Hartman said the document is a promise to pay, and he had no intention of paying it.

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Mr. Brodeur suggested this all be discussed further at Monday's meeting as they need to act on those issues. Mr. Hartman noted the change orders need to be executed or the project will be delayed. Mr. Mitchell just asked that the Board not sit on documents, but advise the Chairman if they have questions.

7:15 p.m. - Members of the School Committee (Steve Barrasso, Cheryl Harvey, Robert Haskins, Charlie Myers), School Supt. Art Bettencourt, Finance Committee member Dawn Boyan, Project Manager from Symmes, Maini and McKee Philip Poinelli, and Building Committee Chairman Linda Reynolds came to meet with the Selectmen to discuss the school's feasibility study authorized by Town Meeting in October of 1997.

Chairman Steve Barrasso introduced Charlie Myers, Chairman of the sub-committee on this topic which was re-introduced as a Master Plan sub-committee for the Medway School System. Mr. Myers presented the Board with a hand-out.

He stated the task was not to enter into the design phase, and gave the Board a chronological calendar of events.

8/17/97 - recognized need for renovations; suggestion of funds for a study.

9/19/97 - article on STM warrant for renovation study.

12/97 - RFP's go out with opening on 12/19/97 - 9 respondents.

1/8/98 - entered into negotiations with SMMA, which concluded on 2/5/98 for \$85,000.

3/5/98 - realized need to figure load of buildings.

3/11/98 - determined age of buildings and enrollment up 42% projected, and realized they were not up-to-date on needs, electrical, etc.; found they needed a timeline or there is no reimbursement; noted different criteria for each school and if they call it a master plan for all schools, it comes under the 69% reimbursement.

5/14/98 - came up with renovation project; received community feedback at Pride Day with aerial photographs; a chart took 3-4 weeks to prepare indicating number of students in classes and grades.

6/98 - discussed site and additions going up, and adding floors to buildings - not good.

6/18/98 - looked at guidelines for sites and amount of square footage

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required per student and discovered there could be no more than 900 students in elementary schools.

Mr. Myers stated no design work has begun, no final course of action has been set, and to consider this an interim report. Their hope is to try for Pre-K, K, 1 & 2 at Burke; 3 & 4 at McGovern; 5-8 at the Middle; and 9-12 at the High. Their rough numbers indicate a need for a high school, and student population should drive the project, with the McGovern School being the first school to reach capacity. With the idea of portable classrooms, Mr. Myers stated the cost was not reimbursable. What remains is the complete study, to talk to the boards, and then turn it over to the school building committee. He noted Mrs. Faust and Mrs. Dickson were on the sub-committee.

Mr. Barrasso said he was proud of the committee. They saw the need and that this project was the right thing to do. He noted the public hearing would be held on October 1st.

Mr. Johnson said he felt he was at a different meeting than a couple of weeks ago when the proposal was first brought forward to the Board's attention. Mr. Barrasso indicated that there is a sub-committee of the School Committee working on this study. Mr. Johnson went over some of the dates Mr. Myers had given but did voice some concern that the School Committee had signed an \$85,000 contract. Mr. Barrasso stated there had been nine bidders, and there were no protests when the contract was awarded, but they found they needed to slow down in the study process. He reiterated what Mr. Myers had said in that there is no final report yet.

Dr. Bettencourt did confirm that this was a coordinated project, and at his request, they did not go along with an original timetable to allow more time for discussions.

Mrs. Rozanski also brought up the issue of who had the authority to enter into a contract? Mr. Hartman said, in checking this out, he had received a verbal opinion that since the funds were appropriated to the School Committee, it could only bind the School Committee, not the Town. Then when it gets to the School Building Committee only, it may not be binding. Mr. Gildea asked about cost and the timetable? Mr. Myers said they would have a better idea of cost in 3-4 weeks, and there was a different time schedule for each of the schools.

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Mrs. Reynolds said the overall plan is approved in one shot by the State, but the grants would be coming in separately. Mrs. Rozanski understood it to be that the town is obligated one year at a time. Mr. Myers noted they would need help with the articles for the warrants.

Mr. Johnson expressed his surprise that the Burke School could not go up vertically, and it was a shame that the 27 acres at the McGovern School had not been used before because it could not be used now. He said they should locate geographically to keep transportation costs down, with Mrs. Rozanski saying they should keep in mind where all the kids are.

Barry MacDougall, a citizen, brought up some of his concerns including accreditation and what was in the master plan for compliance, and how did they get to this point where the option plan presented was the only one - a renovation and addition plan.

Mr. Barrasso stated they had other options by the architect, but answers to questions including values and population density eliminated those other options. He noted that standards may vary from year to year, and believed that certain details were grandfathered in their codes.

Mr. MacDougall felt that there should have been a maintenance plan on-going rather than everything left to be done at one time. Mr. Barrasso explained, for example, that ADA standards were unknown until they occurred, but assured Mr. MacDougall that the buildings were safe. Dr. Bettencourt added that it was an important occurrence the buildings are inspected annually by the Building Inspector and Fire Chief. Mr. MacDougall questioned that there were no significant problems, and Dr. Bettencourt stated that, in some instances, the schools don't meet present code, but they are safe. When they do renovations, then they have to meet the present code. Mr. Barrasso indicated the Memorial School was now on a regular maintenance schedule. Mrs. Rozanski agreed there should be an on-going plan for all the buildings.

Mr. Dziczek asked that they look at the overall cost of the project with an increase of teachers and their salaries. He felt they should be talking to the Town Administrator because, he included, did not know about the study until Mr. MacDougall gave them a copy of the information. He said since the School and the Town have professional staff, it should go through them.

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Mrs. Rozanski again brought up contracts in general and asked how they were handled? Mr. Hartman said follow-up was with him. Mrs. Rozanski felt the Board is still the one who does contracts even if they are given to another department. Mr. Hartman said he would try and clarify the subject with Town Counsel. Mr. Johnson agreed the contracts belong with the Board since the Board had to sign off on those contracts.

Mrs. Reynolds asked if using liaisons had changed, but Mr. Gildea, as liaison, did not know anything about the study. He voiced his concern that, in speaking with the Treasurer, every one million dollars of increase is a \$1.45 increase in the tax rate, with Medway already being the highest town.

Dr. Bettencourt explained that the actual taxes paid are per residence with Medway lower than other communities. As a comparison, he stated Medway pays \$3,000 per residence, Medfield \$3,800, and Holliston \$3,200. Mr. Johnson noted Medway was 27 out of 29.

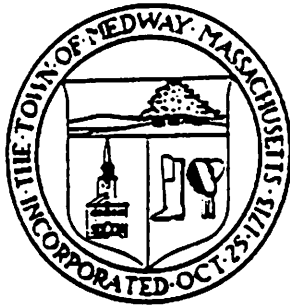
Mr. Dzikczek asked some thought be given to discussions held on consolidating land under one department rather than having two separate departments for use such as outside maintenance.

8:45 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Reviewed &  
approved  
9/22/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

**Michael J. Hartman**  
**Town Administrator**

### **AGENDA**

**AUGUST 31, 1998**

**Location: Sanford Hall of Town Hall**

7:00 p.m. - Open meeting, approve minutes of August 17th.

- Public Comments.

7:15 p.m. - John Early re: sign for 153 Main Street.

- Administrator's Report:

- Correspondence.

- For your information.

- Personnel activities.

- Other.

- Committee Reports.

- Action Items:

1. Discussion of one-day liquor license for Senior Center.

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Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joseph Dziczek, Town Administrator Michael Hartman.

7:03 p.m. - Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall.

- Mrs. Rozanski moved to approve the minutes of August 17th; Mr. Dziczek seconded; Mr. Brodeur made a correction in the name of Selectman Gildea to Selectman Brodeur; Mr. Johnson moved to approve as amend; Mr. Dziczek seconded; all aye.

- Mrs. Rozanski moved approval of the executive session minutes of August 17th; Mr. Dziczek seconded; all aye.

- Public Comments.

- Dawn Boyan introduced herself as one of the FinCom's liaisons to the Selectmen, and to the School Building Committee. She noted that Jill Rubin Myers is the other FinCom liaison.

Mr. Brodeur brought up the Board's concern about the building facilities study that they heard about and the public meeting set up for September 17th. Mr. Hartman commented to the Board that he had set up a joint meeting with the School Committee and their consultant for September 10th in Sanford Hall at 7:00 p.m. to discuss this issue. He also stated that Supt. Bettencourt has mentioned the feasibility study is in draft form and no copy is available yet, but would still attempt to get them a copy prior to the 10th. He believed FinCom was invited to the meeting on the 17th as well.

Mr. Johnson said from the documents he was given, this was not a feasibility study. Mr. Hartman said he would also try to get a copy of the RFP and agreement to the Board before the 10th.

Some concern was also mentioned about a leaky roof and a bond being given up so it could be repaired. Mr. Brodeur felt a report should be given on this - what is the problem and what is the solution? He also felt they should be putting claims in. He said as long as the bonding company was in place until the end, the contractor can't just walk away. Mr. Hartman believed they weren't sure yet if it was a design flaw or the contractor.

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Mr. Dziczek asked Mrs. Boyan if she could go back to FinCom and see if they could present what it would cost to run the town over so many years, working with growth involving the whole town, not just schools.

Mr. MacDougall said it seemed he saw none of the Board involved in the signing off of the contract, and that the School has the right to award engineering and architectural services without going out to bid. He questioned if this was in the best interest of the town as the Board is represented as being the owners of the town. Mr. Hartman noted the school and library are exempted from centralized purchasing, but Mr. Johnson did not feel this was a procurement issue, but a capital expenditure. Mr. MacDougall was aware that the payment had already gone through the warrant system. Mr. Hartman said he would ask Town Counsel about this. Mr. Brodeur suggested looking at State law on design services before spending money on Town Counsel.

Mr. Johnson recalled the contract went out on December 6th and signed on March 18th with an architectural firm. Mr. Dziczek asked who had the authority to sign contracts - Mr. Verdolino or Dr. Bettencourt? Mrs. Boyan said the contract was awarded to Symmes, and she believed Chairman Steve Barrasso signed it with the authority to do so. Again, the question was raised of the Board being the only ones to sign contracts, however, Mrs. Boyan said there are different laws pertaining to schools. Mrs. Rozanski moved to approve the use of Town Counsel if needed by Mr. Hartman; Mr. Dziczek seconded; all aye.

- The warrants were brought up. Mr. Johnson noted one item for a Harley Davidson motorcycle under the community policing grant that there was no backup for. He approved warrant #10 totalling \$751,850.16, with the restriction that, under town bills G10, a check for \$1,900 and another check for \$2,450, for a total of \$4,350 be held until all paperwork is in order; Mr. Dziczek seconded; all aye.

- Mr. Johnson noted new accounts were being set up under student activities as follows: \$15,000 for the high school; \$10,000 for the middle school; \$10,000 for the McGovern School; and \$10,000 for the Memorial School totalling \$45,000. He said checks would be hand-cut under town bills. He stated no account number had been established yet on the warrant, but they needed funds to start school.

7:40 p.m. - John Early came to speak to the Board concerning a sign for 153

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Main Street, the old Cerel building. Mrs. Rozanski noted what was allowed by the By-law was 6 square feet, and he was requesting one 24 square feet. However, she noted this was the same size as the sign that was there originally, and questioned if he was just changing the graphics? He said he would be using the same sign.

Mr. Johnson moved to waive the zoning restriction on the square footage of the sign so the pre-existing sign can be utilized in the best interest of the individual and the town; Mrs. Rozanski seconded; all aye.

Mr. Dziczek did have some concern that even though this was a pre-existing size sign, from the Building Inspector's point of view, it was a new sign. Ruth Cerel, the previous owner of the building, confirmed Mr. Early's intentions.

7:55 p.m. - Administrator's Report.

- Mr. Hartman confirmed the joint meeting with the School Committee and their Consultant on September 10th in Sanford Hall.

- Mr. Hartman discussed his memo on House Bill #H4669, which calls for an assessment on new property at occupancy, rather than waiting until new assessment lists are put together in January. In this way, the potential for additional revenues could be available to the Town. Mr. Hartman noted there were some drawbacks to the legislation, and referenced Board of Assessors Chairman June Murray's letter to Rep. Gardner. Mr. Hartman stated unless there is high growth, it doesn't make sense.

Mr. Johnson agreed feeling there would be more work on the Town Accountant, the Treasurer/Collector, the Board of Assessors and the FinCom. With reference to Mrs. Murray's letter, he felt that any letter sent by any Board should have a copy going to the Selectmen.

Mrs. Rozanski had concerns whether this could just go on the ballot, or had to go to town meeting first, and suggested Mr. Hartman check with Town Counsel. Mr. Johnson said if it had to go town meeting, he would recommend the annual rather than a special. Mr. Hartman suggested the Board take this under advisement, and he would get confirmation from Town Counsel. Mr. Johnson did wonder, however, why FinCom was in favor of this house bill. On this, Mrs.

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Rozanski moved the Board take House Bill #H4669 under advisement until they confer with the Board of Assessors and the Treasurer/Collector, so advising the FinCom; Mr. Dziczek seconded; all aye.

- Mr. Hartman brought up three extra work orders associated with Alder Street, as well as three proposals from DCI for engineering services that exceed the scope of the original agreement with the Town.

Since he felt this entailed a longer discussion, Mr. Brodeur suggested taking action item #1 out of order.

Action Item #1.

- The Senior Center personnel had requested a one-day beer and wine license for their open house to be held on September 12th. Mr. Hartman stated, even though it is not necessarily the preferred course of action, the Board can issue the license as long as there is proper general liability and worker's comp insurance on hand.

Mr. Johnson moved to approve the Senior Center one-day liquor license with the above stipulations on September 12th from 10 a.m. until 2 p.m.; Mrs. Rozanski seconded; all aye.

- Back to Alder Street. Mr. Hartman explained the work necessitating the change orders. Mr. Brodeur had a problem with many of the issues, especially those involving the Alder Street water main with the Water/Sewer Department. He felt they had made some errors and now the town was paying for it. It was clarified for Mr. Johnson that everything had been designed prior to the Water/Sewer Department getting involved with it. It was explained it had been designed to be on the other side of the road, but found there was too much ledge, so it was moved to the other side. At this point, Mr. Dziczek felt it was not appropriate to be discussing another department without them not being present and suggested the discussion be tabled.

Mr. Hartman explained that much of the engineering work has been done already during the month of August. Mr. Brodeur asked who authorized the by-pass, and Mr. Hartman said he believed it may have been the IDC.

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Mr. MacDougall asked if there weren't certain codes that have to be met? Mr. Dziczek felt that you don't always hear about everything, but just try to ensure that the same thing doesn't happen again.

With reference to work order #1, culvert replacement, in the amount of \$7,910.00, Mr. Dziczek moved that it be approved; Mrs. Rozanski seconded; all aye.

With reference to work order #2, relaying water main, in the amount of \$36,600.57, Mr. Brodeur asked that it be tabled.

With reference to work order #3, installing of a sign and providing some drainage work, in the amount of \$12,980.00, Mrs. Rozanski moved that it be approved; Mr. Dziczek seconded for discussion. Again, Mr. Brodeur said they should not sign it. Mr. Johnson moved it be tabled; Mr. Dziczek seconded. Mrs. Rozanski said you need a 2/3 vote to table an item. Work order #3 was not signed.

The Board went to the construction survey proposal for \$7,500.00. Mr. Brodeur stated that the Board should be contacted for extraordinary items. He felt that Bardon-Trimount should be doing the engineering and DCI should not be authorized to do above and beyond the contract without the approval of the Board.

The Board was confused as to some of the items included in the scope of the work not being included in the contract. Mr. Johnson asked if the contract was prepared by IDC, but Mr. Hartman believed it was DCI. Mr. Johnson said he could not vote on it; Mr. Brodeur agreed. Again, Mr. Brodeur said he needed time to review this. Mr. Hartman again explained the work to be done. Mr. Brodeur felt the only way he could agree to it was as an error an omission. Once again, he stated the scope of the work is usually included as contractor requirements, and he needed to look at the contract.

The Board went on to the additional services proposal for \$4,000.00. Hartman said this was in conjunction with the change orders that were pulled out, so this was tabled.

Next was the proposal for the layout order for \$400.00. Mrs. Rozanski moved approval of the proposal as outlined; Mr. Dziczek seconded; all aye.

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- Committee Reports.

- Mrs. Rozanski mentioned the IDC was having a meeting the next morning; and the MMA nominating committee met on Friday for next year's executive board. She asked Mr. Hartman if anything was going on with the Apollo building? Mr. Hartman was aware that a demolition permit had not been issued yet, and the attorney has not replied to our letter. It has been referred to Town Counsel. In speaking with Town Counsel, he had indicated to Mr. Hartman that Kent Powderly also hasn't signed the construction easement. Everything, however, was still in order.

- Mr. Brodeur acknowledged the resignation of Daniel Padien from the Conservation Commission. Mrs. Rozanski moved to accept his resignation with regret, and to welcome his expertise at any time he wishes to offer it; Mr. Gildea seconded with a certificate of appreciation; all aye.

- The Board acknowledged receipt of a letter from Mass. Highway concerning funds being released to the town in the amount of \$288,405. Mr. Brodeur stated they needed to vote to accept and appropriate. Mrs. Rozanski moved to put an article on the town meeting warrant to raise and appropriate the chapter 90 funds in the amount of \$288,405 for expenses incurred on projects eligible for reimbursement; Mr. Dziczek seconded; all aye.

- Mr. Brodeur noted a letter received from Senator Magnani concerning Mass. Cultural Council grants for schools, which Mr. Hartman said was sent on to Dr. Bettencourt.

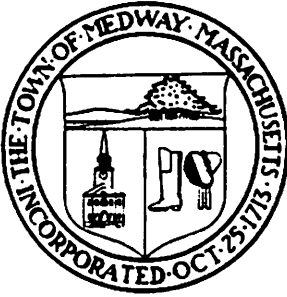
9:15 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*signed*  
*9/14/98*





## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### ***AGENDA***

***AUGUST 24, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, approve minutes of executive session meeting of July 13th.
- Public Comments.
  - Administrator's Report:
    - Correspondence.
    - For your information.
    - Personnel activities.
    - Other.  
Mun-Energy.
  - Committee Reports.
  - Action Items:
    1. Fred Sibley's evaluation.
    2. Approve Chapter 81 certification.
    3. Vote on Norfolk County Commissioners' request for funding.

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Present: James Brodeur, Richard Gildea, Harry Johnson, Joseph Dziczek, Town Administrator Michael Hartman. Selectman Rozanski was absent.

7:05 p.m. - Mr. Brodeur opened the meeting in Sanford Hall of Town Hall.

- Warrants were brought up, and it was noted that final payments on the Library and Senior Center were included, but about \$10,000 was still being held on the Center. Mr. Johnson moved to accept and sign the warrants as read totalling \$279,738.54.; Mr. Gildea seconded; all aye.
- Mr. Brodeur gave Mr. Hartman some EMT information to pass on to Chief Vinton after he looked it over.
- Mr. Johnson moved to approve the executive session minutes of June 13th which could be released; Mr. Dziczek seconded; all aye.
- The Board noted a draft of a letter to be sent to Sheriff Jack Flood thanking him for the cooperation extended to the Town of Medway for the work done by the inmates, and the hope for future work to be done. The Board suggested a copy of the letter be sent to the Norfolk County Commissioners as well.
- The Board also noted a draft of a letter to be sent to the Medway Lions requesting a monetary donation to purchase chairs for Sanford Hall.
- Barry MacDougall, who was present, questioned why the Selectmen had not been involved in the process of the feasibility study by the School Committee? Mr. Brodeur noted that the Board was the awarding authority and signed contracts and change orders, but they had been unaware of the progress of that study. Mr. Dziczek felt that the dollars were appropriated at Town Meeting and the Board does not oversee projects. Mr. Johnson noted, however, the vouchers and warrants come to the Selectmen and monies go through the Treasurer.

Mr. MacDougall said he asked for a copy of the bid documents and a copy of the contract at the school. He asked where were the alternatives; this was just one option.

Mr. Brodeur noted that Mr. Hartman was the Procurement Officer and he

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could track issues such as this, but Mr. Hartman stated he was exempt by By-law from school and library projects. Mr. MacDougall felt that the school's budget was 70% of the entire budget, and needed to be looked at, in particular, would we receive that 66% reimbursement? Mr. Dziczek said we should not just be looking at the schools, but the whole picture of the Town. Mr. Johnson agreed this looked like a definitive plan, not a feasibility issue, and moved that the Board be provided with a copy of the feasibility plan that was to have been paid for with the funds authorized at the special town meeting last October. Mr. Hartman said he spoke to Art Bettencourt and he would be presenting it on the 17th. Mr. Hartman suggested he should try and arrange a meeting/workshop prior to the 17th with the School Committee and the Consultant. The Board agreed.

Some discussion ensued about school maintenance and land going under the Park Department, and then conversation of Park under DPS. Mr. Hartman was aware of this and noted it is being worked on. He also said it is likely we can have the responsibility for the land, but not the staff.

Mr. Johnson brought up the idea of going to a private company for custodial services and DPW positions, but Mr. Brodeur stated they cannot eliminate jobs.

Mr. Johnson again brought up his motion for a copy of the feasibility study, along with a copy of the contract setting the parameters of the study; Mr. Dziczek seconded; all aye.

- Mr. Johnson noted receipt of a copy of the FY'99 Chapter 70 Aid and Net School Spending Requirements. Mr. MacDougall again brought up his frustration with the information provided, noting residents just want a detailed budget. Mr. Dziczek offered his support if he was not able to get what information he wanted from the School Department.

- Mr. Hartman stated he understood this day that the Governor vetoed the traffic study for Route 109, and asked the Board if they wanted to begin a letter-writing campaign? He had thought they were going to look at the whole corridor originally from 128 to 16. Mr. Hartman also said Library funding was eliminated. Mr. Dziczek suggested writing to Rep. Gardner and Sen. Magnani inquiring as to what they felt was the reason for the veto. Mr. Johnson reminded the Board this was vetoed only for this budget.

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- Mr. Hartman stated that the Town Accountant and Treasurer/Collector had requested an amendment to the minutes of August 10th, wherein the words, "The process is in place, but it was not followed. Please note that we have found a solution but this should not be a practice." be added to the debt payment issue. Mr. Dziczek so moved; Mr. Johnson seconded; all aye.

- Mr. Hartman discussed the MunEnergy program and materials that came in the mail from a recent training session of the MMA. He indicated that information had also been forthcoming from the town to MMA. He believed the Town would experience significant savings, but the town had to execute three contracts, a copy of which he had forwarded to Town Counsel for his review and comments. Mr. Hartman noted the deadline of September 21st. He stated that Medway would be participating with other municipalities for street lights and municipal and school use.

Mr. MacDougall noted the town could set up an enterprise fund and bring in things other than power. Mr. Hartman said the town can do their own aggregation for the citizens, and had not seen anything in the MunEnergy agreements to preclude our doing that in the future.

Mr. Dziczek moved to go along with the recommendation of MMA for participation in the MunEnergy program, and to authorize the Chairman to sign as long as Town Counsel reviews and approves, and not before the first week in September; Mr. Johnson seconded but preferred the Chairman not sign yet; all aye. Mr. Johnson asked that Mr. Hartman check into the number of participating municipalities, and ask some of them what they think of the program. He also suggested contacting Cap Cod and the Islands' program to see the difference between the two, as we could join theirs as well.

- Mr. Hartman noted receipt of the letter from Ed Reardon concerning Willie Stevens' building across the street from Town Hall, and the Building Inspector's subsequent reply. He also noted that Mr. Stevens has 24 months to rebuild. Mr. Dziczek suggested setting a time frame to take down the walls, but Mr. Johnson said he was more concerned about fencing and how to secure the perimeter.

- Action Items.

- #1. Fred Sibley's evaluation was brought up, and the Board went around page 3.

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with their scores: Mr. Dziczek - 33; Mr. Johnson - 33; Mr. Gildea - abstained; Mr. Brodeur - 35; Mrs. Rozanski's score of 36 was noted. As there was not an average score of 42 or better achieved, no motion was made on a merit increase for Mr. Sibley, but Mr. Hartman would do a composite to attach to these minutes.

This again brought the conversation to Mr. Brodeur's opinion that the Park employees should be under the DPS who would have better supervision. Mr. Johnson did not necessarily agree with Mr. Brodeur and took exception to it, but he did feel their budget should go under DPS. Mr. Hartman noted that now it appears the Commissioners have changed their minds and feel the employees should be under DPS. At this point, Mr. Brodeur asked the Board where they go from here?

Mr. Dziczek believed the Park Commissioners wanted to concentrate on recreational programs, and then look for services from DPS. Mr. Brodeur felt that the solution was to give DPS the ability to combine everyone - Park, Highway, Water - as one, with the ability of utilizing the Town Administrator. Mr. Dziczek suggested doing a time table and plan noting the different needs of each of the seasons. No resolutions were reached other than more research is needed.

#2. Mr. Hartman asked the Board to sign the Chapter 81 certification of town fund appropriations for FY'99 in the amount of \$1,384,504 which had been tabled from last week. Mr. Hartman said he attached a copy of the individual line items as they appeared in the FinCom book. Mr. Johnson moved the Board sign the Chapter 81 certification as submitted; Mr. Dziczek seconded; all aye.

- #3. Mr. Hartman brought up a letter received from the Norfolk County Commissioners looking for the Board's endorsement in support of legislation for a new stabilization fund to utilize existing state taxes now collected by the Registry of Deeds to give it back to the municipality instead of the State. Mr. Hartman asked if the Board would like him to do up a letter and authorize the Chairman to sign? Mr. Johnson moved it be tabled as an action item until next week so more questions could be asked; Mr. Dziczek seconded; all aye. Mr. MacDougall noted this could shift the cost of running a registry of deeds back to the town, but Mr. Hartman noted that in CT and RI, towns typically take in more money than they spend in providing these services.

9:15 p.m. - The meeting was adjourned.  
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AUGUST 24, 1998

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

approved  
9/14/98

MINUTES OF ROADS/SIDEWALKS WORKSHOP  
AUGUST 22, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joseph Dziczek, Town Administrator Michael Hartman, DPS Administrator Lee Henry, Residents Mary Ellen Lavenberg and Francis Donovan.

8:35 a.m. - Mr. Brodeur opened the workshop in Sanford Hall of Town Hall.

Mr. Hartman provided the background for this workshop. He noted the Board of Selectmen had asked for a long-term paving plan to be completed. In April, a 5-year plan was brought to the Board and approved. Recently, the Board asked that the paving not begin yet so the plan could be reviewed again and to have Mr. Henry develop a more in-depth outline.

Mr. Henry stated the goals for this workshop were to present the 5-year paving plan which would include outside funding and a survey of sidewalks that have gaps and need to be repaired.

He referred to a presentation map indicating those marked in yellow were the roads done in the Spring before he came on board in September of 1997. They included: Fisher, West, Old Summer, Maple, Main, Franklin, Village, Country Way, Norfolk, Lincoln Streets and the streets around the Burke School including Legion, Cole, Cassidy, Prospect and Lovers Lane.

When he came on, Center Street needed to be finished. He was also asked to work on the redesigning of Granite and West Streets. The Board approved the redesign with a 90 degree angle and was completed. Bay State Gas had to do the trenches on Village Street and then that road was to be resurfaced. \$180,000 was spent on all three projects, but he is still trying to get Bay State Gas to do Village Street.

On Route 109, the Town just spent \$30,000 for the easements. The Cottage/Evergreen drainage situation has been taken care of, and then both streets were paved.

He indicated in blue that Alder Street was still an on-going project.

In green were the roads under the TIP program, and state and federal funding. Mr. Henry noted the ISTEA program is a 6-year program started in 1990-1991. This is federally allocated money to aid communities for roads that are

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MINUTES OF ROADS/SIDEWALKS WORKSHOP  
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eligible and approved to receive those funds. He sent this list to them in October as a basis for future planning, and the same request was sent to Sen. Magnani and Rep. Gardner. In the packet presented today was the list sent to the MPO in March of this year. Roads include: West, High, Cottage, Lovering, Pond, Holliston, Winthrop, and Oakland Streets.

With reference to Highland and Milford Street to the Milford line is not included here as he understood there was a plan somewhere for the reconstruction of Route 16 to Highland Street. He noted that the Big Dig was taking alot of the transportation funds away from the towns. He said when ISTEA stopped and T-21 picked up, the State had to be sure they had enough money to finish the Big Dig.

With reference to Summer and Village Streets, when he went to pursue chapter 90 funds, he found out our paving plan did not include a 4 foot bicycle path and a 5-1/2 foot sidewalk when building a new road. He has the funds aside to do Summer Street first, and then a year later Village Street. They could do both to Summer Street and leave a 39-1/2 foot wide roadway. Village Street maximum width would be 32 feet wide and they would have to get waivers, i. e. for a second sidewalk, still maintaining the look of being resident-friendly. There are now new specs on road construction with new requirements. In former Chairman Doug Downing's letter to the MPO, he asked for reconstruction of roads and other work including sidewalk installation.

Mr. Henry noted when they get to the point of final construction plans, they will have had one or two public hearings and further input from the Board.

He understood from the engineers that the Town that has a plan ready to go is the one that gets the funding.

The Board's concerns were that we maintain the roads going east and west, and north and south, keeping an eye on Route 109 and Village Street in the phase process, holding off on Winthrop and Holliston Streets if need be.

Mr. Hartman said they were looking at Summer Street right now, and then to negotiate on Village Street, and then to the Board's priority. Mr. Brodeur wanted to be assured the money has been set aside for the engineering to do the design work. Mr. Hartman said they are holding on to those funds for Summer Street, and then next year, there should be funds available for Village Street.

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Mr. Gildea asked about the engineering bid process. Mr. Hartman said several bids were received and then it was narrowed down to two, and then one. Mr. Brodeur noted the next thing the Board should receive is the contract for engineering to be signed.

Mr. Johnson voiced his concern that Summer and Village Streets have been repaired a little, while Holliston Street is falling apart. Mrs. Rozanski noted Summer Street was passed last year and separated out from the list. Mr. Henry noted it was on the MPO list and also embedded in the law and specifically has been state-committed twice, while Village Street is only on the MPO list. Again, he said if they do the engineering and plans for Summer Street and submit them, then they can develop plans for Village Street.

Mr. Hartman said that original estimates were \$1,700,000 for Summer Street and \$1,900,000 for Village Street, including bid specs and Mass. Highway bidding it out. He stated that it takes 7-12 months for designing once we receive a "go" before we see construction. Mr. Brodeur added that permitting may take time because of the widening of the road and wetlands. He felt they would need detention areas beyond the 60 foot width, and the possibility of having to take land was there.

Mr. Hartman said he hoped to come back to the Board with the contract around Labor Day, but would expect to have a public hearing at the 25% stage, then at the 75% stage, and then when all done.

Mr. Henry brought up that traffic control will be a major headache in Town as when they were working on Village Street and there was a lack of communication. It would be good if they could work in phases.

Mr. Brodeur understood we were using our own dollars for engineering, but what about extra costs? Mr. Hartman said in a small section of the contract, we set aside \$6,000 for our engineers to maybe review them and act on behalf of the Town.

Mr. Henry went back to the presentation map and the roads outlined in pink as representing year 1 of the 5-year plan approved in April which included: Koyview, Kenart, the old part of Malloy, Kelly, Delmar, and Priscilla Roads. When he went to get authorization to work on those streets through chapter 90 page 3.

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funds, he found out they did not meet the bicycle/pedestrian accessory. He called Mass. Highway and Rep. Gardner about it. He stated they were holding onto our money and they all got rejected. The same thing happened to Holliston and Millis, and we never got anything in writing. He said he was ready to bring in the paving people when the Board said "go", and hoped to get it done before school begins, with the first crew sent in raising the structures

He also noted Hill Street is being added to the list in a joint venture with Holliston with the use of their grinder and our paver. Mr. Hartman said he asked for clarification from the State on doing this jointly and received approval.

Some questions were raised about drainage issues, but Mr. Henry deferred that to another workshop.

Mr. Johnson remarked that some people looking at the list would not think those streets are really important or busy enough to pave. Mr. Henry stated they can always change the order of streets to be done from one year to another.

Mr. Henry felt, in the first year, they could do the 17 streets in 8 days including berms. Mr. Hartman agreed, but had some concern as to what the Board wanted.

9:30 p.m. - Mr. Dziczek had to leave the workshop.

Mr. Johnson moved to approve year 1 of the 5-year plan, adding Hill Street to the list; Mr. Gildea seconded for discussion. Sanford Street was brought up, and Mr. Henry said they would just be doing an overlay. Mr. Johnson wanted him to ask the State to finish it properly, but Mr. Henry stated they have to do the bridge work first.

Going back to the 8 days it would take to do the streets, Mr. Hartman explained it goes faster when the streets are grouped together, as well as being more cost effective and with less traffic problems. Mr. Henry added when they come in, they will with come a berm machine. He noted it was necessary to do 18 driveway aprons on Main Street recently, and when the machine comes in, they will do other berms in Town as well that have problems. He added they starting to lose their window of opportunity. They don't want to be paving in mid-October

MINUTES OF ROADS/SIDEWALKS WORKSHOP  
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and beyond; the sweepers can't keep up with all the leaves falling then; all aye on Mr. Johnson's motion. Mrs. Rozanski suggested a press release on the streets approved for the first year. Mr. Henry said he would be providing hand-outs to the residents in those areas as well.

Mr. Henry then went into the 3-year sidewalk plan. He noted mostly all of them were over 10 years old, and the problem was they needed repairs. Some of the sidewalks either stop, don't connect, or don't go anywhere. He felt the first priority was the roadway surface for vehicles; the second priority should be sidewalks.

Mrs. Lavenberg, also the MAPC rep, mentioned they could get a waiver not to do a bicycle path, but they should try and do it because of the trails that are being planned. She added if Medway can look to doing it now, monies may be available, i.e. Summer Street. Let the State pay for it.

Mr. Hartman said they cannot recommend a bike path and sidewalk for Village Street and still have 39-1/2 feet, so they would probably go for a bike path waiver. Mrs. Rozanski suggested looking for a bike path not necessarily connected to the street.

Mr. Henry noted there is no sidewalk on Summer Street at the present time. Referring to the presentation map, where it was highlighted in yellow has a sidewalk now, but was not elevated at the same time the road was done. Mr. Brodeur added the reconstruction would bring down the road where it belongs. Mr. Henry said the standard is now: 39-1/2 foot roadway, 2 sidewalks, granite curbing, bituminous concrete and bike path.

Mr. Johnson felt part of the problem was that the Town, for years, has been granting contractors waivers. Mr. Brodeur knew it was automatic now with the Planning Board.

Mr. Henry added that storm water drainage is a big problem since you can't just take a catchbasin and run it to the brook. Mr. Hartman agreed you have to have a design with specs and soil filtration. Mr. Henry noted, with retention areas, the Town has to maintain them and keep them clean. He said structures have to have a 4 foot depth, and they impact long-term maintenance. The budget will have to reflect this as an upgrade. We have to put the water somewhere when the  
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MINUTES OF ROADS/SIDEWALKS WORKSHOP  
AUGUST 22, 1998

sidewalks and berms are in. This brought Mr. Brodeur back to something Mr. Dzikczek had said recently in relation to schools - you have to look at the total picture, and this is part of our picture. Mr. Hartman added that routine maintenance keeps people from being flooded out.

In relation to the sidewalks, Mr. Henry said they have to look at the ones that are most crucial that need existing repairs and ones that have to be constructed, and they need to look at what they want for sidewalk specs. It was possible that locally, specs may be different from State specs, and can possibly be sub-standard to the State.

Mr. Brodeur said they have to be careful with what they want to do and what the Planning Board asks for, unless there is good reason why not, i.e. we don't have the space.

Mr. Henry noted it costs \$21 a foot for granite curbing. He recommended doing away with it unless it was for the Town Square, for example, and suggested replacing it with bituminous concrete which is \$3.80 a linear foot vs \$13.00 for granite. They would have to look where utilities have gone in where concrete is.

Mrs. Lavenberg felt they would lose more surface frequently with plowing with asphalt down. Mr. Henry said he would just looking for a standard to be developed. Mrs. Lavenberg asked if the Board can do one sidewalk standard in a subdivision different from a main street and what about winter clearance?

Mr. Brodeur did not feel they should make a decision on materials, or sloped granite curbing in certain subdivisions and others with cape cod berms. He felt they should look at year 1 on the list and decide what would be the best material to be used for those sidewalks. Mr. Gildea said you know granite is best, but it comes down now to money. Mr. Brodeur said if they wanted to do all of them in granite, then they can't do all of them. He remembered it cost between \$130,000 and \$150,000 to do the Village Square construction.

Mrs. Rozanski suggested using different specs, not the words "sub-standard or lower grade".

Mr. Johnson asked the question why sidewalks in FY'00 and not FY'99? Mr. Brodeur said there was no sidewalk money; it wasn't budgeted. Mr. Johnson  
page 6.

MINUTES OF ROADS/SIDEWALKS WORKSHOP  
AUGUST 22, 1998

said if there is no money, then they should just do the road and the sidewalk at the same time. Mr. Hartman noted it had not been bid out yet; they could put together specs to do that. Mr. Henry said they could wait until the Spring to do the paving, and work on the specs for sidewalks now. He said he could work out the cost. Mr. Hartman noted that, with chapter 90 money, you can't just do sidewalks.

Mr. Hartman added, if the Board adopts the policy of Planning Board standards, then if not acceptable, get a waiver according to the rules. Mr. Henry noted only federally funded roads have specs.

Mrs. Rozanski suggested looking at year 1 of the paving plan and year 1 of the sidewalk plan; 7-8 of the same streets were on both lists. For clarification, we could do 10 now, and leave 7 for later, and then move other streets into the slots created. Mr. Hartman agreed it would be good to review and tie in what can be for a coordinated plan.

Mr. Henry asked that he be given specs first for a guideline, and then he would cost it out. Mr. Hartman noted it could be a problem when you take up concrete and then put down bituminous. It had been his experience that residents get angry. Mr. Henry said he would explain it to the people, and call them personally if need be. Mrs. Rozanski suggested this be done at a Selectmen's meeting so the people know.

Mrs. Lavenberg suggested sending a communication to the Master Plan Committee letting them know you are working on the issue, and the pedestrian plan, and that you are setting up standards. She would bring it back to them anyway as a member of the Committee.

Mr. Brodeur suggested, for the time being, Board members look at different sidewalks in Town to see the different materials used. Mr. Hartman added that he and Mr. Henry could start looking at a plan which will tie everything together and would be the beginning of an on-going sidewalk bid process.

Mr. Johnson moved to put into the FY'99 Spring construction season for purpose of coordinating roads with sidewalk repair, the following streets: Malloy, Pine, North, Broad, Barber, School, and move the FY'00 streets to FY'99 for paving. For clarification, Mr. Hartman said they would then start to immediately work on those streets that don't have sidewalks on the year 1 list, and Lovering  
page 7.

MINUTES OF ROADS/SIDEWALKS WORKSHOP  
AUGUST 22, 1998

Heights would be at the discretion of the Highway Department. Mrs. Rozanski seconded for discussion.

Mr. Henry said they could use chapter 90 money and save the Town's. Mr. Brodeur asked if they could use any of that money for sidewalks by cancelling of the streets? Mr. Henry said yes, it was Town money. Mr. Brodeur was concerned we would not receive the funds to do the sidewalks in the Spring, but Mrs. Rozanski believed the authorization for FY'99 would be coming anytime. Mr. Henry explained they get authorization for funds in the Spring and Fall, and then they put an article on the warrant to accept those funds and use the reimbursement of free cash. He noted he was told by the State we have more accepted streets than they thought we had. All aye on Mr. Johnson's motion.

Mr. Johnson moved the construction of Kelly, Maple, Lovering sidewalks be moved forward to FY'99, subject to funding and development of specs, and leave Lovering Heights to FY'00, and Kelly Street to be done in conjunction with other streets for repaving if possible; Mrs. Rozanski seconded; all aye.

Mr. Brodeur thanked both Mr. Henry and Mr. Hartman for a thorough presentation. He knew the funding mechanism was complex. Mr. Johnson agreed with Mr. Brodeur, as did Mr. Donovan, the only member of the public present. He was impressed this was the first time he saw a program outlined like this since the 50's, being both practical and well laid out.

Mr. Hartman asked the Board if they would like to have a drainage workshop someday, and the Board agreed..

10:55 a.m. - The workshop was adjourned.

Respectfully submitted,

M. J. Fredette

Secretary

mj

Attachment - workshop presentation documents.

*attached  
10/19/98*



## DEPARTMENT OF PUBLIC SERVICES

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

LEE E. HENRY  
Director  
(508) 533-3275

### FIRST ANNUAL ROAD SY<sup>m</sup>POSIUM AND WORKSHOP

PRESENTED TO

Board of Selectmen

Saturday, August 22, 1998

8:30 am

Sanford Hall

#### AGENDA

##### 1. ROADWAYS

- Background
- State Funding Requests
- Town Paving Plan

##### 2. SIDEWALKS

- Background
- Maintenance
- Specifications
- Proposed Plan

##### 3. ADJOURNMENT

CC BofS 8/20/98



## ROAD PAVING INFORMATION

### SPRING-SUMMER 1997

Fisher St.  
 Old Summer St.  
 Main St. (Summer St. – Franklin St.)  
 Franklin St. (Main St. – Village St.)  
 Village St. (Franklin St. – Main St.)  
 Norfolk Ave.  
 Maple St.  
 Center St. ( School Parking Lot – Village St.)  
 [School Building Committee - \$6,000]

### FALL 1997

Legion Ave.  
 Cole Ave  
 Cassidy Lane  
 Prospect St.  
 Lovers Lane

Subtotal \$173,000

Center St. (School Parking Lot – End)  
 Village St. (Franklin St. – Millis Line)  
 Granite St./West St. Intersection

Subtotal \$181,000  
 Total \$354,000

### OTHER PROJECTS

Cottage St./Evergreen St. Drainage \$538,000  
 Alder St./Trotter Dr. Reconstruction 950,000  
 Rte. 109 Corridor Reconstruction 3,500,000

### TIP/ISTEA/TEA-21 REQUESTS

FY 2001	West St	\$ 710,000	
	High St.	190,000	
	Cottage St.	<u>310,000</u>	Total \$1,210,000
FY 2002	Lovering St.	1,250,000	
	Pond St.	<u>300,000</u>	Total \$1,550,000
FY 2003	Holliston St.	1,700,000	Total \$1,700,000
FY 2004	Winthrop St.	1,300,000	
	Oakland St.	700,000	Total \$2,000,000

### TIP/LOCAL STP APPROVED

FY 1999	Summer St.	\$1,700,000	
FY 2000	Village St.	<u>1,900,000</u>	Total \$3,600,000





## DEPARTMENT OF PUBLIC SERVICES

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053


Lee E. Henry  
Interim DPS Administrator

(508) 533-3275

### MEMORANDUM

DATE: April 16, 1998

TO: Highway Dept.  
Water/Sewer Dept.  
CRPCD  
Police Dept.  
Fire Dept.  
Tree/Moth Agent  
School Dept.

FROM: Lee E. Henry 

SUBJECT: FIVE (5) YEAR PAVING PLAN

---

At their regularly scheduled meeting of Monday, April 13, 1998, the Board of Selectmen approved the attached FIVE (5) YEAR PAVING PLAN.

Prior to implementation, I request that you review the plan and advise me of any information (i.e., proposed utility changes; site distance issues; right-of-way problems; etc.) which could have an impact on the successful completion of these projects.

In order to proceed with the implementation process, I would need to receive this information no later than Friday, April 24, 1998.

Cc: Town Administrator  
Park Dept.  
Planning Board  
Conservation Commission  
Open Space Committee  
Historical Commission  
Building Inspection Dept.  
Town Clerk  
Industrial Development Commission

TOWN OF MEDWAY  
Dept. of Public Services

Five (5) Year Paving Plan

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
	FY99	FY 00	FY 01	FY 02	FY 03
	7/1/98 -	7/1/99 -	7/1/00 -	7/1/01 -	7/1/02 -
	6/30/99	6/30/00	6/30/01	6/30/02	6/30/03
# Streets	17	11	12	4	4
Length (FT)	18,020	18,505	16,431	15,576	18,149
Area (SQ FT)	465,876	446,023	366,931	331,056	463,546
Paving Tonnage	6,283	6,410	5,406	4,876	6,159
Cost (\$)	181,955	193,445	160,125	168,015	205,735

Year 1  
FY 99

7013 272

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FY 99 TOTAL

18020      465876

6283 181955

Includes cul-de-sac

\*\* Includes Grinding or other road bed preparation.

FY 00

\* Includes cul-de-sac

\*\* Includes Grinding or other road bed preparation.

FY 01

5406--T60125

FY 02

*[Faint, illegible markings]*

[illegible]

[illegible][illegible]



## BOARD OF SELECTMEN

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

*Michael J. Hartman*  
*Town Administrator*

DATE: March 30, 1998

TO: Grace Shepard, Chair c/o MAPC  
Boston Region Local MPO Subcommittee

FROM: Douglas M. Downing, Chairman/mj  
Medway Board of Selectmen

RE: ISSUE II: DEVELOPING THE FY 1999-2004 TIP  
(2001 - 2004 ELEMENTS);  
YOUR MEMO DATED FEBRUARY 13, 1998

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### FY 2001:

West Street: Projected Cost - \$710,000

Reconstruct West Street from the Bellingham Town line and the intersection of Main Street to its junction with Milford Street (Route 109), a distance of 1.3 miles. Work includes: minor widening; drainage improvements; sidewalk installation; and roadway resurfacing, reclamation or reconstruction.

High Street: Projected Cost - \$190,000

Reconstruct High Street from the intersection of Main Street (Route 109) to its junction with Village Street, a distance of 0.35 miles. Work includes: minor widening; drainage improvements; sidewalk installation; and roadway resurfacing, reclamation or reconstruction.

Cottage Street: Projected Cost - \$310,000

Reconstruct Cottage Street from the intersection of Evergreen Street to its junction with Village Street, a distance of 0.6 miles. Work includes: minor widening; drainage improvements; sidewalk installation; and roadway resurfacing, reclamation or reconstruction.

*FY 2001 TOTAL* *\$1,210,000*



**FY 2002:**

**Lovering Street:**                      **Projected Cost - \$1,250,000**

Reconstruct Lovering Street from the intersection with Holliston Street to its junction with Winthrop Street, a distance of 2.3 miles. Work includes: minor widening; drainage improvements; sidewalk installation; and roadway resurfacing, reclamation or reconstruction.

**Pond Street:**                      **Projected Cost - \$300,000**

Reconstruct Pond Street from the intersection of Lovering Street to its junction with Main Street, a distance of 0.55 miles. Work includes: minor widening; drainage improvements; sidewalk installation; and roadway resurfacing, reclamation or reconstruction.

***FY 2002 TOTAL                      \$1,550,000***

**FY 2003:**

**Holliston Street:**                      **Projected Cost - \$1,700,000**

Reconstruct Holliston Street from Holliston Town line to its junction with Village Street, a distance of 3.1 miles. Work includes: minor widening; drainage improvements; traffic control signal upgrading; sidewalk installation; and roadway resurfacing, reclamation or reconstruction.

***FY 2003 TOTAL                      \$1,700,000***

**FY 2004:**

**Oakland Street:**                      **Projected Cost - \$700,000**

Reconstruct Oakland Street from the intersection of Main Street (Route 109) to its junction with Village Street, a distance of 1.2 miles. Work includes: minor widening; drainage improvements; sidewalk installation; and roadway resurfacing, reclamation or reconstruction.

**Winthrop Street:**                      **Projected Cost - \$1,300,000**

Reconstruct Winthrop Street from the Holliston Town line to its junction with Main Street (Route 109), a distance of 2.3 miles. Work includes: minor widening; drainage improvements; sidewalk installation; traffic control signals; and roadway resurfacing, reclamation or reconstruction.

***FY 2004 TOTAL                      \$2,000,000***

If you have need of additional information, please feel free to contact this office at (508) 533-3200.

Douglas M. Downing

cc: Town Administrator  
DPS Administrator  
Highway Department ✓

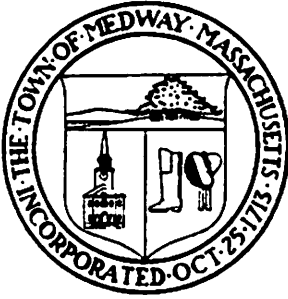
cc: Barabara Lucas  
Chief Transportation Planner  
MAPC  
Faxed: 617-482-7185 (3/31-deadline)

# TOWN OF MEDWAY

Dept. of Public Services

## THREE (3) YEAR SIDEWALK PLAN

<u>YEAR 1</u> (FY 00)	<u>YEAR 2</u> (FY01)	<u>YEAR 3</u> (FY02)
<u>Repair</u>	<u>Repair</u>	<u>Repair</u>
qq Malloy St. ( 700 ft)	Howe St. ( 528 ft)	High St. (1634 ft)
qq Pine St. ( 465 ft)	Florence Cir. (2504 ft)	Cottage St. (1563 ft)
qq North St. (2137 ft)	Grace Ter. ( 528 ft)	Oakland St. (1250 ft)
qa Broad St. (1848 ft)	Samoset Cir. ( 550 ft)	Holliston St. (5016 ft)
qa Barber St. (1584 ft)		Sanford St. ( 792 ft)
qa School St. ( 792 ft)		
bd Lovering Hts. (1056 ft)		
Total (8582 ft)	Total (4110 ft)	Total (10255 ft)
<u>Construct</u>	<u>Construct</u>	<u>Construct</u>
qq Kelley St. (1584 ft)	Meadow Rd. (1584 ft)	Holliston St. (4250 ft)
qq Maple St. (3500 ft)	Sunset Dr. (1980 ft)	
qq Lovering St. (1000 ft)	Main St. (2000 ft)	
	Milford St. A (2500 ft)	
	Milford St. B (1200 ft)	
	Oakland St. ( 875 ft)	
Total (6084 ft)	Total (10139 ft)	Total (4250 ft)
Combined Total (14666 ft)	Combined Total (14249 ft)	Combined Total (14505 ft)



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### *AGENDA*

***Michael J. Hartman***  
***Town Administrator***

***AUGUST 17, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, approve minutes of executive session minutes of July 13th, and regular meeting minutes of August 3rd and 10th.
- Public Comments.
- 7:15 p.m. - Tom Ebels representing Sprint Spectrum  
re: site plan approval
- Administrator's Report:
- Correspondence.
  - For your information.
  - Personnel activities.
  - Other.
- Committee Reports.
- Action Items:
1. Fred Sibley's evaluation.
  2. Approve Chapter 81 certification.

PLEASE NOTE: SELECTMAN GILDEA WILL NOT BE IN ATTENDANCE.

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 17, 1998

Present: James Brodeur, Raphaela Rozanski, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

7:03 p.m. - Mrs. Rozanski called the meeting to order in Sanford Hall of Town Hall.

- With reference to the warrant, Mr. Johnson questioned a payment for library building, and said the Town Accountant was going to check it out. He said she would hold the check until the figures are verified, but it would be the final payment. Mr. Johnson also wondered why we spend more dollars on electricity during the Summer when kids are not in school than the Fall when they are in school. Mr. Hartman said he would look into it. Mr. Johnson moved the Board approve and sign warrant #8 totalling \$522,604.40, but holding that one check until the Accountant approved it; Mr. Dziczek seconded; all aye. Mr. Johnson noted Mrs. Mehta would be on vacation for two weeks, and asked that Mr. Hartman go through the warrant with him.

7:15 p.m. - Representatives from Sprint Spectrum came to meet with the Board on site plan approval. They were Jeff Kramer, attorney; Tom Ebels from Sprint, and Jim Borback, engineer.

Mr. Kramer said that the existing Bell Atlantic tower, at 113 Main Street, was originally for four carriers, now there are six. He also stated they got a special permit from the ZBA to replace the 134 ft. tower with the 140 ft. tower on a new concrete pad.

Mr. Ebels said they would be utilizing the existing site, which is 10 feet off center from the existing monopole. He further stated Bell Atlantic has the lease, and they have a site license agreement with Bell Atlantic, and are sub-leasing from them, who, in turn, are leasing from Mr. Finkelstein. .

Mr. Dziczek moved to approve the site plan for Sprint Spectrum; Mrs. Rozanski seconded; all aye.

7:30 p.m. - Mrs. Rozanski moved approval of the minutes of August 3rd; Mr. Dziczek seconded; all aye. On a follow-up, Mrs. Rozanski brought up the "in" and "out" signs requested for Domino's. Mr. Hartman noted it was a condition of site

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 17, 1998

plan approval, and failure to comply would be under the Zoning Enforcement Officer. Mr. Johnson felt the same restrictions were in place for the Benjamin Franklin Savings Bank.

- Mrs. Rozanski moved approval of the minutes of August 10th; Mr. Dziczek seconded; all aye. On a follow-up, Mrs. Rozanski asked if Mr. Hartman had sent a letter on the debt payment to the Town Accountant? He confirmed he had. On another follow-up, Mrs. Rozanski asked if the account had been set up for the \$95,000 from Time-Warner? Mr. Hartman said the check was sent to the Treasurer, with a copy to the Accountant. What is not clear yet is any interest that is accrued to that account, can it stay with that account? A letter from the Board and the Cable Committee may be needed showing the intent. Mr. Hartman further stated that the contract clearly states it is a gift to the Town, not the PEG Access group. He thought the Treasurer was going to meet with Frank Pelletier on this.

- Administrator's Report.

- Mr. Hartman acknowledged a thank you from the Recycle for Gold people; the Cherry Sheet figures; and friends of open space nominations.

- With reference to the highway workshop this Saturday, Mr. Hartman said he would send additional information to the Board prior to the meeting. He said the focus would be on utilizing Chapter 90 monies along with the Town's appropriation and any State funding available. He stated the sidewalk survey was completed today, and information will be provided as to where sidewalks should be placed to closing existing gaps.

- Mr. Hartman said he had completed the rating on the DPS position at a grade 12, but was not quite done yet with the Senior Center director although he had met with Joe Hoban on Friday to work on the job description. Mr. Johnson commented he did not know too much about this position. Mr. Hartman stated the Council on Aging had included some funding for this position in their budget at Town Meeting, even though the position had not been finalized yet. He will work on the job description and the rating system in the next couple of days.

Mr. Johnson was concerned that not enough information was provided at Town Meeting to know the position was included in the budget, but Mrs. Rozanski

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 17, 1998

pointed out that other positions are put through in the same way, including the Lieutenant's position for the Police Department. Mr. Dziczek said that has been looked at, and he noted that the Chief can adjust his positions as salary dictates. Mr. Hartman concurred saying the Chief received the Selectmen's approval to seek to fill that position and has been funded at Town Meeting for two years.

Barry MacDougall reiterated the need for full disclosure on budget items. Mr. Johnson asked for a copy of the minutes where the Selectmen approved the position.

Going back to the DPS position, Mr. Hartman said his memo reflects the job description already existing. Mr. Johnson still had a problem with this issue. Mr. Hartman said he would be willing to show him the MMA manual on the job classification system with ratings which was developed in 1988.

Mrs. Rozanski brought up the job advertisement which did not match. Mr. Hartman explained, according to Town Counsel, he can set the standards, and Counsel also stated the advertisement was appropriate. Mrs. Rozanski thought the process was wrong, feeling a job description comes first, then the grade/step, and then you advertise. Mr. Hartman said the placement of the grade is before the Board. Mr. Dziczek moved to approve the grade for the position of DPS Administrator at a grade 12; Mr. Brodeur seconded for discussion.

Mr. Johnson, in looking at appendix A, felt it was not relative to the person, and he wanted to see him meet some qualifications. Mr. Brodeur felt Mr. Henry was learning new paving systems and technologies to bring into the Town.

Again, Mrs. Rozanski said the advertisement did not describe what was in the job description. Mr. Hartman said copies of both job descriptions were available to candidates. Mrs. Rozanski moved to re-advertise the position; Mr. Brodeur noted there was no second. Mr. Johnson stated he did not feel this was good administrative procedure. Mrs. Rozanski said that applicants could have assumed it was a grade 10 than a 12. Mr. Hartman said it was budgeted and approved for a grade 12.

Mr. MacDougall felt the way it was approached was wrong, and agreed it should be re-advertised. Mr. Brodeur asked him if there was a problem with the way it was created, but Mr. MacDougall said it was the way it was awarded. Mr. page 3.

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 17, 1998

Johnson and Mrs. Rozanski read the two advertisements.

Mrs. Rozanski stated she had a problem with the way it was advertised, not the job description; he should have advertised the way the job description was made. She noted he was on six months probation; they could advertise again, but other things need to be discussed in executive session; all aye on Mr. Dziczek's motion for the DPS Administrator to be approved at a grade 12.

Mr. Johnson noted a point of order. He thought when he joined the Board, if something is brought up at one meeting, it was discussed at the second meeting, so he suggested this be tabled until the next meeting. On that, Mrs. Rozanski moved that this issue be an action item at the next meeting. Mr. Hartman stated Town Counsel has already ruled on this matter. Mrs. Rozanski again moved for an action item for next week on whether they should re-advertise or not the job description the Board approved; Mr. Johnson seconded so it could move forward to a vote. On the vote: Messrs. Brodeur, Dziczek and Johnson opposed; Mrs. Rozanski in favor; motion fails.

8:45 p.m. - Administrator's Report.

- Mr. Hartman brought up the technology update, which he was reluctant to submit earlier. He noted it is not carved in stone, but is a fluid document. He stated there was much going on and still much to be done. On the listing of specific activities, Mr. Hartman said they were at #2, selecting a software vendor which is now set up for September. It had been the Steering Committee's recommendation to make the software selection first, then the hardware. In acknowledging Mr. Johnson's concerns within the Assessor's office, Mr. Hartman felt that the two systems should work, and that they are limiting themselves to only those on the State bid list. When asked about keeping the FinCom informed, Mr. Hartman said he has provided information to the Chairman, and expected he would inform his members.

Mr. Dziczek brought up that Frank Danehy of the Audit Committee was uncertain as to the Committee's role, with Mrs. Rozanski agreeing he was confused on organization. Mr. Hartman said he has met with Mr. Danehy.

- On another issue, Mrs. Rozanski said that the ZBA granted the variance for the setbacks for the footbridge on Alder Street.  
page 4.



MINUTES OF THE SELECTMEN'S MEETING - AUGUST 17, 1998

9:00 p.m. - Action Items.

#1. The Board discussed Fred Sibley's evaluation, with Mr. Brodeur noting input had been received from the Commissioners. He reiterated that the Board members are the sole evaluators of Fred but did request input from the Commissioners, with Mr. Sibley providing his own input, to assist them in the evaluation. Mr. Hartman noted Mr. Sibley had some concerns about the Commissioners' comments. Mr. Brodeur suggested this be an action item for next week.

- #2. The Board received documentation for Chapter 81 certification which requires the Board members to approve and sign. Mrs. Rozanski moved the total amount of \$1,384,504 for Chapter 81 dollars for road repairs of Medway streets; Mr. Dziczek seconded; all aye.

Mr. Hartman commented that the Town received the lowest bid for paving per square yard of any surrounding towns.

In reviewing the line numbers and figures prior to signing, Mr. Johnson felt there were some discrepancies in what had been certified by the Town Clerk vs. the actual votes, and felt a breakdown of line items 1-97 should be attached for clarification. Mr. Hartman explained this had been put together by the Town Accountant and the DPS Administrator. Mrs. Rozanski withdrew her motion. Mr. Hartman suggested this be tabled this until next week as an action item so clarification could be received.

9:10 p.m. - The Board acknowledged the letter dated August 11th from Barry MacDougall requesting some action be taken with regard to the abandoned building behind the ambulance barn. Mr. Dziczek felt if it shows to be a safety concern, the Board of Health would address it. Mr. MacDougall said he was not out looking to search and destroy any other buildings; he was just concerned with this one.

Mr. Johnson believed this was under the purview of the Board of Selectmen, not the Board of Health. He felt this Board would assume their duties if they don't carry them out. Mr. Dziczek agreed the Board did have that authority. Mr. Johnson moved the Board of Selectmen advise the St. Joseph Men's Club that the

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 17, 1998

building should be removed or put in satisfactory condition; Mr. Brodeur seconded for discussion. Mr. Dziczek recommended the motion be tabled. Mrs. Rozanski moved the motion be tabled until next week's meeting; Mr. Brodeur seconded; all aye. It was felt John Boczanowski was one of the trustees, so Mr. Hartman was asked to contact him first.

- Mr. Brodeur acknowledged, with regrets, the resignation of Maureen Giles as Park Commissioner effective immediately, and recommended sending a certificate of appreciation to her; all aye.

9:25 p.m. - The Board brought up a copy of a master plan study they received for the Medway school system, noting they were looking for a special town meeting in the Fall for a debt exclusion of roughly \$50 million.

Mr. Johnson voiced his concern believing that Town Meeting voters had agreed to a feasibility study. He felt that study should have been published and approved before the Board members got a copy of this document. Mr. Hartman agreed the School Committee should have sat down with the Selectmen before it got this far and this plan should not have been a surprise to them. He noted he received a copy of this report from Mr. MacDougall who had been present at the School Committee meeting which had not been televised.

Mr. MacDougall told the Board he was concerned with the one option to build and renovate the other school buildings over a 12 year time span, doing 1 school every 2 years. He felt the citizens of the Town should have been privy to the consideration of other options, and been given the opportunity for their input. Mr. MacDougall asked about bonding and/or matching funds, regionalization, and the need to have a better working relationship with the school so everyone understands. Mrs. Rozanski agreed the documents presented a building plan, not the different options.

Mr. Johnson asked Mr. Hartman to request a copy of the feasibility study.

9:40 p.m. - Mrs. Rozanski moved to adjourn to executive session for the purpose of pending litigation, not to return to open session; Mr. Dziczek seconded; all aye.

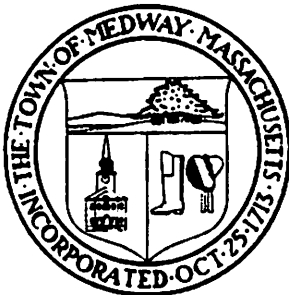
The vote: ~~Mr. Gildea - yes;~~ Mrs. Rozanski - yes; Mr. Dziczek - yes; Mr. Johnson - yes.  
*Mr. Brodeur - yes;*

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 17, 1998

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved as amended  
8/31/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

**Michael J. Hartman**  
**Town Administrator**

**AUGUST 10, 1998**

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of executive session minutes of July 13th.  
- Treasurer & Accountant re: debt payment  
- Public Comments.
- Administrator's Report:  
- Correspondence.  
- For your information.  
- Personnel activities.  
- Other.
- Committee Reports.
- Action Items:
1. Approval of block party at Hickory Drive.
  2. Discussion of contract closing for Contracting Ventures.
  3. Discussion of outstanding change order for new elementary school.
  4. Sign lease/agreement for Park vehicle.
  5. Fred Sibley's evaluation.
- Executive Session.

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 10, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

7:05 p.m. - Mrs. Rozanski called the meeting to order in Sanford Hall of Town Hall.

- Mr. Johnson moved to accept the warrant as read totalling \$692,246.56; Mr. Gildea seconded; all aye.

- Treasurer/Collector Marge Sanford and Town Accountant Arti Mehta came to speak to the Board about making a one-time adjustment to the books for a debt payment. The request was being made by the Treasurer to the Accountant and involved making an entry in the amount of \$1,088,910.31 by increasing FY'98 debt expense and reducing general cash by the same amount.

Mrs. Sanford explained it was an oversight as a voucher had not been processed through Mrs. Mehta's office and onto a warrant for authorization. She noted the funds are usually wired before it appears on a voucher, but this time that did not happen.

Mr. Johnson moved approval of the warrant for \$1,088,910.31 (\$635,000 for principal and \$453,910.31 for interest) for the purpose of paying on debt for both principal and interest of this debt expense reducing cash for same, and for the warrant to be placed before the Board for the record for their signature, with the request that all wire transfers be done in the same manner as check transfers and given to the Selectmen before going to the Town Accountant. Mr. Dziczek seconded for discussion to ask that the FY'98 notation be included in the motion; Mrs. Rozanski so moved; Mr. Johnson added that this journal entry be allowed this time, and in the future, the warrant and voucher system be adhered to; Mr. Dziczek seconded; all aye. The Town Accountant asked that the Town Administrator confirm the vote of the Board to her.

7:22 p.m. - Public comments.

- Barry MacDougall asked the Board why Mr. Norman's house can be taken down, but the building behind Town Hall can still remain standing? Mrs. Rozanski said that can be brought up for future discussion.

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\* The process is in place, but it was not followed.  
Please note that we have found a solution but  
this should not be a practice.

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 10, 1998

- The Board decided to hold off on discussion of the executive session minutes of July 13th.

- Administrator's report.

- Mr. Hartman asked the Board to review the Cherry Sheet figures they had received. He also said a copy of a letter the Board received tonight would be discussed in executive session.

- Mrs. Rozanski asked that the Board receive a copy of her memo to Mr. Hartman with reference to 50 Oakland Street; however, Mr. Hartman said the problem would be corrected by Highway once the Water Department's work was completed.

- With reference to personnel activities, Mr. Hartman noted that Mr. Sibley had not seen the copies of the Park Commissioners' evaluations of him that the Board received a copy of this evening.

- The subject of the demolition of Charlie Norman's two houses was brought up, and Mr. Hartman was requested to provide the back-up on how it all transpired. He stated that the project was bid out last winter and the bids were submitted to the Board of Health for their recommendation. The project was awarded to Jay-Mor, with the appropriation done at Town Meeting for the demolition. After that, Jay-Mor put together the performance bond and insurance. The demolition permit was issued on Thursday to the Town of Medway per Town Counsel as the plaintiff during all these years was the Town of Medway, through the Board of Health, and now through the Town Administrator.

Mr. Johnson said maybe this should have been a Board of Selectmen act, and not a Board of Health act. He also believed the authority belonged to the Selectmen. He felt this was an irrational act and should have been postponed. Mr. Hartman said Mr. Norman was notified, as were Police, Fire, and Paramedics. The Board was notified the day after the permit was signed. With the signing of the contract, demolition was imminent. He noted the Board does not usually get notified of building permits issued.

Mr. Brodeur questioned if something had happened since Town Meeting when the funds were appropriated for the demolition? Mr. Gildea felt their  
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MINUTES OF THE SELECTMEN'S MEETING - AUGUST 10, 1998

conscience had come to the forefront. Mr. Johnson said that it was the consensus of three of them that they should proceed with caution; it was done the day after his birthday. Mr. Brodeur asked if there had been a special meeting held, but Mr. Johnson said it was just their general feeling. Mr. Brodeur noted all information was in the contract with everything being done that had to be done. Mr. Hartman added that they had to get sign-offs from the utility companies as well, and that the demolition had to occur 60 days within notice of award, which was June 8th, and for which an extension had to be given.

Mr. Johnson said there was never any notice given to the Board. Mr. Dziczek recalled that, originally, he wouldn't sign the contract on June 22nd because he knew at least one Board member had a problem with this, and asked that it be tabled until the following week when the other two members would be present. At that time it was approved, although he was not present. He did feel there should be some policy in place for future demolitions. He said if there were people out there who wanted to help, have them come forward. Mrs. Rozanski added when citizens can't get the Town Administrator, they come to the Selectmen.

Mr. Johnson said he frowned on Town Counsel giving instructions to the Town Administrator without going to the Selectmen. Mrs. Rozanski said she asked for an inventory of outstanding contracts from Mr. Hartman so they were aware of future projects. Mr. Johnson said someone took Mr. Norman to Dedham to get a "stay", but it was too late.

- Mr. Hartman said the Town Clerk had brought up a document for the Board to sign attesting to the State primary on September 15th for various elected government officials. Mrs. Rozanski moved the Board sign the notification of the primary to be held on that date; Mr. Johnson seconded; all aye.

- Mr. Dziczek asked Mr. Hartman what was his procedure for available grants? Mr. Hartman said usually they send a copy of the pertinent information to the appropriate department if it is not so noted on the documents.

- Mr. Johnson noted that a lot of the Chapter 90 monies fell into free cash. He said he was being approached by people who were concerned that the roads were not being resurfaced. Mr. Brodeur thought Chapter 90 funds were carried over from year to year. Mr. Hartman stated that significant costs are associated with the Village and Summer Street projects because the engineering for

page 3.

...had come to the ... Mr. Johnson said that it was the ... of them that they should proceed with ... I was down the day after his birthday. Mr. Broderick asked if he had seen a special meeting held, but Mr. Johnson said it was just their general meeting. Mr. Broderick noted all information was in the contract with everything being done that had to be done. Mr. Johnson added that they had to get sign-offs from the utility companies as well, and that the demolition had to occur by day's within notice of work, which was done for which an extension had to be given.

Mr. Johnson said there was never any notice given to the town. Mr. Broderick recalled that originally he wanted to sign the contract on June 3rd, but because he knew at least one person wanted a position with the town, that it be tabled until the following week when the other two members would be present. At that time it was agreed that although he was not present, the decision there should be some policy in place for future demolitions. He said it was a people out there who wanted to help, have their own town, Mr. Johnson added when citizens can get the Town Administrator they come to the decision.

Mr. Johnson said he talked on Town Counsel giving instructions to the Town Administrator without going to the decision. Mr. Kowalski said she asked for an inventory of outstanding contracts from Mr. Flannery so they were aware of future projects. Mr. Johnson said someone took Mr. Johnson to Debra to get a "stay," but it was too late.

Mr. Flannery said the Town Clerk had brought a document for the Board to sign attending to the State primary on September 15th. Mr. Johnson asked government officials. Mr. Kowalski moved the Board sign the document on the primary to be held on Thursday, but Johnson seconded on the

Mr. Broderick asked Mr. Flannery what was the purpose for the primary. Mr. Flannery said he was going to be a primary administrator in the appropriate department if it is not as noted on the documents.

Mr. Johnson noted that a lot of the Chapter 9 money had been used for the ... He said he was being up by people who were concerned that the roads were not being resurfaced. He recalled that Chapter 9 funds were ... Mr. Flannery stated that significant costs are ... associated with the Village and Hunter Street project, because the engineering for



MINUTES OF THE SELECTMEN'S MEETING - AUGUST 10, 1998

those projects comes from Chapter 90 funds, but the funds are segregated.

Insofar as the engineering for Summer Street was concerned, Mr. Hartman said he was negotiating with the company, and hoped to have a contract by September 1st. Original cost for this project was projected to be \$170,000. He mentioned to the Board that they were interested in having a highway workshop so discussions could be centered separately on sidewalks and streets, away from a Monday night meeting. Did they want to pursue this option? August 22nd at 8:30 a.m. in Sanford Hall was agreed upon. The Board asked that maps be available to review at that time, but that something be submitted to them in advance of the workshop.

- Committee reports.

- Mrs. Rozanski noted an upcoming meeting in October of the Norfolk County Selectmen's Association meeting, an IDC meeting this week, and a FinCom meeting the next evening. Mr. Dziczek asked Mr. Hartman if he would be attending that FinCom meeting, and Mr. Hartman said he had already told the Chairman he would be going. Mrs. Rozanski asked him about the next Technology meeting, and Mr. Hartman said he would advise her and Mr. Johnson when it is set up.

- Action Items.

- 1. The Board acknowledged receipt of a request for a block party on Hickory Drive from a Ms. St. Francis. The Board only asked that the blockage does not impede traffic from Causeway Street. Mr. Dziczek moved to approve the request; Mrs. Rozanski seconded; all aye.

- 2. The Board discussed a general form status inquiry received for Contracting Ventures, Inc., the contractor for the Senior Center. Mr. Brodeur felt some information could be obtained from the most recent payment cost estimates that the architect, Neil Dixon, would have. Mr. Hartman will pursue that.

- 3. The Board discussed the outstanding change order for the new elementary school. Now that the funds are available according to the Treasurer, it was believed the change order could be signed. Mr. Johnson moved the Board sign change order #11 in the amount of \$31,604.00; Mrs. Rozanski seconded; all aye.  
page 4.

these projects comes from Chapter 90 for the San Joaquin region.

Involvement in the engineering for Summer Street was requested. The Board said he was negotiating with the company and hoped to have a contract by September 1st. Original cost for this project was projected to be \$1,500,000. Mentioned to the Board that they were interested in having a highway interchange. Discussions could be centered separately on sidewalks and streets away from Monday night meetings. The Board wanted to pursue this option. August 23rd at 9:00 a.m. in Sanford Hall was agreed upon. The Board asked that maps be available for review at that time, but that something be submitted to them in advance of the workshop.

Committee Reports

Mrs. Rozanski noted an upcoming meeting in October of the Board of County Selection's Association meeting. An LDC meeting this week. The Board meeting the next morning. Mrs. Rozanski asked Mr. Hartman if he would be attending that Friday meeting and Mr. Hartman said he had already told the Chairman he would be going. Mrs. Rozanski told him about the next Board meeting and Mr. Hartman said he would advise her and Mr. Light on when it was up.

Action Items

The Board authorized and accepted a request for a blood grant on Highway Drive to a local 24-hour. The Board agreed that the blood grant does not impede traffic from Highway Street. Mr. Rozanski moved to approve the request. Mrs. Rozanski seconded all agree.

The Board discussed a general form status report received for contracting ventures and the contractor for the Senior Center. Mr. Broderick said some information could be obtained from the most recent payment cost estimate that the architect Neil Brown was to have. Mr. Hartman will present that.

The Board discussed the outstanding change order for the new elementary school. Board that the funds are available according to the Board and was relieved the change order could be signed. The Board moved to the next agenda item. The Board discussed the 1992-93 fiscal year. The Board seconded all agree.

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It was noted the Accountant still has to sign it.

- 4. The lease/agreement for the Park vehicle was brought up. Mr. Hartman noted it was a three-year lease/purchase with an overall figure of \$28,773, which was approximately \$1,200 less than anticipated. Mr. Johnson moved to approve and sign the lease/agreement for the Park Department's pickup truck, being a Dodge 1998 Ram 2500 4-wheel drive with 8 ft. Fisher plow; Mrs. Rozanski seconded; all aye.

Mr. Dziczek questioned if this was the way everyone was acquiring their vehicles, and was this the most effective? Mr. Hartman said there was an Equipment Committee, where department heads get together and work toward getting an overall picture on vehicle purchases. He did feel, however, that the best method of purchasing small equipment was to put the cost in the operating budget, rather than in a capital budget so it could be bought outright.

Mr. MacDougall added there is a computer module in Excel which shows a program for lease/purchases.

- 5. With reference to Fred Sibley's evaluation, Mr. Hartman noted the input received this evening from the Park Commissioners. Mr. Brodeur suggested this be Action Item #1 for next week so they have time to review the paperwork. Again, it was reiterated, Mr. Sibley had not seen their comments. Mrs. Rozanski said they could use their input for the Board's own information. Mr. Johnson added they also had the letter from Fred Sibley to use in their analysis. Mr. Dziczek questioned if Mr. Hartman would review him, but he said no and neither do the Park Commissioners; the input is still to the Board.

- 8:22 p.m. - Mr. Dziczek brought up the letter from EPA concerning the underground tanks. Mr. Hartman explained that was a Board of Health issue, but the only one he was aware of was in front of Galante's. They still need to obtain two more quotes for their removal. Mr. Johnson felt there was more history to this with school department buildings and even an old gas station on Holliston Street. Mr. Hartman noted there was a 1988 federal law that an inventory had to have been done, which would have been sent to DEP at that time. He would do more research on the subject. Mr. Brodeur suggested looking at old annual town reports under the Fire Chief's report.

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MINUTES OF THE SELECTMEN'S MEETING - AUGUST 10, 1998

- Mr. Dziczek brought up the highway staffing committee that was suggested. He wondered if they should discuss this as well at the workshop? Mr. Hartman said they were already working on this in-house, and asked that they reconsider the formation of that committee. He understood that, since this was discussed when he was away on vacation, they did not know that he had already had conversations with Bob Power and Lee Henry on the subject.

Mr. Johnson felt this was a policy matter, and that was why the Board brought this up. He said they should seek public support for a feasibility study. Mr. Hartman believed that was part of his job and an administrative matter. Mr. Johnson asked that they go forward with the Committee, and that the vote not be rescinded.

Mrs. Rozanski asked if Mr. Johnson would like Mr. Hartman to report back to the Board with what kind of work is being considered and the cost factor? Mr. Johnson asked when he would be coming to a conclusion? Mr. Hartman said he would be presenting his recommendations during the budget process. Mr. Johnson requested that they get things going, and get it done. Mr. Hartman said he would try and provide an update at the next meeting.

Mr. Johnson asked that different departments be considered, i.e. Park, as well to include points such as insurance coverage, applicants process, where the funds would be appropriate, and what would be the process. Mr. Hartman clarified they would just be "seasonal help". Mrs. Rozanski added that maybe they could waive the physicals for them. Mr. Hartman said they're usually exempt from the physicals and the drug and alcohol testing as they are mostly college kids, but they would have to provide workers comp. He indicated there would be no labor issues. Mr. Dziczek concluded the Selectmen would not appoint another committee at this time. He did understand that there were some problems with the hiring of help at Choate Park, but Mr. Hartman said they were able to finally hire enough life guards to get the Park up and running, although, at one point, they almost had to close.

- 8:40 p.m. - Mrs. Rozanski moved to adjourn to executive session for the purpose of on-going litigation, and for discussion of strategy as it relates to union and non-union employees, not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mrs. Rozanski - yes; Mr. Gildea - yes; Mr. Dziczek - yes; Mr. Johnson - yes; Mr. Brodeur - yes.

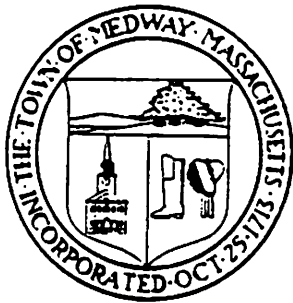
MINUTES OF THE SELECTMEN'S MEETING - AUGUST 10, 1998

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

\* amendment to  
minutes approved  
at 8/24/98 meeting.

approved  
8/17/98



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

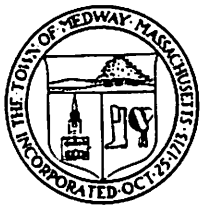
August 12, 1998

To: Arti Mehta

From: Michael J. Hartman

Subj: FY 98 Journal Entry

At their meeting of August 10, the Board of Selectmen authorized you to make a journal entry increasing the FY 98 debt expense by \$635,000.00 for principal and \$459,910.31, and reducing cash by a like total amount. Once the minutes of the meeting have been approved they will be forwarded to your office.



**TOWN OF MEDWAY**  
TOWN ACCOUNTANT  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

file  
③

ARTI P. MEHTA  
Town Accountant

TEL: (508)533-3202  
FAX: (508)533-3201

## Memo

To: Board of Selectmen  
From: Arti Mehta, Town Accountant *Am*  
Date: August 10, 1998  
Re: ADJUSTING THE BOOKS

Attached is a copy of the memo received from Marjorie Sanford, Town Treasurer, requesting to make an entry in the amount of \$1,088,910.31 by increasing Fiscal Year 1998 debt expense and reducing general cash by the same amount.

The payment has been transferred out of the Town Treasury but the paperwork had not been put through the warrant process. Thus the money has been paid out without warrant authorization.

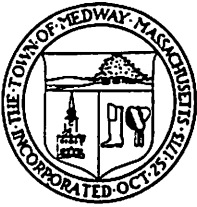
The system has been set that the Treasurer's office wire transfer the payment, put a no-check voucher for the warrant process and the weekly summary sheet from the Accountant's office will reflect the total expenditure for the week. After the wire transfer the verification with the summary sheet also did not take place, otherwise this would have been discovered sooner.

This is not as simple as it seems. Once the payment gets transferred out of the Treasury and does not reflect the General Ledger, means, an unused appropriation in the account which will then be closed out at the Fiscal Year end. That turns in to a free cash and can be spent out again. This could result in a deficit situation as it happened in the past. Therefore this should be given a serious thought.

I have discussed this with DOR and accordingly, we do not have many alternatives but, to adjust the books reflecting the payment. I would like to remind that we have found a solution but this should not be a practice.

Please take a vote of The Board authorizing the Town Accountant to make a journal entry increasing the FY 1998 debt expense by \$635,000 for Principal and \$453,910.31 for Interest and, reducing cash for the same.

Thank you.



## TOWN OF MEDWAY

TREASURER/ COLLECTOR  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

MARJORIE A. SANFORD  
TREASURER/ COLLECTOR

TELEPHONE: (508) 533-3205  
FAX: (508) 533-3201

file  
②

### MEMO

To: Town Accountant  
From: Marjorie Sanford, Treasurer/Collector *MS*  
Date: Monday, August 10, 1998  
Subject: Debt Payment

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On June 15, 1998, the Town of Medway made the first debt payment on the bonds which we issued on September 15, 1997. This payment, 635,000.00 in Principal and 453,910.31 in interest for a total of \$1,088,910.31 was wired directly from our bank to Roosevelt & Cross. Unfortunately, a voucher reflecting this payment was never processed through a Warrant.

Please make a Journal Entry in FY 1998 charging my long term debt principal and interest accounts and crediting cash for the appropriate amounts.





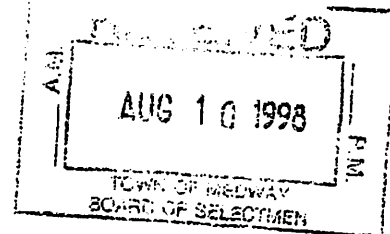
**TOWN OF MEDWAY**  
TREASURER/ COLLECTOR  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

**MARJORIE A. SANFORD**  
TREASURER/ COLLECTOR

TELEPHONE: (508) 533-3205  
FAX: (508) 533-3201

**MEMO**

To: Board of Selectmen  
From: Marjorie Sanford, Treasurer/Collector *MS*  
Date: Monday, August 10, 1998  
Subject: Debt Payment

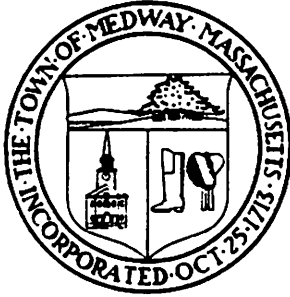


On June 15, 1998, the Town of Medway made the first debt payment on the bonds which we issued on September 15, 1997. This payment, 635,000.00 in Principal and 453,910.31 in interest for a total of \$1,088,910.31 was wired directly from our bank to Roosevelt & Cross. Unfortunately, a voucher reflecting this payment was never processed through a Warrant.

Since the Accountant has closed her fiscal year for processing Warrants, I am asking the Selectmen to vote to authorize the Town Accountant to make a Journal Entry to record this transaction in FY 1998, debiting the Long Term debt and interest accounts and crediting cash in the appropriate amounts so that our year-end balances in the General Ledger will be correct.

8/10 -  
Margo Arti will  
be coming up at  
7:10 to discuss  
the letter.

cc: BofS 8/10/98



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

**Michael J. Hartman**  
**Town Administrator**

**AUGUST 3, 1998**

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of July 27th and executive session minutes of July 13th.
- 7:05 p.m. - Public Comments.
- 7:10 p.m. - Barbara Walls, Assistant Treasurer with Maryjane White, Town Clerk - re: signing of notes.
- 7:15 p.m. - Joe Hanlon, Steve Bevalagua, Paul Yorkis - re: Timber Tree site plan review approval.
- 7:30 p.m. - Ted Gay - re: Ben Franklin site plan review approval.
- 7:45 p.m. - Ralph Costello/Canesi Brothers Construction - re: The Meadows permit for earth removal.
- Administrator's Report:
  - Correspondence.
  - For your information.
  - Personnel activities.
  - Other.
- Committee Reports.
- Action Items
  - 1. Discussion of drainage problem for Hinthornes of Malloy St.
  - 2. Discussion of easement request for Frechettes of Canal St.
  - 3. Acknowledge receipt of R. P. Marzilli & Company's site plan.
  - 4. Discussion of File Room access.

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 3, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

7:10 p.m. - Mr. Dziczek called the meeting to order in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of warrant #6 totalling \$436,499.45; Mr. Gildea seconded; all aye.

- Mr. Dziczek suggested holding off discussion of the executive session minutes of July 13th until all members were present.

- Mr. Brodeur asked for a moment of silence in memory of Gardner Rice, deceased former member and chairman of the Water/Sewer Commissioners. Both Mr. Brodeur and Mr. Johnson spoke highly of him and his community involvement in both Medway and Millis.

- Mr. Brodeur moved approval of the minutes of July 27th; Mr. Johnson seconded; Mr. Dziczek abstained; all aye.

7:17 p.m. - Assistant Treasurer Barbara Walls accompanied by Town Clerk Maryjane White came to have bond anticipation notes signed by the Board. Mrs. Walls explained the notes were for \$500,000 - \$300,000 for School technology and \$200,000 for Town technology, with the opportunity to borrow more later. Mr. Hartman noted the installation of equipment would be after Labor Day. Mrs. Walls further explained this was initiated by Treasurer Marjorie Sanford and the Bank, and is really phase 1. Mr. Johnson moved approval of the bonding of notes from Dobbins & Co. at 3.88% interest rate in one denomination of \$500,000, with \$300,000 for School technology and \$200,000 for Town technology; Mr. Dziczek seconded; all aye.

7:30 p.m. - Joe Hanlon of ESP Associates, Paul Yorkis of Classic Properties, and Steve Bevalaqua of Timber Tree came to meet with the Board concerning a site plan for Timber Tree on Trotter Drive. Mr. Hanlon stated he was surprised by the previous vote of the Board that approval of the site plan was contingent upon receiving a letter from the Conservation Commission. He stated that ConCom was notified of the public hearing that was held with the Planning Board. All boards receiving copies of various correspondence had responded, except ConCom.



MINUTES OF THE SELECTMEN'S MEETING - AUGUST 3, 1998

Mr. Bevalaqua stated he had asked what he could do to make the process move along quickly, and he was advised to stay outside and away from the buffer zone at least 100 feet. He purposely decided to just make it 130 feet so there would be no problems.

Mr. Yorkis added that ConCom has control of the 100 foot buffer zone, but the By-law indicated if he wanted to work in the industrial zone and any part of that land had wetlands, he was obliged to file with the ZBA, and he did that. He also noted that ConCom was notified twice about Timber Tree, once with ZBA action and once with Planning Board action. Mr. Bevalaqua added that no abutters spoke in opposition to the parcel at the ZBA hearing as well.

Mr. Johnson brought up the letter from the Health Agent who was concerned about possible hazardous materials and storage on site. Mr. Yorkis felt that was a Board of Health issue, but explained no asphalt would be stored on site. Mr. Hanlon added that this issue had been addressed, but not with the Board of Health. He also stated vehicles would be stored on site, but no petroleum products. Additionally, there would be security systems and alarms in place.

Mr. Dziczek noted, however, that the Health Agent had asked for an inventory of equipment and any hazardous materials. Mr. Bevalaqua stated there would absolutely be no hazardous materials; they had his word. Mr. Dziczek said if that ever occurred, the Board would place a cease and desist upon the property. Mr. Brodeur commented that the Fire Chief has control of hazardous materials and would be called in as well.

Mr. Bevalaqua voiced his frustration saying he thought he had done everything to assure a smooth process. Mr. Dziczek asked about his timeline if they went along with the Health Agent's request? Ted Gay, who was present in the audience, noted that the Planning Board had 90 days to give a recommendation to the Selectmen, and 30 days after that recommendation for the Selectmen to respond. Mr. Hartman said the site plan was originally acknowledged on June 1st.

Mr. Brodeur realized the Board had to act tonight with whatever conditions doable to the applicant. Mr. Hartman said filing of a simple inventory might be sufficient. Mr. Johnson felt they should adhere to the Health Agent's request, but as for ConCom, they had their time to respond and didn't feel they had an issue. A copy of tonight's vote should go to ConCom anyway.

page 2.

Mr. Bevilacqua stated he had asked what he could do to make the process move along quickly and he was advised to stay outside and away from the building. He decided to stay outside and away from the building. He decided to stay outside and away from the building. He decided to stay outside and away from the building.

Mr. Yorkis asked that since on the basis of the 100 foot buffer zone, the Board indicated it was not to be in the building and not to be in the building and not to be in the building. He was advised that the Board was not to be in the building and not to be in the building. He was advised that the Board was not to be in the building and not to be in the building.

Mr. Johnson brought up the letter from the Health Agent who was concerned about possible hazardous materials and storage in the building. He was advised that the Board was not to be in the building and not to be in the building. He was advised that the Board was not to be in the building and not to be in the building.

Mr. Broderick noted that even though the Health Agent had asked for an inventory of equipment and any hazardous materials, Mr. Bevilacqua stated that would absolutely be no hazardous materials that had the word "Hazardous" in it. He stated that the Board would place a cease and desist upon the property. Mr. Broderick commented that the Health Agent has control of hazardous materials and would be called in as well.

Mr. Bevilacqua noted that the Health Agent was asking for an inventory of equipment and any hazardous materials. Mr. Bevilacqua stated that would absolutely be no hazardous materials that had the word "Hazardous" in it. He stated that the Board would place a cease and desist upon the property. Mr. Broderick commented that the Health Agent has control of hazardous materials and would be called in as well.

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MINUTES OF THE SELECTMEN'S MEETING - AUGUST 3, 1998

Mr. Hartman noted ConCom had two avenues: to file a formal appeal or do so on the building application

Mr. Johnson moved to approve the site plan for Timber Tree contingent upon an inventory list being submitted to the Health Agent the next day, and upon its approved receipt to the Town Administrator, the approved site plans could be picked up; Mr. Gildea seconded; all aye. Two members of the Board would sign the plan tonight; a third member would be called in to sign when the approved list was received.

- 8:00 p.m. - Ted Gay of Guerriere & Halnon came before the Board to discuss the site plan for Ben Franklin Savings Bank off of Main and Elm Streets. Mr. Gay said the plan has been through many changes, but the Bank was buying all 6.3 acres of the property. On his display, he indicated that most of the land was wet, but ConCom has approved the filling in of some of the area and replicating it. He did not anticipate any problems with ConCom allowing them a connection to Medway Auto Sales since they can't get in from Elm Street. (Mrs. Rozanski arrived at this time.) He noted there were 27 parking spaces; their entrance is directly opposite the entrance to Cumberland Farms, with the exit across from Medway Block; there would be a sidewalk in front and no run-off into the street; there would be paving only until the property line, leaving a ten foot buffer in front of the bank and on the corners; the building was 2000 sq. ft., 40' deep and 50' across; and the avenues of travel were wide enough for a fire engine. They are also proposing some free-standing signs under a separate issue and application.

The Board recommended double-faced signs, and also to speak to the Safety Officer for his recommendation as to where signs should be placed. Mr. Johnson moved to accept the site plan as recommended by the Planning Board with the Safety Officer approving the location of signs; Mrs. Rozanski seconded; all aye.

- 8:15 p.m. - Neither Ralph Costello nor a representative from Canesi Brothers Construction came to meet with the Board concerning The Meadows and a permit for earth removal; however, Mr. Johnson commented that he saw no more earth being removed, with Mrs. Rozanski agreeing they were storing on site.

- Action Items.

1. Mr. Hartman said that Mr. Hinthorne's letter had been referred to DPS  
page 3.





MINUTES OF THE SELECTMEN'S MEETING - AUGUST 3, 1998

and the Building Inspector. On June 8th, they walked the property and met with the people at Long Distance Tire. He stated they have not completed their drainage plan yet, with at least the berms not being put in place. DPS and the Building Inspector were of the opinion that, once the berm was in place, this would help to alleviate some of the run-off, but they felt that most of the water was draining from the Southeast corner of the bank building.

Mr. Hartman said that, according to Town Counsel, if the Town was in any position to do anything with drainage from Long Distance Tire, it would be to exert pressure to get the drainage plan done. If the run-off was coming from the bank building, then it was a private matter between the people and the bank.

Mr. Brodeur recalled that the bank was there and pre-existing before both the subdivision with Malloy Street, and the Long Distance Tire building was there. He felt they could enforce the Board's approval of the site plan by giving them until August 15th to put the berm in. Mr. Brodeur said that the engineer who stamped the site plan for Long Distance Tire is ultimately responsible if they have any problems emanating from there; the Board of Selectmen just approved the site plan based on what was presented them.

Mr. Hinthorne and some other residents from the neighborhood were present, and they voiced their concern and frustration at the amount of water they were receiving, with so much clay in the area not helping the situation. They said, at times, there was as much as four inches of water on their property. They felt someone was responsible and the problem should be taken care of. Mr. Brodeur suggested starting with Long Distance Tire and giving them until the end of the month to complete their drainage plan, or close them down. He said they were the only people the Board had any control over.

Mr. Hartman stated that the bank structure pre-dates the By-law which calls for site plan approval. Mr. Hinthorne felt they had always had water on their property, but had gotten worse since Long Distance Tire came in. Again, both Mr. Brodeur and Mr. Hartman felt that putting in berms would take care of some of the problem. Mr. Brodeur suggested they take pictures and record the dates of when the water problems occur. Then, they have something to go after the engineer of Long Distance Tire with, especially since the system that was put in was rated for a one-hundred year storm. Mr. Hartman said he knew there was an approved drainage plan, and he would look it over and see if PMP had reviewed it as well.

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MINUTES OF THE SELECTMEN'S MEETING - AUGUST 3, 1998

He added that when the Building Inspector issues a certificate of occupancy, drainage may have not been a code issue, but they intend to enforce the drainage plan as part of the site plan the Board approved.

Mrs. Rozanski wanted to know what is the sanction, withholding their business permit? They need something in the process. Mr. Hartman said typically they hold the bond.

Mr. Johnson moved to instruct the Town Administrator to give notification to Long Distance Tire that the drainage plan as presented to the Board be completed no later than August 14th, or their facility can no longer operate until they are in compliance with that drainage plan; Mrs. Rozanski seconded; all aye.

- 8:45 p.m. - Mrs. Rozanski again stated the process of site plan approval by the Board needs to be looked at. Mr. Brodeur suggested this be a future action item as he had to leave the meeting, and asked that they jump to Action Item 4, which was a discussion on access to the file room.

4. Mr. Johnson acknowledged the file room needs to be secured, but he felt it was not secure as it presently was. He said the filing cabinets themselves should be locked, or get cabinets with locks. He felt it was necessary for Board members to be able to access their own files. Mrs. Rozanski agreed the files, not the file room, should be secure.

Mr. Hartman said the file room was to also include a work station with computer and the phone system and most of the cable equipment is to be in there as well. He added that they now know who has a key as a certain number were issued. There is a process to access information, but agreed that each cabinet could be locked.

Mrs. Rozanski felt that the elected officials who are sworn into office should be able to get to files. (Mr. Brodeur left at this time.) Mr. Hartman said they could take the lock off the door, but there needs to be good records management, and everyone needs to feel comfortable knowing their records are secure.

Mr. Dzikczek suggested letting Mr. DeSimone and Mr. Mitchell know that the matter is being handled, and will be addressed within 60-90 days. Mr.



MINUTES OF THE SELECTMEN'S MEETING - AUGUST 3, 1998

Hartman stated that the Town Clerk is the keeper of the records, but due to space limitations, some of the material that should be stored there is not, and still needs to be addressed. He noted how many documents are scanned these days, but that was not included in the technology plan, so the Town may have to look at other storage facilities or putting documents on disc. He would pursue asking other Towns how they handle this issue, and will come back with some sort of plan.

- Mrs. Rozanski brought the discussion back to site plan review noting that the Board can place certain conditions on approval, then the Building Inspector gives a permit, does his inspections, and they get a certificate of occupancy. Do we advise him to hold issuing the certificate of occupancy until they have complied with everything we've asked?

Mr. Hartman said the Board adopts a site plan, then PMP would go out when they're done. If he does not return to the site, then any problems would probably be internal, but if PMP finds out they did not do certain things, we would have to know what recourse there is. He felt it was still a Planning Board responsibility, but would get further guidance from Town Counsel.

- Administrator's Report.

- Mr. Hartman said that the contract with Greenscape to do the design services for landscaping and develop the bid specs for the Idylbrook athletic fields and irrigation system was never executed by the Board of Selectmen, but was done by the Park Commissioners, so he asked that it be signed. Mrs. Rozanski recalled the intention was to award the contract.

Mr. Johnson moved to accept the contract as submitted by Greenscape, not to exceed \$8,870, for design services and development of bid specs for the Idylbrook property, and to authorize the Vice-Chairman to sign; Mr. Dzikczek seconded; all aye.

- Mrs. Rozanski brought up a fax she sent to Mr. Hartman concerning the \$95,000 check from Time-Warner Cable which was to be used by Cable Access for equipment. He stated that he went to the Treasurer the next day with the check and a copy of the particular part of the contract that references the equipment and the setting up of a specific account for accessibility over ten years. Mr. Hartman

Hartman stated that the Town is the keeper of the records and due to space limitations, some of the records that should be stored there is not and still needs to be addressed. He noted that many documents are scanned these days, but the was not included in the technology plan, so the Town may have to look at other storage facilities or putting documents on disc. He would present asking other Towns how they handle this issue and will come back with some sort of plan.

Mrs. Rozanski brought the discussion back to the plan review meeting that the Board can place certain conditions on approval that the building inspector gives a permit, does his inspections and that a certificate of occupancy. The town adds him to being issuing the certificate of occupancy and may have something with everything we've asked.

Mr. Hartman said the Board wants a plan that is 100% and good to when they build. If he does a permit to the plan, then any other things that probably be minimal, but if it's time, they did not do anything, it would have to be a new record that is. He felt it was with a building permit responsibility, but would get further guidance from Town Council.

Administrator's Report

Mr. Hartman said that the contract with Greenberg to do the design services for land, septic and develop the bid space for the fly down traffic is the and irrigation system was never executed by the Board of Supervisors and was done by the Port Commission, so he asked that it be signed. Mrs. Rozanski recalled the intention was to award the contract.

Mr. Johnson moved to accept the contract as submitted by Greenberg and to award \$8,800 for design services and development of bid space for the flydown property, and to authorize the Vice-Chairman to sign for Johnson and board off of it.

Mrs. Rozanski was set up a plan and to Mr. Hartman, and when the 200,000 check from three weeks ago was used for the purchase of equipment. He stated that he went to the Treasurer to get the money and a copy of the particular part of the contract that says that the purchase was the setting up of a specific record and responsibility was given to the Treasurer.

MINUTES OF THE SELECTMEN'S MEETING - AUGUST 3, 1998

said he also told Mr. Pelletier how to access the funds, but it was paid to the Town, and the Treasurer is the custodian of that money; however, it was put in the general fund by the Town Accountant. Mrs. Rozanski said a copy of her fax can be distributed. Usually, she noted, the interest goes to the Town, but the investment should go to benefit Cable Access and knew that was what the intent was.

2. The Board discussed the request of the Frechettes of Canal Street, through Town Counsel, for an easement on Town property to their property. Mrs. Rozanski noted there was no formal request to the Board from them, however.

Mr. Johnson said he did some research on this, and he didn't know who acts on this - the Town Administrator or the Board, since it appears that the Town Administrator is the one responsible for Town land and buildings. Nonetheless, Mrs. Rozanski recommended it be denied. Mr. Dziczek made a motion that their request be denied, and to send a letter to the Frechettes advising them of this action; Mr. Johnson seconded; all aye. Mr. Hartman said this letter will show that the Town never gave, or will give, access.

3. The site plan of R. P. Marzilli & Company of 2 Trotter Drive was brought up. Mrs. Rozanski noted that it was a daytime operation in a 9000 sq. ft. building for the housing of landscaping equipment. Mr. Johnson moved to acknowledge receipt of this site plan; Mr. Dziczek seconded; all aye.

- The Board acknowledged receipt of a letter from Paul Keefe of the Assessors Office indicating the address of the Senior Center as 76 Oakland Street.

- Mr. Gildea brought up political signs that were going up in Town earlier than they should. Mr. Hartman said he had received a written complaint today, and it was in violation of the By-law. The Building Inspector has 14 days to respond, but by then, the signs would be legal. He said it involves potential litigation and should not be discussed in open session. Mr. Hartman said he would be putting together information for Town Counsel. Mrs. Rozanski asked the Secretary record this was brought to Mr. Hartman's attention, and he was handling it.

9:25 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette, Secretary/mj

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*amended  
8/17/98*

and no also told me. He also told me to pass the funds to the Treasurer and the Treasurer is the custodian of that money. He also told me to pass the funds to the Treasurer and the Treasurer is the custodian of that money. He also told me to pass the funds to the Treasurer and the Treasurer is the custodian of that money.

1. The Board discussed the request of the Treasurer to have the Town Council for an agreement on Town property to their request. The Board noted there was no formal request to the Board from the Treasurer.

Mr. Johnson said he did not know who it was and he didn't know who it was on this - the Town Administrator or the Board - he didn't know who it was. He said that the Town Administrator is the one responsible for Town land and buildings. He said that the Town Administrator recommended it be denied. Mr. Johnson made a motion that their request be denied, and to send a letter to the Treasurer advising them of this action. Mr. Johnson seconded all eyes. Mr. Johnson said this item will stay on the Town never give or will give action.

2. The plan of Mr. Johnson to a company of 17 letter this was brought up. Mr. Johnson said that it was a definite option for a year or so. He said that the plan of Mr. Johnson to a company of 17 letter this was brought up. Mr. Johnson said that it was a definite option for a year or so. He said that the plan of Mr. Johnson to a company of 17 letter this was brought up. Mr. Johnson said that it was a definite option for a year or so.

The Board acknowledged receipt of a letter from the Town Council on the 1st of August. The Board acknowledged receipt of a letter from the Town Council on the 1st of August. The Board acknowledged receipt of a letter from the Town Council on the 1st of August.

Mr. Gilson brought up political signs that were going to be put up. He said that the signs should be removed. Mr. Johnson said he didn't know who it was. He said that the signs should be removed. Mr. Johnson said he didn't know who it was. He said that the signs should be removed. Mr. Johnson said he didn't know who it was. He said that the signs should be removed. Mr. Johnson said he didn't know who it was. He said that the signs should be removed.



**COPY**

BankBoston, N.A.  
Government Banking and Finance  
7 New England Executive Park  
Burlington, Massachusetts 01803



**BankBoston**

**Municipality:** Town of Medway  
Marjorie Sanford  
155 Village St.  
Medway, MA 02053

**Purpose:** Bond Anticipation Note - Municipal Purpose Loan

**Due:** April 9, 1999

**Dated:** August 11, 1998

**Special Instructions:** Act/365 (241/365)

**Subject:** Maturing Notes payable at BankBoston, N.A.

\*\*\*\*\*

<u>Amount</u>	<u>Purchaser</u>	<u>Interest Rate</u>	<u>Numbers</u>	<u>Denomination</u>	<u>Interest Per Unit</u>	<u>Total Interest</u>
\$500,000	Dobbins & Co.	3.88	1	500,000	\$12,809.32	\$12,809.32

<b>TOTAL PRINCIPAL</b>	\$500,000.00
<b>TOTAL INTEREST</b>	<u>\$12,809.32</u>
	<u>\$512,809.32</u>

*This notice is to remind you that we should be provided with good funds on or before the due date. In the event that your check has been forwarded or you have authorized us to charge your account, please disregard this reminder. If you have any questions, please call the Financial Advisory Office at (781) 564-2090 or 1-(800)-735-0537.*

**\*IF PAYING BY CHECK PLEASE MAIL TO: BANKBOSTON, N.A.  
ANTOINETTE CORBY  
100 FEDERAL ST., 13TH FLOOR  
BOSTON, MA 02110  
MAIL CODE: MA BOS 01-13-07**

COPY

# Municipal Purpose Loan

City/Town/County/District of Medway

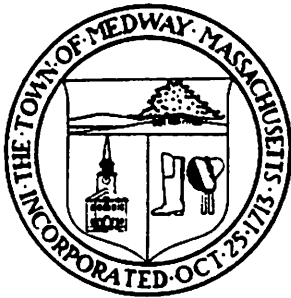
This attachment must be included with all Municipal Purpose Loans issued through the State House Note Program.  
(A municipal purpose loan is one which combines two or more authorizations for different purposes in one loan.)

Date	Article #	Purpose	Amount Authorized	Previous New Issues	Paydowns This Issue	This Issue New	This Issue Renewal	Unissued Balance
10-27-97	6	School	746,450	0	0	300,000	0	446,450
5-11-98	13	Computer	476,875	0	0	200,000	0	276,875

<b>Totals</b>			1,223,325	0	0	500,000		723,325
Carry these figures over to the Clerk / Secretary's Certificate			must equal line 3	must equal line 4	must equal line 5	total of these columns must equal line 6		must equal line 7

**Note:** Amount Authorized minus Previous New Issues minus This Issue New will equal Unissued Balance

Revised: May 1997)



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### *AGENDA*

***Michael J. Hartman***  
***Town Administrator***

***JULY 27, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of July 6th, July 13th, July 20th, and executive session minutes of July 13th.
- Committee Reports.
  - Action Items
  - 1. Approval of block party.

PLEASE NOTE: SELECTMAN JOE DZICZEK AND TOWN ADMINISTRATOR  
MICHAEL HARTMAN WILL NOT BE IN ATTENDANCE.

MINUTES OF THE SELECTMEN'S MEETING - JULY 27, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson.  
Selectman Joe Dziczek and Town Administrator Michael Hartman were absent.

7:00 p.m. - Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall.

- Mr. Johnson moved to sign and approve warrant #5 totalling \$296,423.96. He explained this amount did not include school bills as the Treasurer was hoping to borrow the \$750,000 around August 15th, but cash flow indicated it should be paid, and up until now none of the \$750,000 has been spent. Mr. Gildea seconded; all aye.
- With reference to the minutes of July 6th, Mrs. Rozanski moved that a line be inserted in the minutes concerning the contract amount for Mr. Boczanowski; Mr. Gildea seconded the amendment; all aye. Mr. Brodeur moved approval of the minutes as amended; Mr. Johnson seconded; all aye. On a follow-up concerning a drainage problem on Malloy Street, the Secretary said the issue was on next week's agenda.
- After a correction to the regular session minutes of July 13th, Mrs. Rozanski moved approval of the minutes as amended; Mr. Gildea seconded; all aye.
- With reference to the executive session minutes of July 13th, Mrs. Rozanski suggested tabling their approval until next week when Mr. Hartman was back; Mr. Johnson seconded; all aye.
- After a correction to the minutes of July 20th, Mr. Rozanski moved approval of the minutes as amended; Mr. Gildea seconded; all aye.
- Mrs. Rozanski moved the suggestion of placing on the weekly agenda, "personnel activities" under the Town Administrator's report; Mr. Gildea seconded; all aye.
- Committee Reports.
- Mrs. Rozanski brought up the Crossroads Grant Program, stating there was an RFP out there for youth and community programs, which could possibly be utilized for the proposed youth center, with some \$20,000 in available funding.

Present: James Broderick, Richard Kozinski, John Johnson, Joe Esposito and Board Administrator Michael Hartman / one absent

7:00 p.m. - Mr. Broderick called the meeting to order in Sanford Hall at 7:00 p.m.

- Mr. Johnson moved to sign and approve warrants totaling \$250,000. He explained this amount did not include school bills as the Treasurer was hoping to borrow the \$250,000 around August 1st, but cash flow indicated it should be paid and up until now none of the \$250,000 had been spent. Mr. Johnson seconded all agree.

- With reference to the minutes of July 13th, Mr. Johnson moved that a line be inserted in the minutes recording the amount for the \$250,000. Mr. Johnson seconded the amendment of up to \$250,000. Mr. Johnson moved approval of the minutes as amended. Mr. Johnson seconded all agree. On a follow-up conversation regarding the \$250,000, Mr. Esposito said the issue was on next week's agenda.

- After a correction to the regular session minutes of July 13th, Mr. Kozinski moved approval of the minutes as amended. Mr. Johnson seconded all agree.

- With reference to the previous session minutes of July 13th, Mr. Kozinski suggested telling their report is until next week when Mr. Hartman was back. Mr. Johnson seconded all agree.

- After a correction to the minutes of July 13th, Mr. Kozinski moved approval of the minutes as amended. Mr. Johnson seconded all agree.

- Mr. Kozinski moved the suggestion of placing on the weekly agenda "personnel services" under the Board Administrator's report. Mr. Johnson seconded all agree.

- Committee Report

- Mrs. Kozinski brought up the 4 year old Grant program which had been an MTP one that had been a grant program which could be used for the proposed grant center with some \$20,000 in available funding.

MINUTES OF THE SELECTMEN'S MEETING - JULY 27, 1998

- She also noted there was a matching grant for environmental programs that the Conservation Commission could consider since they do have some funds, and this grant had \$15,000 available.

- Mrs. Rozanski also brought up the congestion management program with the Boston MPO from the last SWAP meeting and showed the Board a map that was prepared showing the areas that are designated for improvements. She asked that intersections along Route 109 be included from Holliston Street to Route 126. The plan reflected repaving and rebuilding programs through Mass. Highway.

Mr. Gildea asked how the intersection at Route 109 and Holliston Street could be improved, and Mrs. Rozanski said that is what engineers would determine. She said, because the map was drawn up, they were able to find that a small portion of Sanford Street from the Bridge to Village Street had been overlooked, and now would be addressed. Barry MacDougall asked about traffic congestion at the intersections, and Mrs. Rozanski suggested he look at the congestion management report. Mr. MacDougall hoped they would not forget about commuter rail as an option as well.

Mr. Gildea asked what role the Selectmen played in this traffic congestion situation? Mrs. Rozanski hoped they could bring together what the community wants with some resolutions. Mr. Brodeur thought Mr. Hartman could coordinate that information to the Board. Mr. Johnson felt any communications that go out of Town to the State, the Board should be aware of. He also asked what was the Board's input to this map? Mrs. Rozanski stated that Franklin may have submitted their report, and we did ours on Village Street, but Sanford Street did not get done. She noted this was not DPS's responsibility; this was the State's work. Again, Mr. Johnson suggested a five-year plan outlined on a map was useful so they could link various streets together to see any gaps in work which might exist.

- Action Items.

- A request for a block party on Riverview Street submitted by Mary Louise Secola of Charles River Road was acknowledged. This was the 8th annual request submitted by the neighborhood, this time to be held on August 22nd. Mr. Johnson moved to accept the proposal as submitted with proper approval by the Police Chief; Mrs. Rozanski seconded; all aye.

- She also noted there was a matching grant for environmental programs in the Conservation Commission that could be used to help some of the work that the grant had been made available.

- Mr. Kozanski also brought up a conservation management program in the Region MPO from the last R/WAT meeting and showed the board a map that was prepared showing the areas that are designated for improvement. She also noted that intersections along Route 100 be included from Holliston Street to Route 1A. The plan reflected repaving and resurfacing programs through Mass Highways.

Mr. Gitter asked how the intersection at Route 100 and Holliston Street could be improved, and Mr. Kozanski said that is what engineers would determine. She said, because the map was drawn and they were able to find that a small portion of Sanford Street from the Bridge to Village Street had been overlooked and now it could be addressed. Barry McElroy asked about traffic congestion at the intersection and Mr. Kozanski suggested he look at the congestion management report. Mr. Kozanski noted they would not have about commuter rail as an option as well.

Mr. Gitter asked what role the department plays in this traffic congestion situation. Mr. Kozanski noted they could bring together a lot of community wants with some existing work. Mr. Gitter thought Mr. Kozanski would be able to get information to the Board. Mr. Gitter felt they were in a position that they could go out to Town to see what the Board should be aware of. Mr. Kozanski said that would be good input to his map. Mr. Kozanski stated that Holliston and 100 would be their report and we did not see Village Street but could be added to it. She noted that was not DHS responsibility but a lot of work would be done. Mr. Johnson suggested a five-year plan outlined on a map was needed so they could link various streets together to see any gaps in what might be needed.

#### Action Items:

- A request for a public hearing on the proposed project submitted by Mr. Kozanski to the Board was acknowledged. It was noted that the hearing request submitted by the neighborhood was to be held on August 11th. Mr. Johnson moved to accept the proposal as submitted with proper approval by the Board. Chief Mr. Kozanski seconded all of it.

Meeting

MINUTES OF THE SELECTMEN'S MEETING - JULY 27, 1998

- Back to Committee Reports.

- Mr. Johnson asked that the Board consider the request from the Housing Authority to have Lovering Street be included on the sidewalk list as a priority and entered into the files. Mr. Brodeur added you should be able to walk, as well, from Cumberland Farms to Winthrop Street to Maple Street, and they need to continue looking at forming loops. He agreed that a sidewalk plan was just as important as a paving plan.

Mr. Brodeur thought it might helpful to have a committee formed to make recommendations to the Board, but Mrs. Rozanski said the Board sets policies and procedures. She suggested the Master Plan Committee let this be part of their goals. Mr. Gildea still wanted the Board to name the priorities, with Mrs. Rozanski agreeing they need a plan. Other than asking Mr. Henry to separate sidewalks from the paving plan, Mr. Johnson asked that this discussion continue for next year but to start working on it now.

Mr. Johnson asked that they look at the hiring of youths in the summer when many go away on vacation for the Highway Department. Mr. Brodeur thought this might be a subject for a future agenda item, but Mr. Johnson moved that a committee be created under the Selectmen for a feasibility study to look into summer help for the Highway Department with youths or other persons. This committee to consist of: two Selectmen, the DPS Director, one Highway person, the Park Superintendent, and two or three citizens-at-large to be created within 30 days. At the conclusion of the committee's work, they are to give a recommendation to the Board for implementation into next year's budget or sooner if there are available funds. It was also suggested that a cost comparison be done in hiring contractors. Mr. Gildea suggested checking with other Towns to see how their summers are handled. He also asked if this hiring would cause a problem with the Union, and needs to be checked out. Mrs. Rozanski seconded Mr. Johnson's motion; all aye. It was requested the Secretary advertise this Committee.

- Mr. Johnson brought up the removal of loam by a developer to areas outside of Town. It was his understanding that, even though it is a subdivision, not more than three yards could be taken off of site. He read that particular section from the Town By-laws, which was Section 9, Paragraph 5, but was not sure who it was enforced by. He noted this was brought to his attention, and sees no one enforcing the By-law. Mr. Brodeur felt this was an area for the Police, but Mr. Johnson  
page 3.





MINUTES OF THE SELECTMEN'S MEETING - JULY 27, 1998

asked if there was no permit, who is responsible? Again, it was noted this was probably under the jurisdiction of the Police Department, but it was stated, if the Police don't know what is going on, how can it be enforced? He said that State law backs up the Town by-law, and presently the developer was working without a permit off of Ellis Street. Mr. Brodeur felt if it was not in-street construction, it falls under the Town by-law.

Mrs. Rozanski moved to notify the contractor off of Ellis Street, Ralph Costello, at the Meadows project, that a permit must be issued before proceeding with any more loam removal as he was not in compliance with Town by-laws with his work, and that a cease and desist was being placed on his loam removal. Along with the letter to the contractor would be a copy of the earth removal application, and he was being asked to cease work as of 7:00 a.m. Tuesday morning, July 28th, and to meet with the Board next Monday night in this regard. The Police Department is being requested to serve the letter, with a copy to the Planning Board, the DPS Director and the Building Inspector. Mr. Johnson felt if he had removed more than he was entitled to, then the Board would decide what course of action to take. Mr. Johnson seconded Mrs. Rozanski's motion; all aye.

Mr. MacDougall added an instance such as this is why he has asked the Board to look at the by-laws again. He felt that language such as this should be added to each building permit. Mr. Brodeur said they need to educate homeowners as well to be aware of any loam removal so the Board can react.

- Mr. Johnson reminded the Board of the letter from John Collett of the Finance Committee to the Water/Sewer Commissioners, with a copy to the Selectmen, of their meeting on August 11th. Mr. Johnson moved that the Board join them at that meeting as a follow-up to Town Meeting action on I/I, and for the proper posting to be done; Mrs. Rozanski seconded; all aye. The Secretary was asked to advise the Commissioners that the Selectmen would be joining them.

- Mrs. Rozanski had some follow-ups from the July 6th meeting on the Malloy Street drainage situation, the Apollo building, and catch basin cleaning. As the Secretary did not know any further status, they were held over for Mr. Hartman.

- Mrs. Rozanski reminded the Secretary to place the <sup>25<sup>th</sup></sup> issue of ~~the~~ on the August 10th agenda.  
page 4.



MINUTES OF THE SELECTMEN'S MEETING - JULY 27, 1998

- Fred Sibley's evaluation was brought up. Both Mr. Johnson and Mr. Gildea did not feel they had enough information to do a proper evaluation. Mrs. Rozanski and Mr. Brodeur said they could get information from that department. Again, Mr. Johnson did not feel the Board should be doing it, but Mr. Brodeur reminded him the contract requires it. Mr. Johnson did not feel the contract was being read correctly, and that the elected officials are the directors of that individual.

Mr. Johnson moved to asked the elected Boards who have department heads under them to fill out the evaluation form when the anniversary date is coming up so the Selectmen can utilize that information, and to ask Mr. Hartman to follow through on this in the future so the Board receives all information in sufficient time prior to the anniversary date; Mr. Gildea seconded; all aye. Mr. Brodeur asked that the evaluation forms for Mr. Sibley be in the coming weekend packet, but the Secretary told him there might not be sufficient time to reach all three and get them filled out. Mr. Brodeur said, if that was the case, to schedule it as an action item for August 10th.

- 8:30 p.m. The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

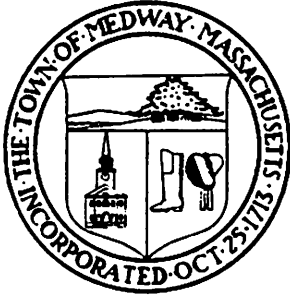
*Approved 8/3/98*

Mr. Johnson moved to ask the elected Board who have department heads under them to fill out the evaluation form when the anniversary date is coming up so the Selection can utilize that information, and to ask Mr. Hartman to follow through on this in the future so the Board receives all information in sufficient time prior to the anniversary date. Mr. Gildea seconded all eyes on Mr. Johnson asked that the evaluation forms for Mr. Selby be in the coming week and asked that the Secretary tell him there might not be a comment that was not all there and that they filled out. Mr. Brodeur said that there was a comment to be made and that he would fill out for August 10th.

8:50 AM The meeting was adjourned.

Respectfully submitted,

Mr. J. Brodeur  
Secretary  
m



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### *AGENDA*

***Michael J. Hartman***  
***Town Administrator***

***JULY 20, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 p.m. - New England Telephone Company pole petitions for Alder Street and Trotter Drive.
- 7:15 p.m. - Paul Keefe for evaluation of Carol Niedbala.
- 7:30 p.m. - Bob Power for evaluations of Bill McLaughlin and David Malmberg.
- Committee Reports.
- Action Items
  - 1. Any action on United Nations letter.

PLEASE NOTE: SELECTMAN JOE DZICZEK AND TOWN ADMINISTRATOR  
MICHAEL HARTMAN WILL NOT BE IN ATTENDANCE.

MINUTES OF THE SELECTMEN'S MEETING - JULY 20, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson. Selectman Joe Dziczek and Town Administrator Michael Hartman were absent.

7:01 p.m. - As a quorum was present, Mrs. Rozanski called the meeting to order in Sanford Hall of Town Hall.

- Mr. Johnson moved to sign and approve warrant #55A totalling \$15,150.29 for FY'98; Mr. Gildea seconded; all aye.

- Mr. Johnson moved to sign and approve warrant #4 totalling \$509,850.62 for FY'99; Mr. Gildea seconded; all aye.

7:10 p.m. - Becky Sawyer of Bell Atlantic was present for pole petitions for Alder Street and Trotter Drive. The public hearing was opened and the ad read. Ms. Sawyer explained some poles were being moved and others replaced at the Town's request. There were no public comments. Mrs. Rozanski moved the hearing be closed; Mr. Johnson seconded; all aye. Mrs. Rozanski moved to approve the placing of poles as outlined in the petitions for Bell Atlantic; Mr. Johnson seconded; all aye.

7:15 p.m. - Mr. Brodeur noted receipt of a letter to the Board from the IDC concerning their not being allowed to have a key to the file room, except for their Secretary. Mrs. Rozanski stated that did not come from the Board. The Board's Secretary explained this was part of the renovation process to ensure security with the Town's files, and that only those who maintain the files are the ones who will have access to those files. She explained how, because of their easy accessibility in Sanford Hall in the past, files and plans were constantly being taken and misplaced by the general public.

Mr. Brodeur said they did not need to take action on this at this time as the letter was only brought by Mrs. Rozanski this evening. Mr. Johnson moved that this be tabled until August 3rd when Mr. Hartman returned; Mrs. Rozanski seconded; all aye.

7:25 p.m. - Paul Keefe was present for the evaluation of Carol Niedbala. Mr. Johnson excused himself from this portion of the meeting and abstained from the vote. Mrs. Rozanski questioned if this was to be done by the Town Administrator, but Mr. Brodeur explained, under the present contract, this still goes to the Board page 1.

Present: James Broderick, Kenneth R. Korman, Henry Johnson  
Selection Joe Drexler and Town Administrator Edward Johnson

7:01 p.m. - As a quorum was present, Mr. Broderick called the meeting to order.  
Stanford Hall of Town Hall.

- Mr. Johnson moved to sign and approve a certain Resolution relating to the  
for FY 1965 - 66. (Silence) all agree.

- Mr. Johnson moved to sign and approve a certain Resolution relating to the  
for FY 1965 - 66. (Silence) all agree.

7:10 p.m. - Broderick, Mayor of the Town, announced that he had received a letter from  
Stanford and Totten. (Silence) The letter was being moved out of the room.  
Secretary explained some points of the letter and the Town's position at the time.  
request. There was no public comment. Mr. Johnson moved the meeting be  
closed. Mr. Johnson seconded all as Mr. Broderick moved to approve the  
placing of poles as outlined in the resolution for Bell Atlantic and Johnson  
seconded all agree.

7:15 p.m. - Mr. Broderick noted receipt of a letter from the Board  
concerning their not being allowed to have a key to the room except for their  
Secretary. Mr. Broderick stated that a key would come from the Board. The Board's  
Secretary explained this was part of the resolution passed to ensure security with  
the Town's files and the Town's records. The letter was the only one who will  
have access to those files. This explained how the Town's records would be  
Stanford Hall in the past and being moved to the new location and moved  
for the general public.

Mr. Broderick said they did not need to who called on this time.  
letter was only passed for Mr. Johnson to examine. Mr. Johnson moved the  
this to table until August when the Board would return. (Silence) all agree.  
seconded all agree.

7:15 p.m. - Mr. Korman was present for the examination of Gary and John. Mr.  
Johnson moved to sign and approve the resolution and the Board's  
Secretary explained it was a resolution for the Town's records.  
but Mr. Broderick explained under the person's name this will go to the Board.  
page 1



MINUTES OF THE SELECTMEN'S MEETING - JULY 20, 1998

as long as the evaluation was scored 42 points or more.

Mr. Keefe reviewed Mrs. Niedbala's conscientiousness with regard to the computer system and technology coming to the Town, and that she has taken a leadership role in the securing of those software packages. He also noted the different classes she had attended.

Mrs. Rozanski moved to approve the evaluation of Carol Niedbala with 45 points and approve a step increase; Mr. Gildea seconded; all aye.

7:30 p.m. - Bob Power was present to go over two evaluations. The first was for Bill McLaughlin who received 47 points. Mr. Power stated he had been with the Town 18 years and was at a grade 6, step 5. He felt Mr. McLaughlin had learned everything there was to learn and has kept up with the new equipment. When possible, Mr. Power said he sends his men to highway workshops for additional information.

Mr. Johnson accepted the evaluation of Mr. McLaughlin as read and recommended a step increase; Mrs. Rozanski seconded; all aye.

Paul Mitchell, who was present, commented for the record that the Highway men to a good job and the Town was getting their money's worth.

Barry MacDougall, who was present, recommended they document their various pieces of equipment and talk to the manufacturers to find out what they need to know on safety for each piece. He said he would be happy to make himself available to research this. He also suggested an inventory of all the employees and what training they have had.

Mr. Power next went over the evaluation of David Malmberg who had received 47 points. Mr. Power explained that Mr. Malmberg has filled in for him as Acting Highway Superintendent when he was not in.

Mrs. Rozanski approved the evaluation of David Malmberg with 47 points, and a step increase as recommended by Mr. Power; Mr. Johnson seconded; all aye.

7:50 p.m. - Committee Reports.  
page 2.

as long as the evaluation was a search for a better way.

Mrs. Kowalski reviewed Mrs. Kowalski's correspondence with respect to the computer system and the program. She also noted the leadership role in the setting of these various packages. She also noted the different class - she had attended.

Mrs. Kowalski moved to approve the evaluation of the evaluation with 15 points and approve a step in the evaluation of the evaluation.

7:30 pm - Bob Power was present to go over two evaluations. The first was for Bill McLaughlin who received 14 points. Mr. Power stated he had been with the Team 18 years and was at a grade of step 5. He felt Mr. McLaughlin had earned everything there was to earn and has kept up with the new equipment. When possible, Mr. Power said he sends his men to highway work shops for additional information.

Mrs. Johnson accepted the evaluation of Mr. McLaughlin as good and recommended a step increase. Mrs. Kowalski seconded all and

Paul Johnson was present to go over two evaluations. The first was for Bill McLaughlin who received 14 points. Mr. Power stated he had been with the Team 18 years and was at a grade of step 5. He felt Mr. McLaughlin had earned everything there was to earn and has kept up with the new equipment. When possible, Mr. Power said he sends his men to highway work shops for additional information.

Mrs. Johnson accepted the evaluation of Mr. McLaughlin as good and recommended a step increase. Mrs. Kowalski seconded all and

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Mrs. Johnson accepted the evaluation of Mr. McLaughlin as good and recommended a step increase. Mrs. Kowalski seconded all and

MINUTES OF THE SELECTMEN'S MEETING - JULY 20, 1998

- Mrs. Rozanski said she had attended the 495 Initiative program, and thought it was excellent with 50 people in attendance.
- Mrs. Rozanski stated she went to the MMA Executive meeting but there was no budget to sign yet. She was not sure what the figures would be for Ch. 90 and Ch. 70, but Mr. Brodeur said he received them, and would go over them later on this evening.
- Mr. Johnson said he had met with the Town Accountant on the warrants. He stated they do not have any more money to spend on the new school except the \$750,000 when bonded.

On Other Insurance, he said the possibility existed that this account would run short because of the amount of the invoice that will be due in October. The Town Accountant has suggested the possibility exists of taking some of the money from another line item, such as workers comp. He also said he found out she works for the Selectmen, not the Town Administrator. Mrs. Rozanski agreed it was statutory.

Mr. Johnson commented that the Business Manager was not happy with the Board for not paying the school bills, but again, he said everything may be all set by mid-August with the Treasurer.

- Mr. Brodeur said that Rep. Gardner had called him with the figures for Medway which had gone through both legislative branches.

For Ch. 70, FY'99 was \$4,343,107 which was a 28% increase over FY'98 which was \$3,395,615. On Local Aid, FY'99 was \$793,029 which was a 12% increase over FY'98 which was \$707,727. Mr. Brodeur also noted there was additional assistance of \$235,317 which was the same as last year.

Mr. Brodeur asked Rep. Gardner why Medway was so high, and she had responded because of our hefty new property tax increase. Mrs. Rozanski noted that the money does not automatically go into the schools account, it has to be appropriated.

- Mrs. Rozanski said that a Medway resident, John Lally, was at the most recent SWAP meeting and was interested in a workshop in Middletown.

- Mrs. Rozanski stated she went to the ADAA Executive meeting but there was no budget to sign yet. She was not sure what the figures would be until the end of the year. Mr. Johnson said he would like them and would go over them later this evening.

[illegible]

Mr. Broder said that Rep. Finden had called him with the figures for the highway which had gone through legislative process.

that the man it does not resemble if he was not actually someone it had been appropriated.

MINUTES OF THE SELECTMEN'S MEETING - JULY 20, 1998

8:10 p.m. - Action Items.

- #1. A letter from the United Nations Association of Greater Boston was acknowledged. Mr. Brodeur suggested sending a copy to the School Department, with Mrs. Rozanski suggesting a proclamation.

Mr. Brodeur recommended Mr. Hartman do up a proclamation for the Board to sign, and then send a copy to the Schools as well to encourage their participation. Mrs. Rozanski also thought this would be good to share with the newspapers, and if the Schools don't have any program, then the Board could just present the proclamation at a Selectmen's meeting. A date of October 19th was suggested so there was adequate press time as UN Day celebrations would be on October 22nd at the State House.

- The Board noted receipt of a letter dated July 15th from Sandra Bennett, Union Steward on the position of Administrative Secretary for the Planning Board, and Mr. Hartman's acknowledgment of same. Mr. Gildea questioned why the Union had a problem with this position being placed at a grade 6 while other secretaries are at 5? ~~Mr. Brodeur thought it might be jealousy, but~~ Mrs. Rozanski said there was much documentation on this, and it should probably be discussed in executive session as it could be impact bargaining which should be followed up with Mr. Hartman. Mr. Brodeur asked that this be followed up at the August 10th Selectmen's meeting in executive session.

8:20 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved as  
amended 7/27/98*

2100 pm - Action Items

- A letter from the United Nations Association of Georgia was received and Mr. Khorrami suggested sending a copy to the State of Georgia with Mrs. Khorrami suggesting a presentation.

Mr. Khorrami recommended that the letter be sent to the State of Georgia and then send a copy to the State of Georgia to ensure that the letter is received. Mr. Khorrami also suggested that the letter be sent to the State of Georgia to ensure that the letter is received. Mr. Khorrami also suggested that the letter be sent to the State of Georgia to ensure that the letter is received.

The Board noted receipt of a letter dated July 1998 from Sandra Jensen, Union Street, on the position of Administrative Secretary for the Planning Board and Mr. Khorrami's acknowledgment of same. Mr. Khorrami questioned why the Union had a problem with this position being placed at a grade 6 or 7 level. Secretaries are in 5th grade level and it might be necessary for 6th grade and to be much more than a secretary and it might be necessary for 6th grade and to be much more than a secretary and it might be necessary for 6th grade and to be much more than a secretary.

8:20 pm - The meeting was adjourned.

Respectfully Submitted,

M. A. Khorrami  
Secretary  
101



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

**Michael J. Hartman**  
**Town Administrator**

**JULY 13, 1998**

*Location: Sanford Hall of Town Hall*

7:00 p.m. - Open meeting, sign warrants.

7:05 p.m. - Andrea Torkko re: solicitors's permit.

7:15 p.m. - Timber Tree - re: site plan approval

- Administrator's Report including:

- Correspondence.
- For your information.
- Other.

- Committee Reports.

8:00 p.m. - Executive Session.

- Action Items

1. Closeout of CDBG grant for Town Hall renovations.

2. Sign Senior center certificate  
of substantial completion

MINUTES OF THE SELECTMEN'S MEETING - JULY 13, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

7:05 p.m. - As a quorum was present, Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved to accept and sign warrant #3 for FY'99 dated July 16th for \$346,283.03; Mr. Dziczek seconded; all aye.

- Mr. Johnson moved to accept and sign warrant #55 for FY'98 dated July 15th for \$190,682.24; Mr. Gildea seconded; all aye.

7:15 p.m. - Andrea Torkko representing Southwestern Company of Tennessee was present to request a solicitor's permit to sell educational books door-to-door to families. This company has had other college students solicit in the Town prior to this. Mrs. Rozanski moved to issue a solicitor's permit to Ms. Torkko for going door-to-door selling educational books from 8 a.m. to 8:30 p.m. until mid-September or when done in Medway; Mr. Gildea seconded; all aye.

7:30 p.m. - The Board reviewed the Timber Tree site plan on Trotter Drive, and two Planning Board memos on this subject. Mr. Brodeur noted the Planning Board had approved it subject to only the Conservation Commission requirement, which appeared negative. Mr. Hartman agreed it appeared not to be a problem with ConCom, so Mr. Brodeur suggested all work within the site plan as presented to the Board is conditional to ConCom approval. Mrs. Rozanski said they need a negative determination of applicability.

Mr. Johnson moved to accept the site plan with written approval of the Conservation Commission before the site plan is forwarded to the architect; Mr. Dziczek seconded; all aye. The Board will sign the site plan when the ConCom letter is received.

7:40 p.m. - Administrator's Report.

- Mr. Hartman acknowledged a letter to the Selectmen as the owner from an attorney requesting direct payment for Library renovations on behalf of Murray



Present: James Brodeur, Kenneth Rozanski, Robert Johnson, and  
Lewicki, Town Administrator, Richard Horton

7:00 p.m. - The meeting was called to order by the Town Administrator, Richard Horton. The meeting is  
conducted in a formal manner.

- Mr. Johnson moved to accept and sign warrant for \$100,000 for the 1998-1999 fiscal year. The  
warrant was seconded by Mr. Rozanski.

- Mr. Johnson moved to accept and sign warrant for \$100,000 for the 1998-1999 fiscal year. The  
warrant was seconded by Mr. Rozanski.

7:15 p.m. - Andrea Torkio representing Torkio Educational Products, Inc. presented to request a  
license to sell educational books door-to-door in the Town of  
Horton. This company has had other college students sell in the Town of  
Horton. Mr. Rozanski moved to issue a license to Torkio for going  
door-to-door selling educational books in the Town of Horton. The  
license was seconded by Mr. Rozanski.

7:30 p.m. - The Board reviewed the Timber Tree site plan for the Timber Drive and  
two Planning Board members on this subject. The Board then discussed the  
Board had approved it subject to the condition that the applicant pay for the  
which appeared on the plan. Mr. Rozanski moved to approve the plan. The  
plan was seconded by Mr. Rozanski. The Board then discussed the  
to the Board is a condition of the plan. The Board then discussed the  
regarding the determination of applicability.

7:45 p.m. - The Board moved to accept and sign warrant for \$100,000 for the 1998-1999  
fiscal year. The Board then discussed the site plan for the Timber Drive and  
two Planning Board members on this subject. The Board then discussed the  
Board had approved it subject to the condition that the applicant pay for the  
which appeared on the plan. Mr. Rozanski moved to approve the plan. The  
plan was seconded by Mr. Rozanski. The Board then discussed the  
to the Board is a condition of the plan. The Board then discussed the  
regarding the determination of applicability.

7:40 p.m. - Administrator's report.

- Mr. Horton acknowledged a letter to the Selectmen as the owner from an  
attorney requesting payment for library renovations on behalf of Murray.

MINUTES OF THE SELECTMEN'S MEETING - JULY 13, 1998

Paving. He noted a copy of the letter had been sent to the Library and Town Counsel, but has not been reviewed yet as to contract requirements, although a special account may have to be set up.

- Mr. Hartman stated that Walter Sampson had dropped off the certificate of substantial completion today for the Senior Center asking that the Chairman sign it. Mr. Hartman deferred to Mrs. Rozanski, Chairman of the Senior Center Building Committee, for her comments.

Mrs. Rozanski noted there was a punch list of some items that needed to be done and they had done a walk-through with the architect. There was little left to be done, and the architect had felt it was O.K. to sign as it would not negate those items to be done as the Town was still holding the retainage from the contractor, Contracting Ventures, which was about \$55,000. Mr. Brodeur thought what was usually retained was 1% and the value of the punch list.

Mrs. Rozanski moved to have the Chairman sign the certificate of substantial completion dated July 9th; Mr. Gildea seconded; all aye.

- Mr. Hartman acknowledged receipt of a copy of a letter from the Department of Environmental Management which had recently been served to the property owner in the form of a certified and return receipt requested letter. It was noted that the address was incorrect on the letter so it was unsure if Mr. Norman had received the letter or not. Mr. Dziczek said he would follow up with Mr. Norman.

Mr. Brodeur commented that the dam was crucial to storm retention on the river, and the inspection report done indicated that the dam was subject to failing. Mr. Brodeur told the Board that the dam was part of the old mill property, therefore, now part of Mr. Norman's possession for mandatory repairs.

Mr. Johnson said he had dealt with DEM in the past, and felt this dam was not as crucial as the dam at Sanford Street. He questioned if DEM had been asked to inspect this particular dam. Mr. Brodeur said Mr. Johnson did not have the experience to say the dam was not a problem, and asked the Secretary to notify DEM of the correct address as a matter of courtesy. Mr. MacDougall suggested sharing a copy of the letter from DEM with Town Counsel.

Mr. Johnson stated that a copy of the letter had been sent to the Chairman and I was concerned, but had not been forwarded as to contract requirements, although a special account may have to be set up.

Mr. Hartman stated that Walter Sampson had dropped off the certificate of substantial completion today for the Senior Center asking that the Chairman sign it. Mr. Hartman deferred to Mrs. Rose as Chairman of the Senior Center, indicating comments for her comments.

Mrs. Thomsen noted there was a punch list of some items that needed to be done and they had done a walk-through with the architect. There was still to be done and the architect had said that the O.C. to sign as it would not negate those items to be done as the items were still holding the retainage from the contractor. Contracting Ventures which was about \$25,000. Mr. Thomsen thought what was usually retained was 1% and the value of the punch list.

Mrs. Rose moved to have the Chairman sign the certificate of substantial completion dated July 19, 1992. Mr. Johnson seconded all motions.

Mr. Hartman asked how long receipt of a copy of a letter from the Department of Environmental Management Agreement which had recently been received. The property owner in the form of a certified and return receipt response letter noted that the address was incorrect on the letter so it was unclear if Mr. Hartman had received the letter or not. Mr. Thomsen said he would follow up on this. Mr. Johnson.

Mr. Thomsen commented that the dam was critical to storm retention on the river and the inspection report done indicated that the dam was in need of being repaired. Mr. Thomsen told the Board that the dam was part of the old mill property. The interest was part of Mr. Norman's possession for mandatory repairs.

Mr. Johnson said he had dealt with ERM in the past and that this was not as critical as the dam at Sanford River. He questioned if ERM had been asked to inspect this particular dam. Mr. Johnson said Mr. Johnson did not have the experience to say the dam was not a problem and said the Board was to call ERM at the correct address as a matter of course. Mr. Johnson said he suggested sending a copy of the letter from ERM with Board members.

MINUTES OF THE SELECTMEN'S MEETING - JULY 13, 1998

- Mr. Hartman shared with the Board the proposed language for the Open Space update on objectives and actions for 1998-1999. The Board asked that the additional words of "by any Town or any private agency as specified in the law" be included after the first resolve. Also that the objectives be transposed to actions.

- Mr. Brodeur noted Mr. Hartman would be on vacation and not in attendance for the meetings of July 20th and 27th, but the Secretary could contact him if necessary. Mr. Brodeur said it was a requirement that the Chairman be notified when the Town Administrator would be on vacation.

Mr. Johnson felt, in the absence of the Town Administrator, it would be appropriate to appoint an acting Town Administrator and they should have a serious discussion on this. Mr. Brodeur said it was a new process, and who would do it? Mr. Johnson said the Board of Selectmen, and put it into effect that way. Mr. Hartman explained that, in the By-law, he could designate someone, and the Board of Selectmen would have five days to approve it. Mrs. Rozanski said the Selectmen could take turns each day on a schedule, and that they should have a number to reach Mr. Hartman at.

Mr. MacDougall had a problem with the above suggestion since Mr. Hartman said he would be available, and was more concerned with mischief with the Board of Selectmen. Mr. Johnson said his suggestion was out of order.

Mr. Brodeur moved Mr. Hartman still be in charge by phone, and then the Chairman, the Vice-Chairman, and the Clerk to be contacted with the ability to act as Town Administrator, with Police and Fire being notified of the situation; Mr. Dziczek agreed and seconded; all aye.

- Committee Reports.

- Mr. Brodeur acknowledged receipt of notification of a MAPC regional barbecue and retreat for campaign of shared solutions, with a cover letter from Senator Magnani also mentioning grant opportunities for energy resources. Mr. Johnson noted that David Hoag had been attending some of those meetings.

- Mrs. Rozanski moved approval of the minutes of June 22nd; Mr. Dziczek seconded as amended; Messrs. Gildea and Johnson abstained; all aye.

Mr. Hartman shared with the Board the proposed language for the Open Space update on objectives and actions for 1998-1999. The Board noted that the additional words of "by an" Town or any private agency as specified in the law" be included after the first resolve. Also that the objectives be transposed to action.

Mr. Johnson noted Mr. Hartman would be on vacation and not in contact for the meetings of July 20th and 27th but the Board would be in contact with him. Mr. Brodeur said it was a disappointment that the Board would not be in contact with the Town Administrator and be on vacation.

Mr. Johnson said in his absence that for a long time it was not appropriate to appoint an acting Town Administrator and they had been in a long discussion on that. Mr. Johnson said it was a long process and it was not until July 1st Mr. Johnson said the Board of Selectmen and put it into effect. Mr. Hartman explained that in the By-law, he could designate someone and the Board of Selectmen would have to agree to appoint it. Mr. Johnson said the Board could take more each day on a schedule and that they should have a number to reach Mr. Hartman at.

Mr. MacDougall had a problem with the above suggestion since Mr. Hartman said he would be available and was more concerned with his schedule with the Board of Selectmen. Mr. Johnson said his suggestion was to be on the Board.

Mr. Brodeur moved Mr. Hartman still be in charge of projects and that the Board, the Vice-Chairman and the Board be contacted with the Board as Town Administrator with the Board and the Board be in charge of the Board. The Board agreed and recorded the vote.

Committee Reports

Mr. Brodeur acknowledged receipt of notice of a new A/C program and current for campaign of shared solution with a cover letter from Senator Maguire also mentioning grant opportunities for energy resources. Mr. Johnson noted that David Hoag had been attending some of these meetings.

Mr. Johnson moved approval of the minutes of June 22nd and 29th. The Board agreed and recorded the vote.

MINUTES OF THE SELECTMEN'S MEETING - JULY 13, 1998

8:20 p.m. - Mrs. Rozanski moved the Board adjourn to executive session for the purpose of strategy as it relates to collective bargaining for union and non-union employees, and to return to open session; Mr. Dziczek seconded; all aye. The vote: Mrs. Rozanski - yes; Mr. Johnson - yes; Mr. Gildea - yes; Mr. Dziczek - yes; Mr. Brodeur - yes.

9:45 p.m. - Mrs. Rozanski moved the Board adjourn from executive session and return to open session; Mr. Johnson seconded; all aye.

- Action Items.

- The Board noted receipt of a letter dated July 8th from Gino Carlucci, the consultant on the Town Hall renovations project under an FY'94 DHCD grant, asking that the Chairman sign the close-out report and the close-out agreement.

Mrs. Rozanski moved the Chairman sign both documents; Mr. Dziczek seconded; all aye.

- Mrs. Rozanski mentioned she was going to the MMA Executive meeting the next day, and asked Board members if they had anything they wished her to bring up? Mr. Johnson inquired if any plan was on the agenda for the railroad bed, and to set up some type of schedule. Mr. Hartman said he would check the minutes to see what the schedule is.

- Mr. Johnson said he would like an office to be created in the building for the Selectmen to include files and a phone. As public officials, he felt they were being badly used by the Town and it was hard to be organized. Mrs. Rozanski <sup>said</sup> she <sup>suggested</sup> ~~wanted~~ the Board <sup>to</sup> have a work station when she was on the Technology Committee, as well as an area to meet with constituents. Mr. Hartman said he would try and come up with some suggestions and bring them back to the Board.

Mr. Johnson also suggested a study be done with the Administrator's office of personnel and workload. He said there was no reading file or log. Mr. Hartman said he did not yet know about the impact in the office with the Administrative Assistant being gone, but correspondence coming in the office is reviewed and copied for the Board for action or FYI.



MINUTES OF THE SELECTMEN'S MEETING - JULY 13, 1998

Mr. Brodeur asked, unless it says personal and confidential, did anyone have any objection to something sent in their name on behalf of the Board being opened by the office to see if it required immediate attention? Mr. Johnson so moved; Mrs. Rozanski seconded; all aye.

Mr. Johnson asked that further attention be given to Sanford Hall for another air conditioner for cooling and ventilating as it was the hottest room in the building and the one that would have the most people in one room. It was noted that air conditioners do make a lot of noise, and it might be difficult for people to hear or for the meeting to be aired on Cable TV.

10:05 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved as  
amended 7/27/98*



Mr. Broderick asked, unless it says personal and confidential, if anyone has any objection to something sent in their name on behalf of the Board, being approved by the office to see if it requires immediate attention? Mr. Johnson asked Mr. Rozanski recorded all this.

Mr. Johnson asked that further attention be given to Sanford Hill for another air conditioner for cooling and ventilating as it was the hottest room in the building and the one that would have the most people in one room. It was noted that the conditioners do make a lot of noise and it might be difficult for people to hear or for the meeting to be held on Table TV.

10:15 pm - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
jm



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

**Michael J. Hartman**  
**Town Administrator**

### AGENDA

**JULY 6, 1998**

**Location: Sanford Hall of Town Hall**

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 p.m. - Andrea Torkko re: solicitors's permit. (how how)
- 7:15 p.m. - Barry MacDougall re: Board of Selectmen exploring various involvements.
- Administrator's Report including:
  - Correspondence.
  - For your information.
  - Other.
- Committee Reports.
- Action Items:
  1. Approval of Selectmen's minutes of June 15th, 22nd and 29th.
  2. Motion for waiver for John Boczanowski.
  3. Approve common victualler license for Domino's Pizza.

\* NOTE: SELECTMAN DZICZEK WILL NOT BE IN ATTENDANCE.

## MINUTES OF THE SELECTMEN'S MEETING - July 6, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Town Administrator Michael Hartman. Joe Dziczek was absent.

7:03 p.m. - Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall.

- Mrs. Rozanski moved to sign and approve warrant #54 totalling \$195,695.11; Mr. Johnson seconded; all aye.
- Mrs. Rozanski moved to sign and approve warrant #2 totalling \$511,228.45; Mrs. Rozanski seconded; all aye.
- Mrs. Rozanski moved to approve the minutes of June 15th with a minor change; Mr. Gildea seconded; all aye.
- Mrs. Rozanski moved to approve the minutes of June 22nd with a minor change, but then it was decided to hold the minutes until Mr. Dziczek returned.
- Mrs. Rozanski moved to approve the minutes of June 29th; Mr. Johnson seconded; all aye.

7:15 p.m. - Andrea Torkko representing the Southwestern Company did not show up for her scheduled appointment with the Board for a solicitor's permit.

- Barry MacDougall came to meet with the Board to explore their various involvement in activities as a follow up to his last correspondence, providing them with an additional letter. He was also concerned with how the Zoning by-laws were enforced, and said it would be helpful if everyone had some understanding of how it was done.

Mr. MacDougall said he also sent a letter to the newspaper in reference to Town employees who retire stating he felt some sort of appreciation should be recognized for them. From a human resource point of view, he said it should be standard practice. A plaque could be presented in gratitude, which possibly could have a positive impact on the morale of Town employees. Mr. MacDougall noted there were some differences between appointed people and employees, and hoped Mr. Hartman could work that out with the Board.

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TOWN EMPLOYEES

Present: James Johnson, Chairman; Richard Johnson, Vice Chairman; Town Administrator; Richard Johnson, Secretary; and several others.

7:03 p.m. - Mr. Johnson called the meeting to order in behalf of the Board.

- Mrs. Johnson moved to sign and approve the minutes of the meeting held on 2/11/82. Mr. Johnson seconded all ayes.

- Mrs. Johnson moved to sign and approve the minutes of the meeting held on 2/11/82. Mr. Johnson seconded all ayes.

- Mrs. Johnson moved to approve the minutes of June 1981 with a minor change. Mr. Johnson seconded all ayes.

- Mrs. Johnson moved to approve the minutes of June 1981 with a minor change, but then it was decided to hold the minutes until the Board returned.

- Mrs. Johnson moved to approve the minutes of June 1981. Mr. Johnson seconded all ayes.

7:15 p.m. - Another letter regarding the Southwestern Company did not show up for scheduled appointment with the Board for a solution.

- Barry McDonald came to meet with the Board to explain their interest in investment in the area. He followed up on his last correspondence, providing them with an additional letter. He was also concerned with the zoning problem. He was enforced, and said it would be helpful if everyone had some understanding of how it was done.

Mr. McDonald said he also sent a letter to the newspaper in reference to Town employees who retire stating he felt some sort of appreciation should be recognized for them. From a human resource point of view, he said it should be standard practice. A plaque could be presented in gratitude which possibly could have a positive impact on the morale of Town employees. Mr. McDonald noted there were some differences between appointed people and employees and hoped Mr. Johnson could work them out with the Board.

## MINUTES OF THE SELECTMEN'S MEETING - July 6, 1998

Mrs. Rozanski said she had a comment. After a quick reading of his letter, she said she had the rules of SWAP and wanted to inform him she promotes the Town on its behalf. She only receives reimbursement for what she does as Selectman, and felt his intent may have been misguided.

### 7:25 p.m. - Administrator's Report.

- With reference to the drainage complaint on 18 Malloy Street, Mr. Hartman said he would try and report on it next week.

- With reference to the Clerk of the Works for the Memorial School, Mr. Hartman said everything was complete except the waiver (re: chapter 20, section 268A, effective 6/22/98) from the Board of Selectmen indicating a certain number of days must elapse between Mr. Boczanowski resigning from the School Building Committee and taking the position. He also noted that Town Counsel has already stated that his being a special employee was simply accomplished with the Board's motion of June 8th.

*Mrs. Rozanski asked about the contract or agreement for the amount of \$3,500; Mr. Hartman said he would look into it.*  
\* Mrs. Rozanski moved to waive the number of days that must elapse required of an appointed official to take another position; Mr. Johnson seconded; all aye.

- The Board signed the common victualler license for Domino's Pizza, with Mr. Johnson moving the restriction be added, "nothing be sold to walk-ins after 11:00 p.m."; Mrs. Rozanski seconded; all aye.

- On some follow-ups, Mrs. Rozanski brought up the drainage plans. It was suggested to get a large map of Medway indicating thereon the drainage plans for areas such as Lee Lane, Richard Road, Industrial Park Road and Village Street with a priority list. The same type of reference map could be used for the paving program. The listing of addresses was also mentioned as being helpful to residents, as was a schedule of when different areas are snow-plowed.

Another follow-up was the open space objectives and action statement asking if it had been sent to the Open Space Committee yet. Mr. Hartman noted it had been prepared, and he would get the language to the Board.

She also inquired about the site plan approval process. Mr. Hartman said he had some concerns, but felt they had addressed the problems; one being what the page 2.

MINUTES OF THE SELECTMAN'S MEETING - July 1, 1987

Mrs. Rozanski said she had a comment. After a quick reading of the minutes she said she had the rules of WAF and wanted to inform him she proposed to be on his behalf. She only received reimbursement for what she does as Selectman and felt his item may have been misguiding.

7:25 p.m. - Administrator's Report

- With reference to the drainage complaint on the Melroy Street Mr. Latham said he would try and report on it next week.

- With reference to the Clerk of the Works for the Vermont School Mr. Latham said everything was complete except the review for chapter 20. He was in 2082 after the Board of Selectmen reviewing a certain number of day a must check between Mr. Rozanski and assigning to the school building Committee and taking the position. He also noted that from Council has already stated that his being a special employee was still accompanied with the Board's motion of June 8th.

Mrs. Rozanski moved to waive the number of days that must check a report of an appointed official to take another position Mr. Johnson seconded all agree.

- The Board signed the common recreational license for Don and Lisa with Mr. Johnson moving the restriction be added, "nothing be sold to walk-ins after 11:00 p.m." Mrs. Rozanski seconded all agree.

- On some follow-up Mrs. Rozanski brought up the drainage plans. It was suggested to get a large map of Newbury indicating the drainage plans for areas such as Lee Lane, 100 East Road, Industrial Park Road and Village Street with a priority list. The same type of reference map could be used for the program. The listing of water use was also mentioned as being helpful to residents as was a schedule of water efficient areas and water conservation.

Another follow-up on the open space properties and lots was mentioned. It had been sent to the Open Space Committee. Mr. Latham noted it had been proposed and he would get the response to the Board.

- The also required about the site plan approval process. Mr. Latham said he had some concerns but felt they had addressed the problem and being a not the

## MINUTES OF THE SELECTMEN'S MEETING - July 6, 1998

Consultant was inspecting vs. the Building Inspector, but they have waived that section of the rules now. Mr. Brodeur added that if the Building Inspector is not comfortable with the Planning Board consultant's opinion, then we can get another opinion.

With reference to Apollo, Mr. Hartman said two letters have gone out. The Department of Transportation is anxious to move along on this, but noted Town Counsel feels something should be coming soon. Speaking of drainage issues, Mr. Johnson noted a drainage problem also on Holliston Street near Medway Country Manor across from Virginia Road, as well as along Medway Co-Op Bank. Mr. Brodeur suggested allocating some funds for contracted services to review the drainage issues, but Mr. Hartman recommended identifying the problems first and then determining the solutions. Barry MacDougall, who was present, recommended inviting those who have lived and worked in the Town for a long time and video-taping those sessions, hopefully providing valuable information. Mr. Brodeur added to the suggestion by including video-taping a ride through Town of the problem areas.

Mrs. Rozanski asked about catch basin cleaning? Mr. Hartman said they were presently negotiating and seeking quotes for less than \$10,000. Another follow-up was the technology committee and its activity. Mr. Hartman said they no longer exist, but a smaller steering committee was formed. They are presently reviewing software with a recommendation being made during the second week in August, and Mr. Johnson and Mrs. Rozanski will be notified of that meeting. Mr. Johnson was concerned with the software for the Assessors, but Mr. Hartman assured him Doug Gardner of Pioneer Consultants knows what they use and what they need, and will get one compatible system.

Mrs. Rozanski said that Holmes was on the agenda with ConCom for July 20th, with Mr. Hartman noting he was aware they were looking at two parcels.

- Mr. Johnson brought up space for the Assessors on the first floor. Mr. Brodeur said that Mr. Hartman was in charge of the building and others should not get involved. Mr. Hartman said, for now, we had lost the building crew, but he hoped they would be back in the Fall and would revisit this issue. Mr. Johnson said that things were changed after a recommendation was made to the Board and no one was notified. He felt too much space was being eliminated for the boards.

MINUTES OF THE SELECT MEN'S MEETING - July 6, 1992

Consensus was reached regarding the building inspection and they have not yet had the section of the rules read. Mr. Johnson added that if the Building Committee is not comfortable with the Planning Board's consultation opinion, then a new opinion should be sought.

With reference to the 1992-93 fiscal year, Mr. Johnson said that the Planning Board's Department of Transportation is not a move along in this regard. The Council has something to do with the coming year. Speaking of drainage issues, Mr. Johnson noted a drainage problem also on Holliston Street near the intersection. Mr. Johnson noted from Virginia Road as well as many others. Mr. Johnson suggested affecting some funds for continued work on the drainage problem. Mr. Johnson recommended identifying the problem first and then determining the solution. Mr. Johnson, who was present, recommended inviting those who have lived and worked in the town for a long time and video-taping those persons, hopefully providing valuable information. Mr. Johnson added to the suggestion by including video-taping a ride through town of the problem areas.

Mr. Johnson asked about each basin cleaning. Mr. Johnson said they were presently negotiating an existing quote for less than \$10,000. Another follow-up on the technology committee and its activity. Mr. Johnson said they no longer exist but a similar steering committee was formed. They are presently reviewing software with a recommendation being made during the next meeting. Mr. Johnson and Mr. Johnson and Mr. Johnson will be notified of that meeting. Mr. Johnson said that the committee for the Assessment of the town is being formed and that the committee will be notified of that meeting. Mr. Johnson said that the committee will be notified of that meeting.

Mr. Johnson said that the committee will be notified of that meeting. Mr. Johnson said that the committee will be notified of that meeting.

Mr. Johnson brought up space for the Assessment on the next floor. Mr. Johnson said that Mr. Johnson was in charge of the building and others should not get involved. Mr. Johnson said that now we had lost the building crew but he hoped they would be back in the fall and would revisit this issue. Mr. Johnson said that things were changed after a recommendation was made to the Board and no one was notified. The left no more space was being eliminated from the board.



## MINUTES OF THE SELECTMEN'S MEETING - July 6, 1998

- Mr. Johnson said it came as a surprise to him of Lee Henry being Director of Public Services. He said he knew nothing about it. He read the qualifications, and wanted to know the justification if the qualifications were overlooked when he drew them up, and is there a program to meet these qualifications in the future?

Mr. Brodeur asked Mr. Hartman to explain the process. Mr. Hartman said the job description was slightly rewritten, not radically different. There were four different renditions in the Selectmen's files. He stated he operated on the one most current, noting Mr. Henry's master degree in administration compensating for his experience, and his opinion was that he met the criteria. Mr. Johnson said he only saw what was used to hire him on a temporary basis. He asked what job description was he hired under, and who authorized and approved it?

Mr. Hartman stated he got most of the information from Mrs. Allen, and there were at least two or three job descriptions in the files. He advertised and took applications. It was his opinion as Personnel Officer that Mr. Henry meets the job description. Mr. Johnson asked if the Board was going to be consulted in the future or if Mr. Hartman would exclusively be doing the hiring? He also felt if the job description of the Town Administrator was done by the Board of Selectmen, then it can be changed by the Board of Selectmen. Mr. Hartman said it has to be a By-law change.

When asked how many applicants, Mr. Hartman said there only a few, and then only two submitted applications, but there were phone calls inquiring about the position, and when told that the Interim person could apply, did not submit an application. In discussing the budget, Mr. Hartman said the Selectmen approved the budget with the position at 12-1, later approved by FinCom, and later at Town Meeting. He said the only things in the files indicated a grade higher than 13. Mrs. Rozanski noted at the time the Interim position was appointed, it was appropriate to use 10-1, and the 12-1 was only an appropriation.

Mr. Brodeur suggested a chronology from when Mr. Higgins left since the Board realized the Town needed more than a Highway foreman, or someone just to fix roads. Mr. Johnson said he shouldn't be upgraded if he doesn't meet the pre-requisites. Mrs. Rozanski asked what do they do now with Mr. Henry? Mr. Johnson suggested extending his interim contract. Mr. Hartman recommended this matter be reviewed with Town Counsel. When asked by Mr. Johnson by what authority Mr. Henry was hired, Mr. Hartman said by Article 23 of the Town

page 4.



## MINUTES OF THE SELECTMEN'S MEETING - July 6, 1998

By-laws.

Mrs. Rozanski said that Mr. Downing was quite specific that the position be at a grade 10, step 2, and added withholdings to it as he was self-employed. Mr. Hartman stated there were pre-existing conditions when he came. Mr. Johnson said, for FYI, he would like the Board to have a copy of the ad, and wanted to know the procedure for appointment. Mr. Gildea clarified he wasn't appointed, he was hired.

Mrs. Rozanski felt if people had been told what grade the position would be at, more would have applied. Mr. MacDougall noted he had thought of applying for the interim position, but did not feel he met the engineering requirements, so did not apply. Mr. Downing had said it was temporary and would be reviewed before it was permanent. Mr. MacDougall said he did feel Mr. Henry has done a remarkable job, but thought there would have been time to pass it through the Board. Mr. Brodeur felt Mr. Hartman's part is to eliminate the politics, but Mr. Gildea wondered how it looked to the people of Medway. Mr. Brodeur reminded the Board Mr. Hartman did not know Mr. Henry three months ago, with Mr. Hartman saying that Mr. Henry's biggest drawback was that he had been an elected official.

Mr. Johnson commented if the salary was not in the ad, it was a moot point. Mrs. Rozanski noted Mr. Henry could stay hired while they gather information, but felt if the salary had been stated, there would have been more applicants. Mr. Johnson wondered if there could have been a misrepresentation of the facts. He also thought extending the contract and re-advertising might have been the way to go, but at this point, said he felt it would be wise to do what Mr. Hartman suggested and have him consult with Town Counsel. Mr. Hartman said the contract had expired, and Mr. Henry had received the standard amount of paperwork as an employee. When asked if Mr. Henry was part of the Union, Mrs. Rozanski suggested this was best discussed in executive session.

Mrs. Rozanski moved to have Mr. Hartman consult Town Counsel on this matter; Mr. Johnson seconded; all aye. Mr. Brodeur asked what should be done with the grade and step on this position? Mr. Johnson said if it was not lawful, to change it back. Again, Mr. Hartman said he operated under the premise that it had already been done. Mr. Brodeur said they may have to use the current pay and page 5.

MINUTES OF THE SELECTIONS MEETING - July 6, 1998

187-1000

Mrs. Rozanski said that Mr. Downing was quite specific that the position be at a grade 14, and added that it was not an engineering position. Mr. Hartman stated there was no pre-existing condition when he came. Mr. Hartman said, for 14 he would need the Board to have a copy of the job and would know the procedure for appointment. Mr. Gilder stated he would appreciate the job description.

Mrs. Rozanski told if people had been told that the position would be an more would have applied. Mr. Gilder stated he had thought that for the interim position, but did not feel it was an engineering position. Mr. Downing had said it was temporary, and would be covered before it was permanent. Mr. MacDougall said he did feel Mr. Hartman was doing a remarkable job, but thought there would have been time to pass it through the Board. Mr. Gilder told Mr. Hartman's part is to eliminate the position but Mr. Gilder wondered how it looked to the people of Midway. Mr. Gilder reminded the Board Mr. Hartman did not know Mr. Henry three months ago with Mr. Hartman saying that Mr. Henry's biggest drawback was that he had been an elected official.

Mr. Johnson commented if the salary was not in the job it was a more job. Mr. Rozanski noted Mr. Hartman could stay hired while they came to a decision but told if the salary had been stated there would have been more applicants. Mr. Johnson wondered if there could have been a interview session of the facts. Mr. Johnson also thought extending the contract and re-advertising might have been the way to go. Mr. Hartman said he would be glad to do what Mr. Hartman suggested and have him consult with the Board. Mr. Hartman said the contract had expired, and Mr. Henry had received the standard amount of paperwork as an employee. Mr. Hartman was part of the Board. Mr. Rozanski suggested this was not discussed in executive session.

Mrs. Rozanski moved to have Mr. Hartman consult with Johnson on this matter. Mr. Johnson seconded all of it. Mr. Johnson asked what should be done with the grade and step on this position. Mr. Johnson said if it was not a 14, to change it back. Again Mr. Hartman said he operated under the premise that it was already been done. Mr. Johnson said they may have to use the current pay and

MINUTES OF THE SELECTMEN'S MEETING - July 6, 1998

change it in the future if need be, but asked Mr. Hartman to get the process of the grade and step procedure, and suggested this be discussed further next week and to schedule an executive session.

9:07 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Reviewed and  
approved  
7/27/98*

July 4, 1998

Medway Board of Selectmen  
155 Village Street  
Medway, MA 02053

Dear Board Members:

On May 21, 1998 I communicated observations and concerns in a letter to the Board. One of the items mentioned was, out of town association meetings, has yet to be addressed. I know your schedule has been busy, but I do not want to lose sight of the objective. It is now July 6, 1998, could we set a timetable of September 1998 to address these out of town committee assignments. Either divide them up evenly amongst the board members or hopefully, assign them to the Town Administrator.

I also questioned the reimbursement of Selectman Rozanski for SWAP meetings since the board specifically designated another individual as the sole representative to SWAP. In a letter sent to SWAP dated March 17, 1997 and distributed the Board of Selectmen Paul Yorkis is listed as the only representative from the town of Medway. In a letter from SWAP dated June 6, 1996 signed by Chairman of SWAP, Raphaela Rozanski, and the options for selecting representatives from the town are clearly spelled out. Medway can have up to three representatives but the board chose to have only one. This is what the board decided to do. Just because Selectman Rozanski happens to be Chairman of SWAP does not entitle her to reimbursement. This means to me that Paul Yorkis should be the only Medway vote and should be the only person eligible for reimbursement by the town. I respectfully request that Selectman Rozanski reimburse the town for all SWAP expenses paid since May 17, 1997, the date of notification to SWAP on this matter.

I noted that on Selectman Rozanski's expense report for the period 5/12/98-6/24/98 there was an adjustment of 28 miles on a trip to Hopkington. Was this in acknowledgement of the previous overcharge mentioned in my letter dated May 21, 1998? If it was to adjust for the previous overcharge then why not also adjust for the overcharge on the previous 28-mile trip to Bellingham? Why isn't there an authorizing signature from any other town official on this expense report? Why would a check be cut on the strength of one person's signature? The town needs to tighten its procedures. Inadequate documentation makes auditing accounts more time consuming and costly. I hope you will all agree, the same care and attention that goes into the approval of a \$1,000,000 invoice should go into the preparation and approval of personal expense reports. I renew suggestions for the use of standardized expense report forms and accompanying expense policies to be developed by Town Administrator Hartman. This would eliminate once and for all the inadequate expense report form currently used by the town. The present form is void of detail and as a result does not improve accountability.

It is appropriate to be ever mindful of the "**POLICIES AND PROCEDURES**" adopted by the Board on April 13, 1998 governing the conduct of the Board of Selectmen. It specifically states that the board refrain from involvement itself in day to

day operations<sup>1</sup>. Since this is the role of the Town Administrator, I again contend that the Board in its oversight role should delegate many of the association meeting responsibilities to the Town Administrator. The Town Administrator would then advise the board on important issues related to new concepts, opportunities, potential problems, etc. After all the role of the Town Administrator is to provide continuity of management<sup>2</sup>. One place to strive for continuity is our associations with out of town associations and committees. Again, Mr. Hartman's relationships will survive town elections and provide that continuity. I would support attendance of these outside meetings by the new selectmen as an educational effort. I cannot help but point out the section on Board Ethics as being particularly important. I believe that that Selectman Rozanski's efforts to attend all available outside meetings could be interpreted merely an attempt to improve her political resume<sup>3</sup>. It could also be interpreted that the Board has simply not yet addressed the issue. After all the Board is supposed to be functioning as a team according to the "Policies and Procedures". If the town is to enjoy more efficient more effective government the Town Administrator should get his information first hand from these association meetings. There is little to be gained by the town if key information is not relayed to the administrator, possibly because its application or impact was not understood. The board, like every CEO, should realize they will be more effective by shifting more responsibility to the President or in our case the Town Administrator, Mr. Hartman A quick list of some of the meetings in question are MMA, Norfolk County Meeting, MSA, 495 Campaign for Shared Solutions, etc. I appreciate having had the opportunity to speak with you.

Best Regards,



Barry MacDougall  
2 Lakeshore Drive

Enclosures

cc: Town Administrator Michael Hartman

1. Copy of letter to SWAP dated March 17, 1997
2. Copy of Expense report

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<sup>1</sup> Page 2, Policies and Procedures Role of The Board

<sup>2</sup> Page 3, Policies and Procedures Role of The Board

<sup>3</sup> Page 4, Policies and Procedures Board Ethics Section F.



## BOARD OF SELECTMEN

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

March 17, 1997

SWAP - c/o  
Metropolitan Area Planning Council  
60 Temple Place  
Boston, MA 02111

Attention: Elizabeth Newman and David Soule

Reference: Medway's Rep to SWAP

Dear Elizabeth and David:

This letter is to advise you that the Board of Selectmen have appointed Planning Board member Paul Yorkis as the only representative from the Town of Medway to SWAP, effective 3/17/97.

As per the attached appointment slip, his term at present is through June 30, 1997. Please mail any correspondence to Mr. Yorkis at his home address: 24 Kimberly Drive, Medway 02053

Sincerely,

M. J. Predette, Secretary  
to the Board of Selectmen

mj

Enclosure

cc: Paul Yorkis



03329

VOUCHER

TOWN OF HEDENAY

SCHEDULE OF DEPARTMENTAL BILLS PAYABLE

DATE

AMOUNT

To the Town Accountant:

Department, amounting in the aggregate to \_\_\_\_\_ and you are

*Sokolofsky*

Department, have been approved by the

requester to place them on a warrant for payment.

AUTHORIZED

Date Signed

*Raphael Rozanski*

Account Number

01-999-001-129

Amount

2000 5200 502

Amount

✓ 11880

Vendor

38601

Invoice No.

062498

Payee on Check

Raphael Rozanski

Address on Check

5 Virginia Rd  
Medway MA 02053

NOTE: To be submitted with original, invoices and a remittance copy. Purchases from \$1000-\$4000 must show quotations received from at least three (3) vendors. Purchases in excess of \$4000 must include the results of a formal bid and bid

11880

TOTAL

Request for Reimbursement to

Raphael Rozewski

5 Virginia Rd  
Medway MA 02053

Item	Date	Destination	Purpose	Miles
1	5/12/98	BOSTON	MMA E-Board	60
2	5/20/98	WALPOLE	Norfolk County Meeting	22
3	5/21/98	FRANKLIN	SWAP meeting *	16
4	6/16/98	BOSTON	MMA E Board	60
5	6/18/98	HOPKINTON	SWAP 32-28 Adj/cdr *	4
6	6/19/98	STURBRIDGE	MSA/COUNCILORS Conference *	120
7	6/24/98	Marlborough	495 Campaign for Shared Solutions *	48
8				
9				

Total Miles

Amount to Reimburse —

(Miles X .29)

330

107.25

Add: Other Expenses:

.325

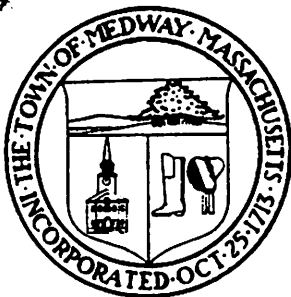
1	5/12/98	MMA BOSTON	Parking 2.00 cups 2.85	4.85
2	6/16/98	MMA EBOARD	Parking 2.00 cups 2.85	4.85
3	6/19-20	MSA/COUNCILORS	Mass Pike Tolls	1.85
4				
5				

TOTAL

\$

118.50

1.12.190 Raphael Rozewski



## BOARD OF SELECTMEN

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

**Michael J. Hartman**  
**Town Administrator**

### AGENDA

*JUNE 29, 1998*

*Location: Room 111 of Medway High School*

6:00 p.m. - Open meeting, sign warrants.

6:05 p.m. - Action Items:

1. Decision on classification of Board of Health Agent.
2. Approve Change Orders #1 and 2 for Senior Center.
3. Approve Selectmen's minutes of June 15th and 22nd.
4. Sign additional appointment slips.
5. Sign Jay-Mor Enterprises contract.

- Administrator's Report including:

- Correspondence.
- For your information.
- Other.

- Committee Reports.

7:00 p.m. - Adjourn to Special Town Meeting.

\* NOTE: SELECTMAN DZICZEK WILL NOT BE IN ATTENDANCE.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 29, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Town Administrator Michael Hartman. Selectman Joe Dziczek was not in attendance.

6:11 p.m. - Mr. Brodeur called the meeting to order in Room 111 of Medway High School.

- Mrs. Rozanski moved that warrant #53 be signed totalling \$378,088.22; Mr. Gildea seconded; all aye.

- There was some question on the withholding portion of warrant #52 so Town Accountant Arti Mehta was brought into the meeting. After clarification, Mrs. Rozanski moved that warrant #52 be signed totalling \$1,763,946.95; Mr. Johnson seconded; all aye.

- Action Items.

#1 - The subject of the classification of the Board of Health Agent was brought up. Mrs. Mehta stated you cannot contract with an employee as the IRS has certain guidelines. Mr. Johnson questioned this, but Mr. Brodeur said a contract can be instituted only with a company, or an individual who is established as a company.

Mrs. Rozanski made a motion to approve the Board of Health Agent's classification at a grade 12, step 2 as an employee of the Town; Mr. Johnson seconded; all aye.

#2 - Change orders for the Senior Center were brought up. Change order #1 was for \$189.75 and change order #2 was for \$3,676.04. Mrs. Rozanski moved to approve both change orders and authorize the Chairman to sign; Mr. Johnson seconded; all aye.

#3 - Mrs. Rozanski recommended that approval of the minutes of June 15th and 22nd be held over until the meeting next week.

#4 - Mrs. Rozanski moved approval of the additional appointments as presented; Mr. Johnson seconded; all aye.

- The subject of the approval for street acceptance of Trotter Drive was discussed, with the Board noting receipt of a letter received this date from Paul White. Mr. Hartman stated that the Conservation Commission never reviewed the footbridge on Trotter Drive. Mr. Brodeur suggested a condition be placed to accept Trotter Drive if a sidewalk or a sidewalk/bridge was constructed within one year with written confirmation being received by the Board of Selectmen as required by the Lost Hills subdivision. Mrs. Rozanski moved to allow the Chairman to present the above-noted wording at the Special Town Meeting; Mr. Johnson seconded; all aye.

#5 - The Board discussed the contract which needed to be signed for Jay-Mor Enterprises with reference to 311 Village Street. Mr. Hartman explained that the funds had been appropriated, and now they need to execute the contract. Mr. Gildea asked if a lien would be placed on the property, and he was told there would be. Mrs. Rozanski moved to execute the page 1.

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MINUTES OF THE SELECTMEN'S MEETING  
JUNE 29, 1998

contract with Jay-Mor Enterprises; Mr. Brodeur seconded; Mr. Gildea opposed; Mr. Johnson made it an aye with 3-1-0 noting he was finding it difficult to do so. Again, Mr. Brodeur reiterated that Town Meeting had voted to do the demolition, and the Board was just following through on that vote. Mr. Brodeur reminded the Board that no one came with a request to rescind the previous action at Town Meeting. Mr. Maciolek was present and he approved the contract as to form.

6:53 p.m. - Mrs. Rozanski moved the meeting be adjourned to the Special Town Meeting; Mr. Johnson seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

approved  
7/6/98

Mr. Johnson moved the meeting be adjourned to the Special Town Meeting, June 23, 2015, at 7:00 p.m. Mr. Johnson seconded the motion. The Board voted 5-0 to adjourn the meeting to the Special Town Meeting, June 23, 2015, at 7:00 p.m. Mr. Johnson moved the meeting be adjourned to the Special Town Meeting, June 23, 2015, at 7:00 p.m. Mr. Johnson seconded the motion. The Board voted 5-0 to adjourn the meeting to the Special Town Meeting, June 23, 2015, at 7:00 p.m.

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Respectfully submitted,

Mr. Johnson  
Mayor

- Action Items:

1. Approve and sign agreement between Medway and Millis for Animal Control Services.
2. Approve Selectmen's minutes of June 1st and June 8th, and Executive Session minutes of June 8th.
3. Approve and sign change orders #13 and #14 for Library.
4. Approve and sign emergency transfer request for Special Counsel for \$3,310.
5. Approve and sign emergency transfer request for pre-employment physicals for \$525.
6. Acknowledge and address letter dated June 14th from Conservation Commission.
7. Address letter from Medway Restaurant concerning keno license.
8. Sign appointment slips of those who have requested re-appointment.



MINUTES OF THE SELECTMEN'S MEETING  
JUNE 22, 1998

Present: James Brodeur, Raphaela Rozanski, Joseph Dziczek, Town Administrator Michael Hartman. Selectmen Harry Johnson and Richard Gildea were absent.

7:01 p.m. - Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall.

- Mrs. Rozanski moved to approve the warrants as read by the Clerk; Mr. Dziczek seconded; all aye. Warrant #52 was signed totalling \$1,455,450.81.

7:05 p.m. - Mr. Dziczek read the ad that appeared in the Milford Daily News for a public hearing for above ground storage tanks for liquid hydrogen. Jeff Allen, Counsel, was present representing MicroGroup. Mr. Allen stated that the tank will be built on Marc Road off of Industrial Park Road. It will be monitored 24 hours a day. The Fire Chief's memo of June 22nd was noted and is on record.

The Fire Chief, who was present, stated he had spoken to Warren Gaudreau of MicroGroup concerning the firefighters receiving training. At this time, he did not know what equipment would be needed for fire protection but they had no adjusting nozzles for water stream and no detectors for detecting hydrogen leaks.

Mr. Allen reassured the Chief and the Board that training would be given, but it will still be constantly monitored. He further stated that this company has never had any incidents.

Mr. Brodeur felt that maybe some direction can be given from the applicant to communicate to the Chief what supplies may be needed. Mr. Gaudreau stated that the product would burn off faster than you could keep the area cool. A representative from the company stated that they go by NFP guidelines, are constantly monitoring, and would be doing a walk-through with the Fire Chief when installed and properly certified. She said that OSHA requires an emergency plan be in place, and they will assist in preparing that. They also need a licensed site professional and will get one.

Mr. Brodeur suggested that the Fire Chief's letter be included as a condition of license, but the Chief recommended it be part of the permitting process rather than part of the licensing process.

*License for*  
Mrs. Rozanski moved to grant the storage of above ground liquefied hydrogen in an exterior 1500 gallon tank in accordance with the provisions of MGL Ch. 148, Section 13 subject to the permitting process and the Fire Chief's approval; Mr. Dziczek seconded for discussion. The Chief clarified he would come back to the Board if he has any problems; all aye on the motion.

7:30 p.m. - Mark Reardon of #1 Richard Road came to meet with the Board concerning the recent flooding in his area off of Route 109. He understood that the flooding problem would be taken care of with funds that have been appropriated. Mr. Reardon indicated that he bought the property on the corner of Route 109 and Richard Road, the Cassidy farm, about 2-1/2 years ago,

MINUTES OF THE SELECTMEN'S MEETING  
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MINUTES OF THE SELECTMEN'S MEETING  
JUNE 22, 1998

He stated he has spoken to Mr. Hartman and Mr. Henry, and his questions were: when was this going to be addressed; when was the start date; when was the completion date?

Mr. Brodeur said that the 24" culvert was overloaded and filled with gravel under Route 109, and only working to half its capacity, and said this was a 50 year storm. Mr. Reardon disagreed stating it happened 9 years ago, so it was a 9 year storm. When discussing the size of the pipe, Mr. Brodeur said there should be a 30" or 36" pipe there, which prompted Mr. Reardon to ask when would it be put in? Mr. Brodeur stated that the land is agricultural and, therefore, ConCom has no control over it. Mr. Reardon asked, however, when does it become a public safety concern? When Mrs. Rozanski asked about the larger size pipe, Mr. Brodeur said it will exacerbate the problem more because it would become a detention device. He also felt it was a 50 year storm and if it was the first time it happened, this Board does not have a problem. Mr. Reardon, however, was told by Mr. Henry that the problem will be fixed when the Route 109 project is begun, but Mr. Brodeur said you can't just open up pipes in the middle of Route 109. Mr. Reardon said he tried get in touch with David Giagrande of DCI to see the drainage plan, but was unable to do so.

Mr. Reardon reminded the Board that the southeast corner of the farm was wetland, and then got filled in. Mr. Brodeur again said that if they increase the size of the pipe from 24" to 36", then it impacts downstream. The pipe can be cleared out and a detention pond created.

Mrs. Rozanski asked if an engineering study was done. Mr. Hartman noted there are new laws and the town would have to acquire the property to put in a detention pond. Mr. Henry had suggested a 36" pipe, but Mr. Brodeur said he did not know about the blockage on private property which he found out today. Mrs. Rozanski suggested maintenance be done first, and then possibly an engineering study. Mr. Dzikczek agreed that Highway could do the maintenance and Mr. Henry could then advise the Board of his findings.

Mr. Reardon said that he was out in the storm at its worst, and it took 1/2 hour for the brook on the property to overflow, noting there are five brooks that feed into it. Again, Mr. Brodeur suggested he work with Mr. Henry and Mr. Hartman in the next two weeks on this. Mr. Reardon commented that, if they do an engineering study, it only needs to be done once. He also asked if a health study was done, but noted he had brought the subject of animal feces to the Board of Health's attention.

Barry MacDougall, who was present, suggested involving the Cassidys since they filled in the land. Mr. Hartman reminded the Board that they need permission from the property owner to enter property even for maintenance, and it probably would be done within one week of receiving permission. He also stated they are in the process of establishing a routine maintenance program. Mrs. Rozanski asked if they would be seeking permanent easements, and Mr. Hartman said potentially.

Mr. Dzikczek noted they can't address everyone who had a flooded basement, but they can be concerned. Mrs. Rozanski said she would like a breakdown of total costs for the Fire Department  
page 2.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 22, 1998

in the event the Governor frees up any federal funds. Mr. Hartman said he was already working on that, but had not heard anything yet. With reference to Route 109, Mr. Hartman clarified that it is a Town-owned road, but State numbered. Mr. Dziczek suggested Mr. Hartman also speak to Rep. Gardner for any assistance she could offer. Also, he recommended that the DPS keep an eye on vulnerable areas when it storms.

8:10 p.m. - Jeff Dufficy representing Domino's Pizza came to meet with the Board concerning his revised site plan. He noted that on the revised plan, #7 of the Planning Board's stipulations was put in even though the Selectmen had requested that it not be on the plan. He agreed that was in error and the island should not be at the end of the parking spaces.

Mrs. Rozanski was concerned about enter only and exit only signs. She felt the signs that are placed there are inadequate and new double-sized directional signs are needed, for instance, 2' x 3' signs. These would be separate from any advertising signs as directional signs do not need a permit and the Board could request they be put in.

Mrs. Rozanski moved to approve the site plan for Domino's Pizza as presented on 6/22/98, to also include 2' x 3' exit and enter signs, not to be included as part of the maximum square footage signs allowed; Mr. Dziczek seconded; all aye.

8:22 p.m. - John Boczanowski came to meet with the Board concerning his site plan for 33 Alder Street, accompanied by Paul DeSimone, Chairman of the IDC. A memo from the Planning Board was acknowledged noting they were remanding the application and plan back to the Board of Selectmen without their recommendation for approval, and identified three issues for the Board to consider.

The first issue was 3 curb cuts vs. 2 curb cuts. Mr. Boczanowski explained the reason for 3 cuts being the heavy volume of trucks for the warehouse and distribution center, and wanting to create an easy flow of traffic in and around the area.

The second issue was the trench which needed to be put in. Mr. DeSimone stated that JF Industries has an order of conditions, but all local requirements have been met, and they have met with any necessary officials.

Mr. Brodeur brought the concern back to the first issue, and noted they always do 90 degree curb cuts. Mr. Boczanowski understood this, but again reiterated the better flow of traffic and eliminating those vehicles from taking wrong turns.

The third issue was landscaping, but Mr. Boczanowski did not recall anything specifically being outlined. Mrs. Rozanski clarified it was all industrial, with no residential. Mr. Boczanowski recalled how he could not build within 200 feet of a residence so he had to go to the ZBA. The Board felt comfortable allowing the three curb cuts after listening to Mr. Boczanowski's explanation; thought the drainage issue was all right; and grass and trees for landscaping would be sufficient.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 22, 1998

Mrs. Rozanski moved to approve the site plan as presented on 6/22/98; Mr. Dzikzek seconded; all aye. Mr. Boczanowski said he would bring three copies of the plan for the Board to sign.

8:55 p.m. - Mr. DeSimone asked for a few moments of the Board's time to explain his frustration with receipt of a fax dated 6/12/98 from PMP indicating the as-built for Trotter Drive was not in conformance with standards. He stated that back on 6/10/97, all of the IDC members went to the Planning Board meeting with the as-builts, and here now, a year later, they were back where they started from. With this communication, he did not feel the Planning Board would opt to accept the as-built or Trotter Drive Extension.

Mr. Brodeur stated that the only problem with the acceptance of Trotter Drive Extension is the sidewalk, which is the footbridge. Mr. DeSimone said that what concerns him is that he is uncomfortable with the idea of not accepting the road and there is work going on there. He said that he felt bad for the developer and the situation he was placed in.

Mr. Brodeur asked if their vote at Town Meeting to accept Trotter Drive Extension could be conditional upon a sidewalk being built, or the extension of the culvert? Mr. Hartman said he would review the matter with Town Counsel. Mr. Brodeur reiterated they have no bond.

Mr. DeSimone suggested accepting the road, and then have the developer meet with Mr. Hartman and indicate to him what investment he is willing to come to in order to build something. Mr. Brodeur was concerned that once the road was accepted, the developer could back out of any agreement. Mr. DeSimone thought the Planning Board was holding \$25,000, but Mr. Brodeur said it was not on the footbridge, but on Lost Hills, and they were not the same.

Mrs. Rozanski agreed there could be a separate contract, such as a memorandum of understanding, for the developer to build that something. Mr. Hartman stated, only if Town Counsel says there can be a contingency, and he believed it would have to be in writing. Mr. DeSimone felt that the worst scenario would be that he could just walk away, and asked not to condition the vote.

9:15 p.m. - Administrator's Report.

1. Mr. Hartman brought up the Jay-Mor contract for demolition of 311 Village Street. He stated he did the award of the contract, and now the Board needed to sign the contract. Sometime after July 1st, they will be given the notice to proceed with the demolition. Mr. Hartman said the insurance and performance bond were in place. He noted the bids were referred to the Board of Health for their recommendation, and they, in turn, recommended Jay-Mor for a contract amount of \$13,370. Mrs. Rozanski clarified that the Town went through the bid process first, and then got the appropriation at Town Meeting. Mr. Hartman then awarded the bid as Chief Procurement Officer, but she noted they always awarded a contract with a review and recommendation of Town Counsel. Mr. Hartman said Town Counsel saw the original bid spec package.

Mrs. Rozanski moved to approve and enter into contract with Jay-Mor Enterprises in the amount  
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MINUTES OF THE SELECTMEN'S MEETING  
JUNE 22, 1998

of \$13,370, subject to the approval of Town Counsel as to contract form; Mr. Dzikczek seconded for discussion. He stated he was leery to sign the contract without the other two members of the Board present, especially when he thought one of them was opposed to this being done.

Mr. Dzikczek amended Mrs. Rozanski's motion to table the subject of this contract until next week, just prior to the Special Town Meeting on June 29th; Mrs. Rozanski seconded; all aye.

2. Mr. Hartman said Town Counsel has rendered an opinion to the Board of Health and the Town Accountant that the Health Agent be assigned to the salary schedule and classified. Mr. Hartman stated he and Cathy Chenard did the 13-step process, completed a review, and are recommending he be assigned to a grade 12. He noted he was eligible to be in the bargaining unit if he chooses.

Mrs. Rozanski did not feel this should not be discussed in public session, but in executive session as part of strategy for negotiations. Mr. Hartman said he has to be paid even though the Board of Health entered into a contract with him, and now they've found out they can't do it, and need to seek the Board's approval. Mrs. Rozanski said she would like to see the 13-step process that was done first and then vote on it next week.

Mr. Brodeur said he would bow out of the decision because of a possible conflict, and deferred to the Vice-Chairman once Mr. Hartman gave the Board the information, and they determine if they need anyone from the Board of Health to attend the meeting next week.

3. Mr. Hartman referred to his memo dated June 19th concerning the clerical work within the Selectmen's Office. He believed one of the Selectmen has talked to the Treasurer and the need to go in that direction with the Board's approval. He noted someone in that Office is already handling some of the insurance work as it relates to payroll. Mr. Brodeur recommended Mr. Hartman give labor counsel a copy of his June 19th memo, specifically referencing "variety of tasks". Mr. Hartman noted most of the clerical end would be transferred out, but he recommended the administrative portion stay with him. He said he did not want to meet with the Treasurer before the Board agreed with his recommendation. They agreed.

9:40 p.m. - Committee reports.

- Mrs. Rozanski reported on attending several meetings, including a local government meeting discussing the budget as well as the concern on utility curb cuts. At the Mass. Municipal Association meeting in Sturbridge, they discussed traffic calming and clarification of the open meeting law. For instance, when a meeting is adjourned, they cannot reconvene the next evening unless it has already been posted to do so, or set up another posting for 48 hours prior to. Mrs. Rozanski also attended a regional meeting noting how counties are being affected, as well as water management info, and Title V updates including performance standards.

- Mr. Dzikczek said he went to the FinCom meeting recently, and they had some questions on some of the emergency transfers signed by the Board. He noted they now need exact figures  
page 5.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 22, 1998

prior to the Special Town Meeting on the 29th. Mr. Dziczek also said the FinCom is requesting the Town Administrator attend their next meeting on August 12th as they were especially concerned as to how the technology recommendations were going. Mr. Hartman reminded the Selectmen that they had empowered him to form a steering committee, which he did. Mr. Dziczek also brought up the concern of some of the FinCom members with reference to grants in Mr. Hartman's job description. Mrs. Rozanski stated you have to have a plan, a goal, and the process with grants as well as some funding. Mr. Brodeur said when correspondence on grants comes in, Mr. Hartman sends a copy to the pertinent group. If anyone in that group wants to write a grant, it is up to them. He is available to answer questions concerning those grants, but not necessarily write them.

Mrs. Rozanski explained that the groups could write the resolutions, and ask Mr. Hartman to coordinate them. Mr. Dziczek also gave thanks to those officials who helped out at the Memorial Day Soccer Tournament.

- Mr. Brodeur noted attending the Planning Board meeting, and urged residents to watch advertising notices as there was so much going on. He encouraged, as did Mr. Dziczek, to support the open space article on the Special Town Meeting warrant, and to trust your Planning Board that they are doing what they feel is best.

- Action items.

#1. The Agreement for Animal Control Services between Medway and Millis was brought up. Mrs. Rozanski moved to approve and sign the Agreement; Mr. Dziczek seconded for discussion. He was informed the Agreement was hand-delivered by Millis Town Administrator Charles Aspinwall; all aye.

#2. Mrs. Rozanski moved approval of the minutes of June 1st; Mr. Brodeur seconded; Mr. Dziczek abstained; 2-0-1.

- Mrs. Rozanski moved approval of the minutes of June 8th; Mr. Dziczek seconded after some corrections were noted; all aye.

- Mrs. Rozanski moved approval of the executive session minutes of June 8th not to be released; Mr. Dziczek seconded after some corrections were noted; all aye.

#3. Mrs. Rozanski moved approval of Change Order #13 for \$344 and Change Order #14 for a credit of \$900 for the Library renovations; Mr. Dziczek seconded; all aye.

#4. Mrs. Rozanski moved approval of the emergency transfer for Law, Special Counsel for \$3,310; Mr. Dziczek seconded; all aye.

#5. Mrs. Rozanski moved approval of the emergency transfer for pre-employment physicals for \$525; Mr. Dziczek seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 22, 1998

- An additional emergency transfer for the Historical Commission was brought up, and Mr. Hartman noted that, in conversation with the Town Accountant, all that is needed is \$1,000 since they already have \$5,000. Mrs. Rozanski moved approval of the emergency transfer for the Historical Commission for \$1,000; Mr. Dziczek seconded; all aye.

- The emergency transfer for \$3,000 for Law was returned to the Board from the FinCom for an exact amount.

#6. The Board acknowledged the memo from the Conservation Commission requesting the Selectmen's approval for release of funds in the ConCom Fund obtained from filings fees submitted by applicants and By-law fees. Mr. Hartman stated this was an established process as per the DOR's informational guideline release #98-101 attached to their letter. Mrs. Rozanski moved, pursuant to Chapter 43, Section 218 of the Acts of 1997, to authorize ConCom to spend the fees collected under this law without appropriation; Mr. Dziczek seconded; all aye.

#7. The Board acknowledged a letter received from Medway Restaurant requesting the Board re-hear their application for a Keno license. Mr. Hartman said he spoke to the father of Donna Gale, who explained they were not familiar with the procedure of applying for the license, and did not know they were to attend the hearing.

The Board was not quite clear as to the appropriate procedure to follow since the hearing had been opened and closed. Mr. Hartman said he spoke to the State, and the Board could re-hear their application and do another public hearing. He did note that the Keno screen had inadvertently already been installed at that location.

Mr. Brodeur asked that Mr. Hartman advise them to re-apply since they had already been officially denied and a letter sent in to the Lottery Commission.

- Mr. Brodeur noted he had heard about some flooding on Walker Street. Mr. Hartman was aware of this and said that the Interim DPS Administrator had met with Franklin's DPW Director and they are looking at options since a sub-division in Franklin was washing out a portion of our road. Mr. Hartman said Franklin recognizes the problem and will be addressing it. He will follow up on this as well with written clarifications.

#8. The Secretary provided the Board with appointment slips of those who have expressed the desire to be appointed or re-appointed. Mr. Brodeur commented that there was positive feedback on those that had received certificates. Board members read the names as the appointment slips were signed. Mr. Dziczek moved they be signed off-camera; Mrs. Rozanski seconded; all aye.

10:40 p.m. - Mrs. Rozanski moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,  
M. J. Fredette, Secretary  
mj  
page 7.

*approved as amended  
7/13/98*





## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

**Michael J. Hartman**  
**Town Administrator**

**JUNE 15, 1998**

*Location: Sanford Hall of Town Hall*

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 p.m. - Continuance of public hearing for Keno license for Medway Restaurant, 102 Main Street.
- Frank Foss, Time Warner Cable for presentation of first franchise check of new contract.
- *Lee Henry re: weekend flooding*
- Administrator's Report including:
  - Correspondence.
  - For your information.
  - Other.
- Committee Reports.
- Action Items:
  1. Approve beano license for Bellingham Youth Hockey

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 15, 1998

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dzikczek, Town Administrator Michael Hartman.

7:05 p.m. - In the absence of Mr. Brodeur, Mrs. Rozanski called the meeting to order in Sanford Hall of Town Hall.

- The Board reviewed warrant #51 totalling \$593,442.30. Mr. Johnson did have some questions on invoices totalling under \$1,000 involving software packages with a current supplier which he turned over to Mr. Hartman. Mr. Johnson moved to sign and authorize payment of the warrant, with Mr. Hartman obtaining the information he requested; Mr. Gildea seconded; all aye.

7:07 p.m. - Mrs. Rozanski opened the scheduled continuance of the public hearing regarding the Keno license for Medway Restaurant, but no one was present, so this was tabled for later on in the evening.

7:08 p.m. - As we were running early, Mr. Hartman proceeded with his report.

- He asked the Board to note his memo concerning the weekend flooding, and that he had asked Mr. Henry to come in later to outline the areas of unusual flooding and a plan of action. Mrs. Rozanski said she personally observed Chief Vinton and Bob Power and commended them.

7:10 p.m. - Mr. Brodeur arrived and was updated on what had transpired so far in the meeting. When discussing the weekend flooding, he commented he was there as well and acknowledged the efforts of Lee Henry and Mark Flaherty.

- Mrs. Rozanski asked what had been going on with the Apollo building? Mr. Hartman stated that no building permit had been taken out yet, but the business appears empty. Mrs. Rozanski asked him to contact them and provide a summary of his findings to the Board.

- Mr. Hartman brought up correspondence to the Board from the Union dated June 12th looking for direction concerning the Planning Board Administrative Secretary position. Mrs. Rozanski suggested contacting labor counsel to ask him how the Board should proceed. Mr. Brodeur noted it was limited to 19 hours, and it doesn't fit under Union regulations. Mrs. Rozanski commented that the Union was indicating the person working the position regularly works 22-27 hours. Mr. Johnson questioned if these were actual hours. Mr. Hartman stated he just received the memo today and hasn't had time to verify it. Mr. Brodeur said at the old grade and step, it was still 19 hours. Mr. Johnson disagreed it the person was putting in 27 hours regularly.

Mr. Brodeur stated if the Union hasn't filed a grievance previously and the Board is not being asked to change the number of hours, why is this being questioned; it is no more than 19 hours.

Mr. Johnson said that the Union is stating that the grade should not be a 6, but a 5, so why were we doing a 6? Mr. Brodeur said the decision was to make it a 6. Mr. Johnson again said he  
page 1.

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would like the history and rationale on this. Mr. Brodeur commented that the other secretaries were full time; this is part time. Again, Mrs. Rozanski suggested going to labor counsel, but Mr. Brodeur said it costs us money each time we go. Mrs. Rozanski commented that they maybe they have to figure out what she should be doing for 19 hours. Again, Mr. Johnson said for this Board to act in a knowledgeable fashion, get some history.

Mr. Hartman said he was meeting with the Planning Board Chairman this week, and then he could discuss it further. Mr. Brodeur explained the extra research work that is requested, but hours are trying to be controlled. Mr. Johnson was not surprised with the number of hours put in because of all the subdivisions, but said the grade was being questioned, not the number of hours. Mr. Johnson deferred to the Chairman but asked that some research be done: are there any other grade 6 secretaries, and the average number of hours worked per week in this position over the last 3 years. After that, if still in jeopardy, they can take up Mrs. Rozanski's request for labor counsel. Mr. Hartman will try and get an answer for next week.

7:32 p.m. - No one was still present for the public hearing on Medway Restaurant's request for a Keno license. Mr. Brodeur said they could close the hearing, with Mrs. Rozanski agreeing for lack of testimony. She further commented she was inclined to be in opposition due to lack of supporting testimony. With reference to Medway Restaurant and Keystone Liquors, who had previously asked for a Keno license, Mr. Johnson felt they had met the criteria.

Mrs. Rozanski moved to close the hearing; Mr. Dziczek seconded; all aye. Mrs. Rozanski moved to deny the Keno license for Medway Restaurant due to absence of testimony; Mr. Dziczek seconded; 3-2-0 with Mr. Gildea and Mr. Johnson opposed. Mr. Brodeur noted they could re-apply. Mr. Hartman questioned if he should send a letter to the Commission noting we had denied the license; Mr. Brodeur said yes.

7:40 p.m. - Frank Foss of Time-Warner Cable came to present to the Board the first franchise check in the amount of \$95,000 as part of the new cable contract obligation. Mrs. Rozanski recognized Cable Advisory Committee chairman Charlie Myers who joined Mr. Foss.

Mr. Foss also said that they could not comply with the delivery of equipment they were to provide in 60 days, since there has been a discussion in changing some of the specific equipment. At this time, he had to request from the Board of Selectmen a waiver in the time of 180 days. Mr. Foss said it take about 120 days when they get a finalized list to acquire and then install.

Mr. Myers stated that the robotics need has changed. They have the ability to work with Medway Cable Access and get the right equipment for Town Hall and the Studio. He recommended MCA and the Advisory Committee meet with Time Warner and discuss further. Mr. Foss added that if they had the list today, it would be at least 120 days. Mrs. Rozanski moved to waive the deadline to December 1st; Mr. Johnson seconded; all aye.

7:50 p.m. - Interim DPS Administrator Lee Henry was present for a further update on the recent weekend rains and flooding.



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According to Fran Donovan, he stated that officially Medway had 6.33" of rain from 7 a.m. Friday to 7 a.m. Monday, a record. Mr. Henry stated that presently, because of the Black Swamp, Route 109 was closed at the Medway/Millis line. There were two main flooding areas: Lee Lane, which is probably attributable to drainage and 12" pipe with roots. ARCO was coming in to clean it out, but a permanent solution would be a 24" pipe from the catch basin at Lee Lane to Route 109. The other problem area was Richard Road. The solution here is to increase the size of the street drainage as well, which empties back into the Black Swamp. The 109 Corridor project has plans to raise the road 2' and put in 5' box culverts, but it is a continuous problem. He felt the Charles River might still rise in 4 days with the possibility of closing off some of Village Street. He noted they were monitoring the dams at Sanford Mill and near the Norman property, as well as at Choate Park. They were also concerned with Chicken Brook near Norfolk Avenue, Guernsey Street, and Wellington Avenue. Mr. Brodeur complimented the Norfolk County Mosquito Control for all the dredging they had done in Chicken Brook, which helped even more to have the system working on Cottage Street. Mr. Henry said they have done a temporary repair on Alder Street near Hopping Brook so it doesn't wash out. Mr. Henry commented on the coordination between public safety and public services. To the general public, he asked that they adhere to any signs and horses they put up for safety purposes.

Craig Lemmler gave the Board a letter from he and his wife Mary who reside at 233 Village Street, and a letter from his mother Joan Beaudry who lives at 229 Village Street, mentioning the problems they were experiencing with water in their basements. He indicated Mrs. Beaudry was asking for compensation for damage. Mr. Brodeur suggested she talk to her insurance company to document her problem.

8:10 p.m. - Mr. Hartman brought up a letter sent by the Open Space Committee asking for the Board to review the five-year plan and see if any updates were required. Mr. Johnson suggested adding to the objectives this year: for the Board of Selectmen to actively notify all boards and agencies on MGL Ch. 61, 61A and 61B regarding sale of agricultural lands which the Town has the first option to buy; Mrs. Rozanski seconded his motion to resolve the acquisition of land for open space, park, and recreation; all aye. Mrs. Rozanski also felt an objective should be: to educate the public and secure input from the public by sponsoring forums. Mr. Brodeur brought up linear park trails, and suggested they become more aggressive. Mr. Johnson agreed by saying: they should actively inquire about the possibilities with the existing railroad, but Mr. Brodeur felt that Mrs. Rozanski's motion should cover that. He asked Mr. Hartman to come up with the wording that could be included on the page for Board review.

8:15 p.m. - The application from Bellingham Youth Hockey for a beano license was brought up. There seemed to be no problem with this, so Mr. Johnson moved to approve the beano license for Bellingham Youth Hockey for Wednesdays at the VFW on Holliston Street; Mrs. Rozanski seconded; all aye.

- Mr. Brodeur asked to follow up on the trees being donated by the funeral home. Mr. Hartman believed it was still an active situation.

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- Mr. Brodeur acknowledged Jeff Nutting's letter to the Board of Health with a copy to the Selectmen on trash costs and removal and felt assured the Board of Health would be addressing his letter. Mr. Johnson questioned if we got such a high rating on tonnage, why would there be any increases to the Town? Mr. Dziczek asked that it be relayed to the Board of Health that the Selectmen would appreciate and like to see a response.

8:25 p.m. - Vinnie Boczanowski stopped in because he had been told by the Building Inspector/ Zoning Enforcement Officer that the design of the footbridge does not meet zoning requirements, and he would have to go to the ZBA for a variance. Mr. Brodeur said that was his decision because the footbridge is considered a building or structure by definition in the Town by-laws, page 3, #20. He personally did not feel the footbridge should go into the category of setbacks, but noted that they have done retaining walls which were considered structures on Cottage Street, as well as in the Ellis Farms area.

Mrs. Rozanski felt that the structural engineer had provided adequate information. Mr. Brodeur commented that the ConCom feels there are no wetlands, so an extension of the culvert pipe under the road may be allowed, and the footbridge may not be needed, so the area could be filled in and a sidewalk built. Mrs. Rozanski said it has to be done in two weeks to accept the road. What has to be done to get a permit? She felt that the Inspector of Buildings should be advised to issue a permit based on what the structural engineer has provided.

Mr. Johnson moved that if the footbridge as a structure does not apply to setback requirements, issue the permit. Mr. Hartman said the Board can offer advice, but there are certain State laws that supercede and, by Law, the Building Inspector has to abide by them. Mrs. Rozanski said that the Building Inspector works for the Board of Selectmen; he should issue the permit. Mr. Johnson amended his motion to include issuance of the permit after consultation with Town Counsel to setbacks if required; Mrs. Rozanski seconded his amended motion but said there were previous rulings on sheds.

Mr. Johnson asked which was more expedient - the bridge or the culvert? Mr. Boczanowski said the bridge and they have already had hearings on it. Mrs. Rozanski <sup>asked</sup> ~~said~~ there was an order of conditions. Mr. Hartman said there were no terms of conditions from the ConCom. Mr. Dziczek stated that they cannot rewrite the Zoning by-laws if the Building Inspector has ruled., but Mrs. Rozanski said they have gone through all the processes. Again, Mr. Dziczek said the Building Inspector is governed by State law, but Mr. Brodeur commented that the Selectmen can still make a statement. Mrs. Rozanski could not understand how a sidewalk needs setbacks from the street.

Mr. Brodeur said if they go with the design that wasn't appealed, it would still be up to him to deny, but he was standing on weak ground. Mrs. Rozanski hoped he was not making capricious or arbitrary decisions, because she felt it was not a habitat so it was not subject to setbacks. Mr. Dziczek was thinking the bridge was the structure and the foundation was the support. On the motion, 4-0-1 with Mr. Dziczek abstaining.

- With reference to the matrix on summer hours, Mr. Hartman said it was preliminary and page 4.

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could not verify how the time was made up as the Treasurer and Accountant would not be available until Thursday.

- Mr. Hartman stated that the letter received on the Animal Control Officer and copied for the Board was for their information.

- Mr. Johnson noted receipt of a copy of the five-year plan as submitted by Lee Henry. He felt there should be a future workshop on this with the Board with more defined maps showing different colors for the different years that the work would be done for a better understanding.

Mr. Brodeur suggested separating the paving from the sidewalk part of the plan as the priorities may be different between the two.

Barry MacDougall, who was present, suggested a list going back 15-20 years as a data base of activity. Mrs. Rozanski said there was already a pavement management program in place, but if help was needed on it, possibly Tri-County could help. Mr. MacDougall suggesting soliciting college students.

- Mr. MacDougall also said he understood Ruth Allen was retiring at the end of the month and assumed she would be given proper recognition. Mr. Brodeur said there might be resistance by the person, but they would do what they can.

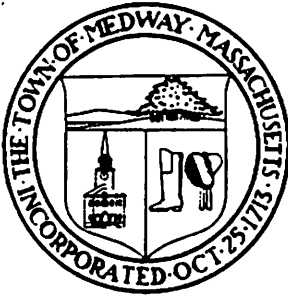
Mr. Johnson asked about certain functions that were being performed and wondered if they would be given to the present staff or returned to the Treasurer's Office? He said he mentioned this to Mr. Hartman today, and felt it needs to be addressed in a future meeting. Mr. Brodeur agreed it should be done at the next meeting, with Mr. Johnson asking for recommendations from Mr. Hartman. He noted that some of the work Ruth Allen was doing, she has been doing since the fiasco in the Treasurer's office occurred. Mr. Hartman added that she has been acting as Plan Administrator and processing insurance payments mainly for retirees. Mrs. Rozanski asked shouldn't the Town Administrator be the Plan Administrator? Mr. Hartman said it goes with the position of Personnel Director, but the processing does not necessarily have to be with the Plan Administrator. Mr. Brodeur asked if Mr. Hartman knew what Ruth Allen has been doing so there was a smooth transition? He said they've been working on this for the past several weeks.

8:50 p.m. - Meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*mf 7/6/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### *AGENDA*

***Michael J. Hartman***  
***Town Administrator***

***JUNE 8, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants.
- 7:05 p.m. - Public hearing re: Keno license for Medway Restaurant.
  - Domino's re: site plan.
  - Virginia Calapa and Barbara Maffeo re: open space plan.
  - Lee Henry re: sidewalks
  - Administrator's Report including:
    - Correspondence.
    - For your information.
    - Other.
  - Committee Reports.
  - Action Items
  - Executive Session.

ACTION ITEMS:

- 1 Sign STM warrant.
2. Chairman's signature on Bardon-Trimount contract for Alder Street.
- 3 Chairman's signature on P. J. Stella's change order #11.
4. Approve one-day liquor license for St. Joseph Parish for June 27th.
5. Board's decision on John Boczanowski as Clerk of the Works for School Building.
6. Board's decision on endorsement of Recycle for Gold.
7. Approve emergency transfers for IDC.
8. Approve emergency transfer for Historical Commission.
9. Approve emergency transfer for DPS.



MINUTES OF THE SELECTMEN'S MEETING  
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Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

7:04 p.m. - Mr. Brodeur opened the meeting in Sanford Hall of Town Hall. Warrant #50 was signed totalling \$726,429.80. Mr. Johnson had a question on a bill from the brother of the Clerk of the Works for the library building and wondered if it was a separate issue, could it be considered a conflict, and were there three quotes. Mrs. Rozanski moved to approve the warrants and authorize payment of all, but hold issuance of a check for \$1,670, and if found not to be a problem, to release it; Mr. Dziczek seconded; all aye.

7:12 p.m. - Mr. Dziczek read the ad that appeared in the Milford Daily News for the request of the Keno license for Medway Restaurant. The Secretary stated that the owner had called earlier in the day requesting a continuance as she could not be in attendance this evening.

Mr. Brodeur opened the hearing for anyone who may have come to make comments. No one was present so he suggested the hearing be continued to June 15th at 7:05 p.m. Mrs. Rozanski moved to continue the hearing at that date and time; Mr. Dziczek seconded; all aye.

- The Board discussed the site plan for Domino's Pizza for 122 Main Street. Jeff Dufficy was present on behalf of Domino's. Mr. Dziczek read a letter received from the Planning Board dated June 1st concerning certain stipulations placed on approval of the site plan. Also noted were concerns of the Building Inspector, Police Chief, Fire Chief and Interim DPS Administrator, most specifically noted was the Building Inspector's statement that the land in question is zoned ARII, and is not a buffer zone, but landscaping must be provided. These officials also did not have a problem with egress onto Pond Street, but the Board did object to that. Mr. Johnson raised the question that he thought there was a greenbelt between properties, but Mr. Brodeur reiterated there is a greenbelt between industrial and residential properties, not commercial and residential properties.

Dave Corbett of 1 Drybridge Road voiced his concern against this business because of the abutting neighborhood and he did not feel they should exit onto Pond Street.

Tina Ghiz of 134 Main Street said she recalled when a bank appeared before the ZBA trying to put their building across the street and was denied. Mr. Dziczek remembered he was on the ZBA at that time and they were told not to go into the buffer zone.

Rick Mankin of 6 Drybridge Road felt a traffic light was needed to slow the flow of traffic, but not at that location but at the mall.

Mrs. Rozanski noted the Planning Board did not recommend a cut-through and the owner of Cumberland Farms did not request it either.

Mr. Dufficy said he would ask his architect to redo the plan, noting Cumberland Farms will be restriping the parking lot.

MINUTES OF THE SELECTMEN'S MEETING  
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Members of the Board did not agree with the request of the Planning Board on item #7, an island at the end of two of the parking areas.

Mr. Dufficy commented that they are just doing interior renovations, but felt that Cumberland Farms would be receptive to some trees and a colonial motif. He told the Board they provide all take-out and delivery; there is no seating.

Mr. Mankin asked about their hours of operation. Mr. Dufficy said he would like to be open until midnight, but the Office would check on the hours of other establishments. He did say, however, that he could close the carry-out at 11 p.m. if need be and only do deliveries after that.

Mrs. Rozanski moved to approve the application of Domino's site plan in conformance with the Planning Board's letter except for item #7, and to also request trees be placed, and that he check with the Building Inspector on lights; Mr. Johnson seconded; all aye. Mr. Corbett asked to be notified when they came to meet with the Board again.

8:05 p.m. - Members of the Open Space Committee, Virginia Calapa, Barbara Maffeo and Lisa Mawn came to tell the Board that the open space and recreation plan had been approved through May 2001 by the Executive Office of Environmental Affairs.

Mrs. Calapa noted how documentation had to be provided, including the 504 handicapped plan which needed to be in place, to receive the \$450,000 back in 1996. The work had been completed to their amazement in six months. She recommended the Board look at the book and the 5 year updates, although she hadn't received the Selectmen's. Mrs. Calapa said the plan will be included in the master plan as well and all will be held accountable. She commented that something needs to be stated in the area marked complete by the year 2001, or they will not be considered serious in their intent.

Mrs. Mawn recalled how they could not find an open space plan anywhere, therefore, the Committee was formed to put one together. She noted they will put the binding out to bid, but also said the updates were important to the State to show the Town was making plans.

Mrs. Calapa stated that in 1999, they need to update 4/5ths of the book. She also stated that a committee or sub-committee needs to be formed when notified of land in Ch. 61A so it can be researched and evaluated. Right now, she, Mrs. Maffeo and Mr. Hoag are walking the land and making those decisions. She also recommended the Board think about a planner even though the Committee does not mind being a liaison to others, but felt they should not be making decisions on what land to buy or its worth to the Town. She asked the Board to review their goals and objectives, and help them to educate the public. She reiterated that the Open Space Committee, Park Commissioners, Conservation Commission and Board of Selectmen should be working together.

Mrs. Calapa also brought up the open space by-law which requires conservation deed and protection of the Town when an owner defaults on property.

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Mrs. Calapa recommended the Board give permission each year to the different Boards and Committees to pursue grants, noting in 1995, permission was received for the Idylbrook property, and more recently, the Senior Center. Mr. Hartman suggested this be done at the time appointments are made.

8:45 p.m. - Interim DPS Administrator Lee Henry came to speak to the Board about sidewalks. Mr. Gildea brought up the request for a sidewalk from Lovering Heights to the intersection of Maple Lane and Pond Streets. Mr. Henry said it was already included in the 5-year plan, but noted that there would be a sidewalk from Howe Street to Lovering Heights to Maple Street. Mr. Johnson agreed with Mr. Gildea that these sidewalks should be given priority. Mrs. Rozanski felt the whole Town should be looked at not just those streets.

Mr. Henry stated that he and Mr. Hartman put the 5-year paving plan in place which included sidewalks, curbing and drainage, but they have looked doing sidewalks separately. Mr. Brodeur asked if they should re-prioritize, with Mr. Johnson asking to look at the 5-year plan and any analyses. Mr. Henry said they use Chapter 90 funds for paving and Town funds for sidewalks and drainage, with some roads eligible for State funding, i.e. Summer and Village Streets as a third option. Mr. Hartman said he would get together with Mr. Henry and review the plan.

Mr. Johnson suggested moving the sidewalk on Holliston Street to the other side of the street rather than enhancing the present one.

9:00 p.m. - Mrs. Rozanski moved to go into executive session for the purpose of potential litigation, and to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek - yes; Mrs. Rozanski - yes; Mr. Gildea - yes; Mr. Johnson - yes; Mr. Brodeur - yes.

9:40 p.m. - Mrs. Rozanski moved to adjourn the executive session, and to return to public session; Mr. Dziczek seconded; all aye. The vote: Mrs. Rozanski - yes; Mr. Dziczek - yes; Mr. Johnson - yes; Mr. Gildea - yes; Mr. Brodeur - yes.

- Mr. Maciolek thought this would be a good time to take up some matters Mr. Hartman had brought to his attention; therefore, Action Item #5 was taken out of order.

With reference to John Boczanowski being the Clerk of the Works for the remaining time needed to finish up the Memorial School, he stated that this could be done, but it should be short-term, and he would need to do several things:

- resign as chairman of the School Building Committee.
- resign from the School Building Committee.
- have the School Building Committee vote to hire Mr. Boczanowski.
- have the Board of Selectmen appoint Mr. Boczanowski a special municipal employee.
- have Mr. Boczanowski sign a disclosure with the Town Clerk.
- have Mr. Boczanowski get a waiver from the Board of Selectmen reference to section 20, Chapter 268A, concerning the number of days that must elapse before he could take the position.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 8, 1998

Mr. Johnson asked if having Mr. Boczanowski as Clerk would expedite getting the job completed? Mr. Brodeur thought it would and felt they could restrict the number of hours per week he could work, but Mr. Hartman said it would be better to set a cost he could not exceed.

Mr. Johnson moved to approve the hiring of John Boczanowski as Clerk of the Works for the Memorial School for a sum not to exceed \$2,500 as long as all the stipulations and recommendations outlined by Town Counsel above are executed; Mr. Dziczek seconded; all aye.

- The subject of the Park employees going under DPS was brought up, and Mr. Gildea voiced his concern that it was difficult now knowing who worked for whom. Mr. Dziczek suggested this be discussed further at another time and maybe come up with a consolidated structure. Mr. Brodeur suggested this be done during negotiations, but Mr. Hartman did not feel this was a matter for the Union, with even the Union Steward agreeing this should be between the two elected bodies.

Mr. Hartman said he had spoken to Labor Counsel and, in his opinion, the employees of the Town work for the Board of Selectmen and case law has consistently been applied in this instance. He also felt the Board should consider some compromise on evaluations with the Union as the Board should not be evaluating the employees. Labor Counsel also said it was in violation of contract language to close on Fridays so all offices should be closed or go back to the bargaining unit and negotiate flex time. Mr. Hartman has asked that a letter be sent confirming the above. He continued on that many offices close early on Fridays and work late one evening a week; some during the summer and some year-round. Mr. Dziczek suggested just letting Mr. Hartman negotiate flex time. Mr. Hartman added that, according to the Town Accountant, not everyone is making up their time. Mr. Brodeur suggested finding out what all the Board's summer hours were and how they were making up the time. Mr. Hartman said Labor Counsel would like to meet with the Board to discuss arbitration. Mr. Brodeur suggested two weeks and update the new members of the Board with past correspondence. Mrs. Rozanski said the process and money is what its all about, and she would fill them in.

- Mr. Hartman brought up the request of the Board to find out which evaluation form the Town Accountant had previously been evaluated on: non-contractual or contractual. He stated she was most recently evaluated on the Union form (contractual), as well as the previous year.

- The subject of the Planning Board secretary was brought up, and Mr. Hartman said the job description had been accepted by the Selectmen, but there was no vote on its placement. Mrs. Rozanski moved to set the position of Planning Board Administrative Secretary at a grade 6, step 1; Mr. Dziczek seconded; all aye. Mr. Hartman said the Office would advertise.

10:30 p.m. - Committee Reports.

- It was noted Mr. Brodeur and Mrs. Rozanski attended the Medway Business Council meeting. Mrs. Rozanski also attended the Norfolk County Selectmen's Association meeting.

MINUTES OF THE SELECTMEN'S MEETING  
JUNE 8, 1998

- Mr. Johnson went back to the subject of the Town Accountant's request for a merit increase, and said now that they know both evaluations were done on the same form, he would like no further action by this Board as action by the previous Board was done and complete. He did not see anything to override that decision, and everything was done to procedure, with no further action required. Mr. Hartman was asked to inform her.

10:32 p.m. - Action Items.

#1 - The Special Town Meeting warrant was signed by the Board.

#2 - The Bardon-Trimount contract for Alder Street was signed by Mr. Hartman and the Chairman. It was noted that the pre-construction conference was set up for June 11th in Sanford Hall at 3:00 p.m.

#3 - P. J. Stella's change order could not be signed yet, as Mr. Hartman noted bond counsel still needs information from David Verdolino according to the Treasurer. Mr. Hartman and Mr. Brodeur will review the change order.

#4 - The request from St. Joseph Parish to have a one-day liquor license was brought up. Mrs. Rozanski moved approval of the license, with the recommendation of the Police Chief; Mr. Gildea seconded. Mr. <sup>Bziczek</sup>Brodeur brought up concerns such as: was there sufficient lighting at that intersection; is there a requirement as to how many people occupying the building require a police detail; is the bartender licensed; and who would be the person in charge? Mrs. Rozanski amended her motion to include the above; Mr. Gildea seconded; all aye.

#5 - already done.

#6 - The request from Special Olympics for endorsement of the Recycle for Gold was brought up. Mrs. Rozanski moved to endorse the issuance of a public endorsement of the program; Mr. Gildea seconded; all aye.

#7 - Emergency transfers were brought up. Mrs. Rozanski moved to recommend approval of the emergency transfer for \$200 for IDC salary; Mr. Dziczek seconded; all aye. Mrs. Rozanski moved to recommend approval of the emergency transfer for \$550 for IDC expenses; Mr. Dziczek seconded; all aye.

#8 - Mr. Dziczek moved to recommend approval of the emergency transfer for \$653.69 for Historical Commission expenses; Mrs. Rozanski seconded; all aye.

#9 - Mr. Johnson moved to recommend approval of the emergency transfer for DPS of \$4,600; Mr. Dziczek seconded; all aye.

#10 - Mrs. Rozanski moved to recommend approval of the emergency transfer for Law for \$3,000; Mr. Gildea seconded; all aye. Mrs. Rozanski asked to see a breakdown of hours.  
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#11 - The Street Lighting emergency transfer was discussed, noting it is continuously under-funded. Mrs. Rozanski moved to recommend approval of the emergency transfer for \$7,000; Mr. Johnson seconded; all aye.

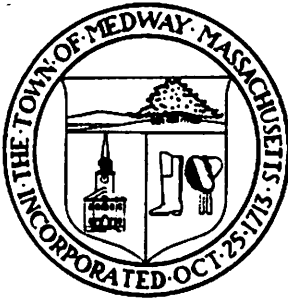
- Mr. Hartman mentioned to Mr. Brodeur that the Housing Authority was requesting a letter of support for their comprehensive grant. Mr. Hartman will write that letter.

11:00 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved as amended  
6/22/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### ***AGENDA***

***JUNE 1, 1998***

***Location: Sanford Hall of Town Hall***

- 7:00 p.m. - Open meeting, sign warrants.
- Public comments.
  - Four pole petitions from New England Telephone.
  - John Boczanowski re: update on new Memorial School.
  - Allen Magliaro re: Idylbrook update.
  - Barry MacDougall re: town warrants.
  - Dawn Boyan re: appointment to FinCom.
  - Administrator's Report including:
    - Correspondence.
    - For your information.
    - Adoption of deferred comp plan.
    - Other.
  - Committee Reports.
  - Action Items

Note: Selectman Dziczek will not be in attendance this evening.

**ACTION ITEMS:**

1. Acknowledge site plan for Timber Tree.
2. Approve minutes of May 4th, 11th, 18th, 26th.
3. Approve petition of NETEL/BE to jointly own pole - no public hearing required.
4. Sign appointment slip of Harry Johnson to the Norfolk County Advisory Board.
5. Acknowledge memo from JCRB concerning Town Accountant.
6. Announce tree dedication on June 4th.
7. Approve appointment of Barbara Walls as Assistant Treasurer.
8. Disposition of letter from Park Commissioners dated May 20th.
9. Review of submitted definitive and preliminary sub-division plans including: Akin Akers II, Hayfield Estates, Country View Estates.



MINUTES OF THE SELECTMEN'S MEETING  
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Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Town Administrator Michael Hartman. Selectman Dziczek was absent.

Prior to the start of the meeting, Mr. Johnson stated his reluctance to sign warrants until they had time to review them. He felt they should be available to the Selectmen at least the day before, and to do otherwise would be improper. If the procedure is followed as is law, it is required. Mr. Hartman noted that the law says the Selectmen are to approve, not necessarily sign. He believed that vouchers had to be to the Accountant by Noon Thursday, so they could be available on Friday. Mr. Hartman said he would put something in place and advise the Board.

7:10 p.m. - Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall.

- With reference to the warrants, the Board noted Mr. Johnson's comments. Mr. Johnson suggested postponing signing the warrants until he had time to review them. If they were brought up on Friday, there would be time to look them over on Monday, and ask any pertinent questions.

Mr. Brodeur noted that Barry MacDougall had come in and mentioned that the Board was discussing warrants and asked if he had any comments to offer. If the Board wished, he had prepared a memo to share with them. His concerns included: re-evaluating and re-focusing management efforts; standardizing expense reports and developing policies; reimbursing the right person for meetings; and finance committee regular reviews. He felt now was the time to examine what has been done and make sure it is right with a five-man Board of Selectmen.

With a Town Administrator on board, he felt he should be the one attending out-of-town meetings. He had recently viewed Mrs. Rozanski's travel reimbursement report and thought possibly an error had been made on the calculation of distance, but he realized that people have very busy schedules, and it may have been a slight error. Mr. MacDougall thought a standardized report form and procedure would be helpful in professionalizing. He also thought the right person should be reimbursed, and if Mrs. Rozanski is not the right appointed person by the Board, she should not be getting reimbursed. SWAP was mentioned.

Mrs. Rozanski said she was the Board of Selectmen's rep, and they can choose another, and MAPC has a rep as well. She stated Medway would not have had a rep if she had not chosen to do it in 1994. She said she was an officer as well. Mr. Brodeur said Mrs. Rozanski was the SWAP rep, and then they appointed Paul Yorkis when Mrs. Rozanski was defeated for re-election. He doubted Mrs. Rozanski submitted any reimbursement when she was the SWAP rep back then, now as Selectman she was asking for reimbursement. It would definitely be taken under advisement. Mr. Brodeur asked if he was concerned about accountability? Mr. MacDougall said he wanted the best use of the Board of Selectmen's time and felt sending the Town Administrator to some of these meetings was best. Mr. Brodeur disagreed noting there are many seminars and conferences, and the new Selectmen should go as well, but the Town Administrator could look over the different options.

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With reference to the warrants again, he said when on the FinCom, they did not review the warrants as a regular practice. He felt that would be good to and confirm accuracy. Mr. Brodeur disagreed noting he felt checks and balances were already in place. Mr. MacDougall suggested meeting with the FinCom on a regular basis anyway.

Mrs. Rozanski agreed that some policies and procedures should be in place, and every one of them should be reimbursed. She said the Town Accountant had provided a form, but they need orientation and procedure. She felt the Board of Selectmen provides an important role and that a network is formed by elected officials. Mr. MacDougall felt that the Town Administrator would survive elections.

Mr. Johnson said where there is a vote involved, it is the duty of the elected official to be informed. There is a voucher system in place, and possibly that should be reviewed before any changes are made.

Mrs. Mehta came into the meeting and indicated she had heard about the warrants problem. She stated that Friday noon is the deadline on expense vouchers, and the warrants are run on Mondays with checks going out on Thursday. Mr. Brodeur asked her when the earliest was that she could provide the warrants? Mrs. Mehta said Monday at 3:00 p.m. Mr. Johnson was concerned about no interest being accrued, but Mrs. Mehta said it was being accrued, and that the Law had changed in that regard. She would provide Mr. Johnson a copy of that Law change. Mrs. Mehta thought there was a process in place and it was working. Mr. Johnson again stated that the Board is responsible to review and be cognizant of what is on the warrants. Mrs. Mehta said that the Board can review documents without the warrants being printed, but the checks are run and in her office under locked. Mr. Johnson felt the checks should not be run without the Board's signature on the warrants. Mrs. Rozanski asked if the warrants and the checks get printed at the same time? Mrs. Mehta said the checks are run first, then the print out of the warrants. Mrs. Rozanski agreed with Mr. Johnson that the checks not get printed until after the warrants were signed.

Mr. Johnson moved to table this matter and suggested a sub-committee be formed including himself as liaison to the Town Accountant, and Mr. Gildea or Mrs. Rozanski, and the Town Administrator to discuss and resolve this issue; Mrs. Rozanski seconded; all aye. Mr. Johnson said he would give the Board a recommendation next week.

For these warrants at least, Mrs. Rozanski moved to approve the warrants as printed totalling \$286,166.14; Mr. Johnson seconded; all aye.

7:35 p.m. - Mr. Johnson read the public hearing notice for four pole petitions for New England Telephone Company. Kathryn Craig representing Bell Atlantic was present. Mr. Brodeur stated that they usually allow the applicant to make a presentation, then open it to the Board, and then to others. Residents were also present to hear the petitions.

Petition #98-04: placing of conduit, cabinet, etc. on Richard Road near pole #97-7 to provide better service to the area north of Route 109. She stated they will run new cable which will  
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require less maintenance, while not eliminating any poles. Ms. Craig said it would be the standard green box that is used in other areas of Town. With regard to landscaping, she said they would do so if the Town requests it. The upgrade was being done at the request of homeowners in that area who are wanting second lines for burglar alarms, internet, additional children's phone, fax, etc. She noted where homes used to have 1-2 lines; now it is averaging 3-4.

Mrs. Rozanski moved the hearing be closed; Mr. Johnson seconded; all aye.

Mr. Johnson moved to approve petition #98-04 as submitted by New England Telephone Company; Mrs. Rozanski seconded but amended the motion to include four dwarf spruce trees to be planted by New England Telephone - two in the front, and one on each side of the box; all aye.

Petition #98-03: placing of conduit, etc. on Route 109 and Holliston Street, all underground. As there were no public comments, Mrs. Rozanski moved the hearing be closed; Mr. Johnson seconded; all aye.

Mrs. Rozanski moved to approve petition #98-03 as submitted by New England Telephone Company; Mr. Johnson seconded; all aye.

Petition #98-01: placing of conduit, cabinet, etc. on Industrial Park Road. Ms. Craig again said this was necessary to bring better facilities into the area.

Mrs. Rozanski moved the hearing be closed; Mr. Gildea seconded; all aye.

Mrs. Rozanski moved to approve petition #98-01 as submitted by New England Telephone Company with the additional landscaping as noted above; Mr. Johnson seconded; all aye.

Petition #98-02: placing of conduit, etc. on Lovering and Howe Streets. Ms. Craig noted there was nothing there right now and the property owner has given an easement to them. This is again an upgrade of the neighborhood including Howe, Lovering and Redgate.

Mrs. Rozanski moved the hearing be closed; Mr. Johnson seconded; all aye.

Mrs. Rozanski move to approve petition #98-02 as submitted by New England Telephone Company with the additional landscaping as noted above; Mr. Johnson seconded, but noted that he did not know if the Town could put shrubs on private property. Mr. Brodeur said the homeowner could be asked. Ms. Craig said they would inquire as to any objections from the homeowner. All aye to the motion.

Mr. Johnson told Ms. Craig that, in the future, she will have to do her own research for abutters and Bell Atlantic will have to be charged for the Assessors' certifying the list.

8:00 p.m. - John Boczanowski and Linda Reynolds of the School Building Committee came to meet with the Board for an update of the Memorial School.  
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Mr. Boczanowski stated they had to fight to get some odds and ends finished with problems with sub-contractors., but alot had been done lately.

Mrs. Reynolds said the School Building Committee had their last meeting last week, but they want the job finished. She noted the steel railings had been a recent problem, with Mr. Boczanowski adding that Berlin Steel had redone some of the railings, but legal issues still remain. He noted some money was being held in escrow (\$180,000), but given time constraints, they have to work with the architect.

He also noted they don't have a clerk of the works, so questions fall onto the building administration, who don't know all the answers. Mrs. Reynolds agreed saying they need someone to oversee the last few items that need to be completed which is beyond what the Committee can do and the Clerk of the Works has gone on to another job. He had been hired through last July, and time was extended even then.

Mrs. Rozanski suggested Mr. Hartman check with Town Counsel about Mr. Boczanowski being the Clerk of the Works. Mr. Brodeur agreed there might be some problems, but noted with Mr. Boczanowski, no updating of the project would be necessary. Mr. Hartman said he would try and have an answer for June 8th. Mrs. Rozanski moved to defer this issue to Mr. Hartman for solutions and alternatives and report back to the Board; Mr. Johnson seconded; all aye.

8:20 p.m. - Arti Mehta came back to meet with the Board, so they took Action Item #5 out of order. Mr. Brodeur stated that Mrs. Mehta met with the JCRB to again request a step increase. Mrs. Rozanski noted that she and Mr. Dziczek were both present at this meeting when Mrs. Mehta asked about process and evaluation. The JCRB did not take action to approve, but did suggest a review after a majority of the Board of Selectmen had voted not to give her a merit increase. Mrs. Rozanski went on to say that the JCRB would like the whole process reviewed, and perhaps as a professional, should have a contract negotiated.

Mrs. Mehta said she was nowhere - not under policies and not under Union, but if she was under policies, then the JCRB form was to be used, but the Union form was used. A merit increase should follow. She said she has had only one merit increase since she has been employed; it needs clarification, and she feels she deserves it.

Mr. Brodeur commented that the scores given by the Selectmen weren't high enough for a merit increase as some members were less than satisfied. It's a different Board now, and possibly we should do the evaluation on the JCRB form. Mrs. Rozanski said she did not believe they could reverse the decision of a previous Board. She thought the Town Administrator could review all the processes and see if it was appropriate, as the Town Accountant has received the 4% that all non-contractual employees have received each fiscal year.

Mr. Brodeur noted how employers used to go to the JCRB and fight for a step increase for their employees, before the contract was signed. Mrs. Mehta said the JCRB felt she should go back to the Selectmen. With this, Mr. Brodeur felt if the incorrect evaluation form was used, then  
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possibly she was entitled to a reconsideration for the other form.

Mrs. Johnson stated the Selectmen should not act as an appeal board and do the JCRB's job for them. He also did not feel this Board should override another Board. Mr. Hartman noted the policies indicate that she could appeal to the JCRB, but they still sent her back here.

Mr. Johnson said he would be willing to review her, with the Town Administrator, if the incorrect form was used. He asked that Mr. Hartman check out her personnel file and they could act upon it next week. Mr. Johnson moved to have the Town Administrator review the file, and if any error was made in the evaluation form used by the Board of Selectmen, then they could give Mrs. Mehta further consideration, otherwise he did not feel it appropriate for the new Board members to evaluate her; Mrs. Rozanski clarified it was not an incorrect form, just a different one, but seconded Mr. Johnson's motion; Mr. Gildea was opposed as he did not feel it was right; 3-1-0. Mrs. Mehta noted the review time was 12/96 to 12/97. Mrs. Rozanski commented merit increases don't become effective until the following fiscal year for non-contractual, but on the anniversary date of contractual employees.

8:45 p.m. - Two members of the Idylbrook Committee, Al Magliaro and Fred Sibley, came to meet with the Board to provide them with an update of their progress of the Idylbrook property. Mr. Magliaro gave them the proposed plan noting they have already met with ConCom, who liked the plan, and they did file a notice of intent. He was pleased that the ConCom and the Idylbrook Committee were on the same page. Mr. Magliaro stated that Joan Rhobes, from the State, came and reviewed the plan as well, and she was impressed with the work that was done, notably by Fred Sibley and Ted Gay. He said that they have been working on an urban self-help grant for \$50,000 with a lot of the credit going to Paul Yorkis, Maryjane White, Ruth Allen and Virginia Calapa for helping get the grant out in time.

Mr. Sibley added that they spoke to the grant agency, got the criteria for the grant, and then passed that information on to the designer. Mr. Magliaro noted that Senator Magnani and Representative Gardner were also involved in the process. Mr. Sibley agreed with Mr. Magliaro that the State was pleased with the joint cooperative effort provided by all, including the Master Plan Committee. He stated that the designer is working on providing the specs so they can go out to bid soon. If all goes well, they are hoping for a mid-September final seeding so the fields would be available for use next spring or the following fall. Mr. Sibley said they would like to get a well there for irrigation, and they might need a three-phase pump, but would check with Boston Edison.

Mr. Brodeur extended his thanks to all for the work on this project as well. Mr. Sibley said he would provide a list to the Town Administrator of all who assisted, including the various sports leagues. Mrs. Rozanski thought a press release would be good.

9:05 p.m. - Dawn Boyan came to meet with the Board concerning her request to be appointed to the Finance Committee. She stated she had been liaison to the FinCom from the School Committee, and now that she is no longer on the School Committee, wants to do something else. To the Board's concern, she said she would not just look at the School Department's budget, but  
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all departments overall. Mrs. Boyan did comment that she did not feel there should be a separation between town and school budgets, and would try to be open-minded. She would not serve on a sub-committee of the FinCom to the schools.

Mr. Johnson said he had suggested last week that those requesting appointments to committees should speak to the chairmen of those committees first, and recommended it be a policy to do that in the future so the Board could make an informed decision with the Chairman's recommendation being noted.

Mrs. Rozanski moved to appoint Dawn Boyan to the Finance Committee through June 30, 1999; Mr. Johnson seconded; all aye. Mr. Johnson asked Mr. Hartman if Phyllis Marshall, who was appointed to the FinCom last week, was his wife. He stated it was, and according to Town Counsel, it was not a conflict.

9:15 p.m. - Administrator's Report.

- Mr. Hartman brought up correspondence from a resident on Main Street. He stated he spoke to Town Counsel about that individual's concerns and noted there may be possibly two others with similar problems. The area will be looked at with possibly some remedial work costing maybe \$100 - \$250 per driveway.

- Mr. Hartman discussed the potential drainage problem at the Senior Center, and noted the Building Inspector and the Interim DPS Administrator had already walked the area with the architect and offered a solution which he believed was not put in place. He did not know if the Senior Center Building Committee was aware of this, but would report back further at a later date.

- Mr. Hartman said a letter had been sent by a citizen who asked that the Town look at how we fly our flag. He said the resident stated it is to be taken down every day or illuminated; at Town Hall, for example, it is up 24 hours a day and not illuminated.

Mr. Johnson felt it was easier to take down than go to the expense of illumination. Possibly, this could be a task for a senior citizen under the tax relief program. Mr. Hartman said he would bring this up with Joe Hoban. Mr. Johnson asked that a letter be sent to Mr. Godwin letting him know that action was being taken.

- Mr. Hartman brought up the MMA action bulletin concerning utility street cuts from municipalities. He said Mr. Henry was preparing pertinent information on the subject and passing it on to the DTE. Mr. Hartman noted if the Board had any response they wanted to pass on to the Department of Public Utilities concerning the same above subject to contact them by June 3rd.

- Mr. Hartman brought up the subject of Friday hours, noting the different elected offices that have decided to close early on Fridays during the summer.

Mrs. Rozanski said, as the town grows, we need to provide services to the people. She asked if it  
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was appropriate to close early on Fridays while still trying to provide those services to the people? Mrs. Rozanski had a concern about the 40-hour work week, but Mr. Hartman stated if there is no specific language in the contract, then the wage and hour law prevails and anything over 8 hours may be time-and-a-half. Mr. Hartman clarified that this was true regardless of the 40 hours; people were making up the time. Mrs. Rozanski said she would like to see a copy of that law.

Mr. Brodeur asked, as the negotiating Board of the contract, could they request a change in the contract? What if the Board allows a change for all Boards and all employees all year long to end work on Fridays at 1:00 p.m., and working late one night a week, everyone working the same hours? Mr. Hartman noted there was no flex time in the contract. Mr. Johnson felt that was an attempt at trying to micromanage Town Hall, and the closing of Fridays during the summer has been done for the last ten years. Mrs. Rozanski stated, however, that the Board of Selectmen has the right to set the hours for Town Hall. Mr. Johnson commented that he had never heard anyone voice a complaint about the Town Hall not being open on Friday afternoons.

Mr. Hartman went back to his memo indicating the intent was to inform the Board that they were either violating the Union contract, or the Town was violating the wage and hour law, and it does not become an issue until an employee makes an issue, or an audit is performed on them. Mr. Hartman told the Board the only ones in Town Hall on Friday afternoons was the Selectmen's Office and the Town Accountant. Mr. Brodeur still felt talking to the Union and setting a policy was the answer. Mr. Hartman reiterated there was no flex time language.

Mr. Johnson went into another personnel issue stating the Town Administrator should not be doing the evaluations of the supervisory staff and this should be changed. Mr. Brodeur felt that changes would lose some of their bargaining ability, but this prompted Mr. Johnson to feel the Union was in charge and not the Selectmen, and to let the boards run their own boards, and not the Selectmen.

Mrs. Rozanski moved to authorize Mr. Hartman to consult with labor counsel on this issue, also asking that the Board be supplied a copy of the references in the Law; Mr. Gildea seconded; 3-1-0 with Mr. Johnson voting in the negative. Mr. Hartman noted this was not an issue until they had a contract; before that, past practice was followed. Mr. Johnson added the public was notified of the change in hours, and some people are already working over 8 hours.

- Mr. Hartman brought up the adoption of a deferred comp plan, which he stated he has utilized in the past. The ICMA Retirement plan is on the State list, and all employees would be afforded the same opportunity to join. He noted the Town retains ownership of the funds in trust until they retire and draw upon the funds; it is not a pension fund. Mr. Hartman noted this is different from a 401K which is owned by the employee, and which includes a sizable amount put in by the employer. He noted that there will be a posting for employees and sessions will be held on this plan #IRS457. Teachers cannot participate in this plan.

Mrs. Rozanski moved that the Board adopt the resolution to adopt the ICMA Retirement Corporation Deferred Compensation Plan and Trust as presented by Mr. Hartman this evening;  
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Mr. Johnson seconded; Mrs. Rozanski amended the motion to include a number of #4693 for identification purposes only, and authorize the Chairman to sign; Mr. Johnson seconded; all aye.

10:05 p.m. - No committee reports.

- Mr. Johnson noted that he and Mr. Gildea, to get a better insight of the Department, toured the Fire Station with the Fire Chief and noted his concerns. This coming Thursday, they would be doing the same at the Police Station with the Police Chief.

- Mr. Johnson brought up the space allocation issue at Town Hall, and commented he had not received any correspondence or answers yet. Mr. Brodeur suggested the plan be reviewed between the Assessors and Mr. Hartman and try to have it resolved next week.

- Action Items.

- #1. The Board acknowledged receipt of the site plan for Timber Tree.

- #2. Mrs. Rozanski moved approval of the minutes of May 4th; Mr. Brodeur seconded; Messrs. Gildea and Johnson abstained; 2-0-2.

Mr. Johnson moved approval of the minutes of May 11th; Mrs. Rozanski seconded; all aye.

Mrs. Rozanski moved approval of the minutes of May 18th; Mr. Gildea seconded; all aye.

Mr. Gildea moved approval of the minutes of May 26th; Mr. Johnson seconded; Mrs. Rozanski abstained; 3-0-1.

- Mr. Gildea brought up the issue of sidewalks between Lovering Street and Lovering Heights. It was suggested this be brought up next week.

- The warrants were signed.

- #3. Mrs. Rozanski moved to approve petition #97-06 as submitted by New England Telephone Company and Boston Edison for the joint ownership of poles #7, 8, 9, 13 and 14 on the southerly side of Puddingstone Lane; Mr. Johnson seconded; all aye. It is noted no public hearing is required as it is an existing pole with no new changes.

- #4. The Board signed the appointment slip of Harry Johnson to the Norfolk County Advisory Board.

- #6 The announcement was made that Rep. Gardner was presenting a tree to Medway and planting it at the Senior Center on June 4th at 9:30 a.m.  
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- 7. Mrs. Rozanski moved to approve the recommendation of the Treasurer/Collector and appoint Barbara Walls Assistant Treasurer from May 9, 1998 through May 7, 2001; Mr. Gildea seconded; all aye. Mr. Johnson commented that there should have been more backup with the recommendation as required by Law. Mr. Hartman was asked to check into that.
- The Tri-County appointment slip of Robert Heavey as representative was already signed by Richard Maciolek as Town Moderator and Steve Barrasso as School Committee Chairman, and just needed the signature of Selectman Chairman James Brodeur. Mrs. Rozanski moved approval of the appointment of Robert Heavey as Tri-County School representative from June 30, 1998 through June 30, 2001, and authorize the Chairman to sign; Mr. Brodeur seconded; all aye.
- 8. The Board brought up the letter from the Park Commissioners dated May 20th. Mr. Brodeur noted they were not asking for any action, but requesting the Board consider what procedures need to be put in place to begin the process to have the DPS Administrator take over the Park Department employees.

Mr. Johnson agreed it was time this got straightened out and stated no one had the right to change the by-laws of the Town for a contract. Mr. Gildea believed this had been given back to the Park Commissioners for handling through their policies. Mr. Brodeur said this subject has been brought up before.

Some confusion was noted on DPS vs. DPW. Mr. Hartman clarified you have to have an elected public works commission in order to have a DPW. Mr. Johnson noted the by-law has to be changed for this to occur and felt it had been tried several times unsuccessfully.

Mrs. Rozanski questioned if the Park Commissioners set policy, could the Board of Selectmen enforce them? It was felt this was not the way to go, and more information was needed, for example, what was the employee's infraction that prompted the letter? But Mrs. Rozanski queried why the Park Commissioners did not ask the Selectmen to take disciplinary action. Mr. Brodeur disagreed saying the Board should not be employee administrators. Mr. Johnson asked for a copy of any previous communication sent by the Commissioners relative to this subject. Mrs. Rozanski asked if putting the Park Department employees under DPS required Town Meeting action? Mr. Brodeur agreed and wanted to know the process for the Park Commissioners to do what they want to do and maybe discuss next week. Mrs. Rozanski felt the wording was government restructuring.

Mr. Hartman concluded their questions included: does it require Town Meeting action; does it need to be on the ballot; could all pertinent boards jointly form an agreement with the Selectmen; what are our options? He would get answers through Town Counsel if necessary.

- Mr. Gildea said he would go the Water/Sewer public hearing the next evening at the Library on the Longmeadow issue.

- The Board approved the liaison listing as typed.
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- The Board received copies of the articles submitted for the Special Town Meeting on June 29th. Some concern was noted over who could sponsor an article for the warrant, and Mr. Hartman said he would check. He was also asked to check with Town Counsel on the two citizens petitions submitted to see if they required a public hearing and was there time to still have that hearing. Mr. Brodeur commented that the Planning Board is to have a public hearing on any zoning by-law change, whether it is a citizens petition or not.

11:10 p.m. - Mrs. Rozanski moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved  
6/22/98*

MINUTES OF THE SELECTMEN'S MEETING  
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Present: James Brodeur, Harry Johnson, Richard Gildea, Joe Dziczek, Mike Hartman.

9:05 p.m. - Mr. Brodeur called the meeting to order.

Chairman Brodeur reported that the Planning Board, by unanimous voted, had approved the Cybex site plan.

A brief presentation was made by Ken Bancewicz of Cybex and Julius Diogenes of CDW Consultants regarding the site plan.

Also present was Paul DeSimone of the IDC who indicated that the IDC was in support of the project.

Mr. Johnson moved to approve the site plan as recommended by the Planning Board; Mr. Gildea seconded; all aye; 4-0-0.

- Warrants were signed totalling \$835,399.65.

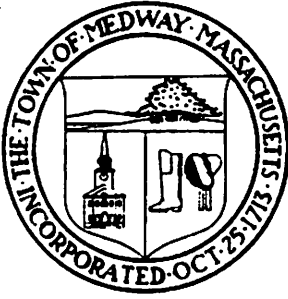
- At Mr. Brodeur's request, Mr. DeSimone briefed the Board regarding the potential move of Holmes Products Corporation to the Industrial Park .

9:32 p.m. - Mr. Dziczek moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

Michael Hartman  
Town Administrator

*over*  
6/11/98



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

### AGENDA

**Michael J. Hartman**  
**Town Administrator**

**MAY 18, 1998**

***Location: Sanford Hall of Town Hall***

7:00 p.m. - Open meeting, sign warrants.

7:05 p.m. - Public comments.

7:15 p.m. - Administrator's report:  
- Communications  
- For your information.  
- Other.

7:30 p.m. - Review of liaisons to various boards and committees.

7:45 p.m. - Industrial Development Commission.

8:00 p.m. - Candidates for appointment:  
- Stephen Forbes  
- Jill Rubin Myers  
- Phyllis Marshall

8:15 p.m. - John Boczanowski, Chairman School Building Committee.

8:45 p.m. - Committee Reports.

9:15 p.m. - Action Items.

**ACTION ITEMS:**

1. Review of submitted definitive and preliminary sub-division plans, and site plans including: Redgate II, Cider Mill IV, Broad Acres, Sprint Spectrum, Forest Edge and Cybex.
2. Discussion of Medway Restaurant's application for Keno license.
3. Discussion of emergency transfer for Town Accountant.
4. Discussion of executive session minutes not approved.
5. Review of the handling of appointments due to expire at end of June.
6. Approve minutes of May 4, 1998.

MINUTES OF THE SELECTMEN'S MEETING  
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Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman.

- 7:03 p.m. - Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall.
- Warrants were signed totalling \$504,534.48.
- Mr. Brodeur stated this was a time for public comments if anyone wished to speak.
- Mr. Donald Hovey of Keystone Liquors, 88 Main Street, stated he was aware that Medway Restaurant had applied for a Keno license. He said that two years ago, Keystone Liquors had applied for and been denied a Keno license because it would cause customer congestion and the age group was not allowed in the establishment. He did not feel Medway Restaurant was any different, and if the Board wanted to approve a Keno license, they should be allowed to be approved first.
- Barry MacDougall noted the room the Board was meeting in discouraged public participation and there should be better seating arrangements.
- 7:10 p.m. - Mr. Hartman brought up the Town Hall renovations in his Administrator's Report. He said there was no activity for a week as the inmates were sent to another location, but hoped to be back the next day. They would be finishing up the second floor in about two to three weeks once they returned, and then hopefully start work on the first floor. Mr. Hartman noted that the Treasurer/Collector's office would have to move upstairs to Sanford Hall once renovations began, but he was working on their need for security.
- The Board proceeded to discuss the different liaison positions they wished to have. A copy of the proposed listing is attached to these minutes.
- 7:30 p.m. - In jumping ahead to Committee Reports, Mrs. Rozanski noted the different conferences and meetings coming up:
  - Norfolk County Selectmen's Association meeting on June 4th at the new Avon Town House in Avon. Mrs. Rozanski will be attending; the other Selectmen were not sure.
  - MMA's joint conference with Selectmen, Aldermen and Councillors at the Sturbridge Host Hotel on June 19th and 20th. Mrs. Rozanski will be attending; the other Selectmen were not sure.

With regard to payment, Mr. Hartman suggested paying in advance and then getting reimbursed.

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- Mr. Johnson brought up the Electric Utility Deregulation workshop being held at the Ramada Inn in Auburn on June 8th. He believed he would attend, and also encouraged the public to attend - the more people there from one Town, the better rate we could get. He asked Mr. MacDougall to think about going, but he had a previous commitment. Mr. Brodeur suggested paying for one registered voter to attend; this was so moved by Mr. Johnson; Mrs. Rozanski seconded; all aye.

- 7:45 p.m. - Members of the IDC Paul DeSimone and Paul Mitchell came to meet with the Board. Mr. DeSimone summarized what had been going on for the past couple of weeks. He began with the opening of the bids on May 4th, at which time the bids were turned over to the Consultant.

Mr. DeSimone stated that Paul White was there that evening to meet with the Board after the opening of the bids, but the members of the IDC did not stay for that part of the discussion. He said that on the following Wednesday, the IDC met and reviewed the plan proposed by Mr. White. After looking at the plan, the IDC voted to go with the recommendation of Mr. White.

Mr. DeSimone did not have kind words for Mr. White, noting he had time since Mr. Brodeur wrote him in February to send a plan in. He did say he had received a phone call from an attorney on behalf of Mr. White and felt there was a possible threat of litigation if the Town was doing business on private property.

With regard to street acceptance, the Board explained why they went to 0+80; they just accepted what they needed to finish the project; they did not want to go to the bridge. Mr. Brodeur said they could modify the intersection, but not the footbridge. He felt that either intersection (proposal A or B) could be incorporated. Mr. DeSimone felt the acceptance should have been 660 feet, not 80 feet. Mr. DeSimone said they were protecting the residents with B; there is no buffer with A, and the residents felt good in December with the sweeping curve. He did not think Mr. White was giving the Town anything. Mr. Mitchell concurred with Mr. DeSimone that they were concerned with what the Alder Street residents' needs were. Again, Mr. DeSimone said that the IDC voted to go with plan A on the assumption the footbridge was not built, and if it was built, it was not for \$40,000.

This prompted discussion on the need for a footbridge, and Mr. DeSimone noted there were wetlands there. He again said they were running out of time, and the IDC voted to go with the proposed plan, but Mrs. Rozanski said they need a sidewalk. Mr. DeSimone wanted to know what the Board was going to do.

Mr. MacDougall commented that it sounds as if Kiewit was going to pay for the original footbridge, and now it might not be needed. Mr. Brodeur suggested going back to the original subdivision definitive for Lost Hills.

It was suggested to delete from the work the \$40,000 for the footbridge, and make the developer do what he was contracted to do, i.e. the wooden footbridge, and if need be, think of

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upgrading the bridge in the future. Mr. DeSimone said, if that takes the responsibility off the Building Inspector's back, fine. Mr. Brodeur noted that using a sidewalk plow on the bridge was a problem and the reason for the upgrade. Wetlands were again brought up, but a look at the plan failed to reveal any. Mr. Brodeur thought there was wetland fill. At this point, Mr. Brodeur recommended going with the original plan. The Board agreed going with the proposal plan B, and discussing the situation with the Building Inspector.

Mrs. Rozanski moved to direct the Building Inspector to allow the developer to complete the project as originally designed and as stamped by the Engineer, and to so advise Paul White and the Planning Board; Mr. Johnson seconded; all aye.

It was the Board's opinion that if that section of Town needs to use a sidewalk plow, that we, as a Town, would have to pay for that upgrade.

Mrs. Rozanski said the second issue was the acceptance of the road, and the footbridge needs to be completed for the Board to still consider this for the future.

Mr. DeSimone noted that Cybex is estimating that the future holds a \$3 million business. He also added that another business, Holmes, was looking for 30 acres - 10 acres alone for the building area, and Gino was talking to them. Holmes would bring 275 employees; Cybex 400 employees before the year 2000.

With reference to DCI, Mr. Hartman said he was talking to them about the contract, and the pre-construction conference will be set up when the contract is signed and the bond and insurance received.

- 8:35 p.m. - Three candidates for appointment to the FinCom and to possibly other committees came to meet with the Board. Present were Stephen Forbes, Jill Rubin Myers and Phyllis Marshall.

Mr. Forbes stated he had lived in Town for seven years, wanted to get involved with the community, and was advised to start with the FinCom. Mr. Dzikczek, as a former member, gave a brief overview of what the FinCom's responsibilities were.

Ms. Marshall said she had an extensive background in budgeting and government-related work in Rhode Island.

Ms. Myers stated she wanted to stay involved in local government as she was in California.

They were all registered voters.

Mr. Johnson suggested the Board or Committee that individuals would be serving on also be part of the interview process. Mr. Johnson moved all three be appointed to the FinCom; Mr. Gildea seconded.



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Mrs. Rozanski moved Ms. Myers be appointed to the FinCom through June 30, 2000; Mr. Dziczek seconded; all aye.

Mrs. Rozanski moved Ms. Marshall be appointed to the FinCom through June 30, 2001; Mr. Dziczek seconded; all aye.

Mrs. Rozanski moved Mr. Forbes be appointed to the FinCom through June 30, 2001; Mr. Dziczek seconded; all aye.

It was noted the FinCom's next meeting was June 10th.

- 8:55 p.m. - John Boczanowski was scheduled to meet with the Board at 8:15 p.m. for an update on the new school, but a previous commitment at another meeting made it necessary that he leave. Dave Verdolino had come along for additional input so the Board asked him to join them.

Mr. Hartman noted there was a pending change order for the school building committee for \$31,604. Mrs. Rozanski asked if the subject had been resolved with the Town Accountant? Mr. Hartman said subsequent funding had been approved at Town Meeting, but the Treasurer was waiting for an opinion from bond counsel.

Another change order for \$3,386 was brought up for jacks and video connections, which Mr. Hartman said was not part of Stella's contract, but was a part of the overall contract. This amount would be coming out of a different budget line item. He noted they were down to the last \$5,000 of the original \$10 million.

Mr. Verdolino explained change orders were not bills, but an authorization to proceed with changes in work as approved by the architect to the Committee. He said Valley would like to be paid, and it would come out of the original funding.

Mrs. Rozanski moved to approve the change order for Valley for \$3,386 dated February 17th; Mr. Johnson seconded; all aye.

With reference to the other change order, Mrs. Rozanski questioned if they could sign it contingent upon a positive bond counsel response; however, Mr. Brodeur noticed that the Town Accountant had not signed it ascertaining the funds were available.

It was then decided to table the issue of the change order until June 1st when Mr. Boczanowski would be asked to return.

- 9:15 p.m. - Committee Reports continued.

- Mrs. Rozanski reported on various meetings attended; passed on EMS 2000

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legislation; noted an on-going discussion with the MMA executive board concerning road reconstruction projects having to have bicycle paths on Chapter 90 projects; that the State has surplus dollars for community networking to hook up everyone to internet.

- Mr. Brodeur reminded all of the Memorial Day parade on Monday, May 27th.
- Action Items.

#1. Planning Board plans and hearing dates were noted. With reference to Redgate II, Mr. Johnson said that the property has not been taken out of 61A yet, so the Town could still pursue it if they wanted to. Mrs. Rozanski brought up receipt of the revised site plan application process, and wondered if an additional public hearing was needed on the amendments. Mr. Brodeur agreed that it could require an additional hearing. Mrs. Rozanski said when she looked at the original and revised process, there did not seem to be much difference. Mr. Hartman said he would check into the need for an additional public hearing and what exactly was amended.

#2. Mr. Brodeur brought up the Keno license of Medway Restaurant. Mr. Johnson noted Mr. Hovey's concern earlier that they had requested a Keno license first and consideration should be given to them, or show just cause to object. Mr. Johnson moved the Board hold a public hearing as they might object and want to claim its right to a hearing before the MSLC within 21 days of receipt of the letter from the Mass. State Lottery Commission, which was received in the Office on May 4th; Mrs. Rozanski seconded; all aye except for Mr. Gildea who was opposed; 4-1-0. The public hearing was set for June 8th at 7:05 p.m.

#3. The subject of an emergency transfer for the Town Accountant was brought up. Mr. Hartman explained this was to cover the cost of a temp while she is seeking a Financial Assistant, and the funding cannot come out of salary, but out of expenses. Mr. Johnson moved to approve the emergency transfer to the FinCom for the Town Accountant for \$5,000; Mrs. Rozanski seconded; all aye.

#4. Executive session minutes not approved were brought up. Mr. Hartman felt they were not open issues, except maybe one. Mrs. Rozanski moved approval of the executive session minutes of April 22nd, August 4th, September 8th, September 22nd, November 3rd, November 10th, November 17th, and November 24th, 1997, and all to be released except for September 22nd; Mr. Brodeur seconded; the other three Board members abstained; 2-0-3. It is noted for the record that a majority of the Board members present at the Executive Sessions were approving the minutes.

#5. The Board discussed the appointments that expire at the end of June. The Secretary explained the various methods of contacting individuals to see if they wished to continue or not. Mrs. Rozanski felt there should be some contact, either verbal or written. At first, the Board thought they could split the list up among the liaisons, but then they noticed there were some people up for re-appointment that had no liaisons.

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Mr. Johnson asked if anyone had ever sent out letters of thank you or appreciation, and if not, they should. Mr. Brodeur agreed and suggested a certificate be sent out, but to leave it in the hands of Mr. Hartman. Mr. Hartman said certificates of appreciation could be done, and attach a letter asking if they wish to continue to serve or not, and to let the Office know. It was agreed the Chairman and the Town Administrator could sign the certificates.

#6. The minutes of May 4th were brought up for approval. Mrs. Rozanski and Mr. Brodeur thought they had already been approved on May 11th.

- 10:00 p.m. - Mr. Johnson moved the meeting be adjourned; Mrs. Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*signed*  
6/1/98

MINUTES OF THE SELECTMEN'S MEETING  
MAY 11, 1998

Present: James Brodeur, Raphaela Rozanski, Harry Johnson, Richard Gildea, Town Administrator Michael Hartman.

6:03 p.m. - Meeting was called to order by Mr. Hartman in Room 111 of Medway High School.

- The first order of business was the reorganization of the Board. Mrs. Rozanski nominated Mr. Brodeur as Chairman; Mr. Gildea seconded; all aye. There was no discussion, no other nominations; no abstentions. Mr. Brodeur is Chairman.

- Mr. Brodeur asked for nominations for Vice-Chairman. Mr. Gildea nominated Mrs. Rozanski as Vice-Chairman; Mr. Johnson seconded; all aye. Mr. Brodeur moved nominations be closed; all aye.

- Mrs. Rozanski nominated Mr. Johnson as Clerk. Mr. Johnson stated he would prefer that soon-to-be sworn in Selectman Joe Dziczek be nominated as Clerk; Mr. Gildea seconded; all aye. Mr. Brodeur moved nominations be closed; all aye.

- The Board discussed the IDC's recommendation to award the Alder Street contract to Bardon Trimount. Mr. Brodeur noted that the Board can award to the low bidder subject to further discussions.

Mrs. Rozanski moved to accept the IDC's recommendation to award the Alder Street contract to Bardon-Trimount subject to negotiations; Mr. Gildea seconded; all aye.

- Warrants were signed totalling \$743,266.27. A reminder to the Town Accountant to add two additional lines to the warrant.

- The Board acknowledged a request from the Town Accountant for an emergency transfer for \$5,000 to cover the cost of a temp while she searched for a Financial Assistant. This was asked to be held over until next week.

- Mr. Johnson noted two errors he had discovered in the FinCom report.

- Mr. Johnson said that tonight was Dick Maciolek's 25th annual town meeting, and some residents of the Town were going to make a presentation prior to the ATM.

- Conversation again went back to Alder Street and Trotter Drive, and Mr. Brodeur asked Mrs. Rozanski to update the Board members on the Trotter Drive street acceptance problem. She explained that Town Meeting needs to accept Trotter Drive in order to proceed with the Alder Street contract. She added that a sidewalk - the "footbridge" - goes over a small section of wetlands. Unfortunately, there are no members on the Planning Board now that were a part of the decision-making process at that time for the definitive sub-division plan. She noted that the grant does not cover the footbridge. It was further stated that Vinnie Boczanowski, the developer of

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Lost Hills, will not put up a bond. Mr. Johnson did not feel it mattered who was on the Planning Board then or now; they inherit what was agreed upon.

Mr. Brodeur said that Trotter Drive had no residential area previously. Then Lost Hills came in with the residents which brought kids walking to the bus stops. They are now walking on an industrial road crossing an industrial crosswalk to get to the other side. It was stated that they needed a sidewalk, so then the footbridge came into the picture with an estimated cost of \$10,000. He continued on saying that the Board of Selectmen was not comfortable with that and wanted concrete. Mr. Brodeur said he felt the Lost Hills development is responsible for part of the cost; at least the \$10,000, and the grant could take care of the deck and railing for \$15,000 - \$20,000.

Mr. Johnson stated that the plan was approved with the covenant for the footbridge for \$10,000 - \$15,000, and the developer understood this. Vinnie Boczanowski should be held to this. Mr. Brodeur commented they need the funds from both sources.

Mrs. Rozanski added that there was no bond posted. If we accept the road, we accept all the problems. If we don't accept Trotter Drive, we can't proceed. Mr. Hartman reminded them Kiewit owns Trotter Drive. Mrs. Rozanski added that they cannot proceed until the Town owns that section of Trotter Drive. If we accept that section of road, then they can continue negotiating until the Special Town Meeting in June.

At first Mr. Brodeur suggested accepting the first 150 feet, and do the balance at the June Special; He then added that the IDC wants to build the intersection; the bridge could be put off as separate, so they could accept that portion of the street, not including the footbridge.

- This subject was held off for a short time so other items could be discussed.
- Mr. Johnson moved to set a Special Town Meeting for June 29th; Mrs. Rozanski seconded; all aye.
- Mr. Johnson moved to open the warrant this evening and close the warrant on May 29th at 4:00 p.m.; Mrs. Rozanski seconded; all aye.

6:35 p.m. - Mr. Dzikczek came into the meeting stating he was now officially a Selectman.

- At this time, Mrs. Rozanski said that the Planning Board had voted not to accept any streets on the Town Meeting warrant, so conversation went back again to Trotter Drive. In looking at the Alder Street plan, Mr. Brodeur determined that 150 feet would encompass the intersection, so he felt the area for acceptance should be from the sideline of Alder Street as point 0+00 to 80 feet south. This would not include the footbridge, but allow the work to be done; either Kiewit's proposal or the original proposal. The Board agreed with Mr. Brodeur's suggestion.

- Mr. Brodeur reminded the Board to look over the liaisons listing.

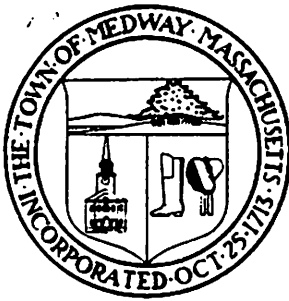
MINUTES OF THE SELECTMEN'S MEETING  
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6:45 p.m. - The meeting was adjourned to the Special Town Meeting.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Reviewed  
4/11/98*



## BOARD OF SELECTMEN

155 VILLAGE STREET

MEDWAY, MASSACHUSETTS 02053

(508) 533-3200 • FAX: (508) 533-3201

***Michael J. Hartman***  
***Town Administrator***

### ***AGENDA***

***MAY 4, 1998***

***Location: Sanford Hall of Town Hall***

7:00	Open meeting, sign warrants, approve minutes of 4/29.
7:05	Open bids for Alder Street project. —
7:30	Paul White from Kiewit.
7:45	Evaluation of Jean Masnik, Assessor's Office.
8:00	Scott Power re: site plan approval.
-----	Committee Reports.
-----	Administrator's Report.
-----	Action Items.

**ACTION ITEMS FOR SELECTMEN'S MEETING:**

1. Appointment of James Mucci to ~~IDC~~ *Master Plan Committee*
2. Sign proclamation for VFW.
3. Discuss change order for school building committee.
4. Acknowledge site plan application for Sprint (tentative).
5. Approve extension of Ben Franklin site plan application.



**MINUTES OF THE SELECTMEN'S MEETING  
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**Present:** James Brodeur, Raphaela Rozanski, Town Administrator Michael Hartman, Selectman Douglas Downing was absent.

**7:05 p.m.** - Mr. Brodeur called the meeting to order in the Sanford Hall of Town Hall.

- Mr. Brodeur read the ad that appeared in local papers concerning the opening of bids for the Alder Street/Trotter Drive construction project. Sixteen contractors took out plans and specs (copy attached); eight bids were received from the following :

- Bardon Trimount of Stoughton; pre-qualification certificate included; 5% bid bond; addendums 1, 2, 3 and 4 acknowledged; \$769,806.50.

- I. W. Harding of W. Bridgewater; pre-qualification certificate included; 5% bid bond; addendums 1, 2, 3 and 4 acknowledged; \$891,153.00.

- LAL Construction of Fall River; no pre-qualification certificate included; 5% bid bond; addendums 1, 2, 3 and 4 acknowledged; \$822,935.00.

- Mario Susi of Dorchester; pre-qualification certificate included; 5% bid bond; addendums 1, 2, 3 and 4 acknowledged; \$1,018,402.25.

- Tro-Con of Woburn; pre-qualification certificate included; 5% bid bond; addendums 1, 2, 3 and 4 acknowledged; \$1,030,574.00.

- ET&L of Stow; pre-qualification certificate included; 5% bid bond; addendums 1, 2, 3 and 4 acknowledged; \$959,443.00.

- Lorusso of Plainville; pre-qualification certificate included; 5% bid bond; addendums 1, 2, 3 and 4 acknowledged; \$915,446.70.

- Pavao of Dighton; pre-qualification certificate included; 5% bid bond; addendums 1, 2, 3 and 4 acknowledged; \$792,705.00.

As the apparent low bidder was Bardon-Trimount, Mr. Brodeur went over the individual costs that comprised their bid, including \$40,000 for the footbridge.

Mrs. Rozanski moved to take the bids under advisement and to turn them over to the IDC for their review and recommendation; Mr. Brodeur seconded; all aye.

**7:35 p.m.** - Mr. Brodeur asked for a half-hour recess.

**8:05 p.m.** - The meeting was continued.

- Paul White, Corporate Real Estate Manager for Kiewit, asked to meet with the  
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Board concerning proposed changes at the Trotter Drive and Alder Street intersection. He, first of all, detailed that Kiewit was a 100 year old nationally-based company specializing in transportation, highway projects and the building of tunnels and roads. He introduced Mark Campbell, the area District Manager, who had accompanied him.

Mr. White stated that they had been in New England a number of years and had built their main headquarters in Medway in 1993. He commented on the amount of money spent on improvements and passed aerial photographs of the property on to the Board, noting United Metro owns 25 acres of undeveloped land. He stated that the road was built at their own expense back then, and in 1996, the road was extended for access to the 7-8 residential homes that were built.

Mr. White expressed his concern about traffic flow, damages to improvements and their facilities and the intersection being placed on a curve. For those reasons, they came up with an alternative proposal which he wanted to present this evening. He stated that proposal B was the design out of the specs; proposal A is what he was presenting (copy attached). Mr. White said the proposal still has the sweeping curve, but would now be a straight run to Kiewit, without changing the Alder Street cul-de-sac. This proposal also eliminates the intersection being on a curve while utilizing their existing infrastructure. He asked that the Board consider this proposal.

Mr. White said if the Board wondered why he did not speak sooner, he stated he assumed Alder Street would be improved since Paul DeSimone had called asking for their cooperation. They asked for designs in October and November and never got notice of the discussion in December, then they got the plans in Omaha in January. Kiewit feels this proposal is a fair compromise design, but he did not know why they were not involved and feel they should have had a chance to speak on this last Fall.

When Mrs. Rozanski asked Mr. White if the proposal closed off Alder Street, he stated it still provided for emergency access. She also asked about the buffer zone, and Mr. Brodeur felt that some trees would have to be relocated. Mr. White stated that it was redesigned with a minimum amount of disruption. Mr. Brodeur felt it was a great compromise. Mrs. Rozanski asked if the proposal should be given to the IDC? She didn't know what could be done as Town Meeting had already voted.

The acceptance of Trotter Drive at Town Meeting was also brought up. Paul Yorkis, who was present, said he spoke to Lee Henry and Bob Power and asked them if there was any problem or reason, other than the footbridge, why Trotter Drive could not be accepted to the end. Both said there was no other reason. Mr. Brodeur said if Trotter Drive is accepted to any point, there are funds that were included in construction for the footbridge.

Mr. Yorkis felt that the Town had a dilemma. The Planning Board approved the plan with the footbridge in the design. Mr. Brodeur thought that the design for the footbridge was for foot traffic only; now it has concrete footings and an estimated cost of \$40,000 where originally it would have cost maybe \$10,000. Mr. Yorkis stated that the Building Inspector had said it had to have the concrete footings to handle the possibility of Town vehicles for plowing, and would not

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issue a permit for the original design.

Mr. White went on to further say that the road originally was a driveway for Kiewit; now there are families there. He did not feel it was right for others to use the driveway they built; easements may be needed, and he would like to see it be a Town road.

Mrs. Rozanski again suggested turning this over to the IDC, and then to Mr. Hartman to review some processes. She felt that proposal A needed to be reviewed to see if it could be done; if a further public hearing was needed; if they have to go to Town Meeting with other articles; since it was grant money, does that affect anything; and how much would this proposal cost. Mr. Brodeur noted they have 20 days to award the bid.

8:45 p.m. - Assistant Assessor Paul Keefe was present to go over the evaluation of Jean Masnik. Mr. Keefe also gave the Board a memo from the Board of Assessors concerning Mrs. Masnik's performance. He noted her cooperation when his Secretary left employment with the Town, and she had to assume some of those duties in the interim.

Mrs. Rozanski moved to approve the evaluation for Jean Masnik with 45 points, and approve the merit increase; Mr. Brodeur seconded; all aye.

- Warrant #45 was signed totalling \$282,760.96.

8:55 p.m. - Scott Power was present to go over his site plan as it had been determined that the premises were in a residential area and, therefore, needed the Selectmen's approval on his site plan. He stated that any cleanup would probably be done by Lakeshore Environmental after a proposal and recommendation by DEP, but he was still taking bids. Mr. Power noted that most toxins have decreased over the years.

Mrs. Rozanski added the Board's support to his endeavors. Mr. Power noted that Summit Bank would be financing the entire process and clean up. Mr. Hartman said that the Town needs an easement from Mr. Power or we can't get to our property, and Mr. Power added that he needs an easement from Mr. Caton as well. He felt that Mr. Caton would be supportive as he was in favor of cleaning up the area, and was the only residential abutter. Mr. Power also stated that he has spoken to the Cemetery Commissioners, and they will be putting up a fence while Mr. Power provides a buffer. He said he has gone to the ZBA and has his special permit; there were no objections.

Mrs. Rozanski moved to approve the site plan subject to Mr. Power giving the Town an easement to the Town's property; Mr. Brodeur seconded; all aye.

- Action Item #1. Jim Mucci said he did not know he had been appointed to the Master Plan Committee as the IDC rep, so the Board was asked to re-vote. Mr. Brodeur moved to appoint Mr. Mucci to the Master Plan Committee as the IDC rep; Mrs. Rozanski seconded; all aye.

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- Action Item 32. The Veterans of Foreign Wars asked that the Board sign a proclamation on their behalf for their annual buddy poppies drive. Mr. Brodeur moved the proclamation be signed; Mrs. Rozanski seconded; all aye. It will also be signed and attested by the Town Clerk.
- An additional change order for the new Memorial School was received by the Board for their review and consideration. Mr. Hartman stated that both change orders were being reviewed by himself and the Town Accountant. At this point, it seemed as if there were insufficient funds to cover the change orders.
- Action Item #4. A site plan application submitted by Sprint was received by the Board. It was noted they wish to tear down their 134' tower and replace it with a 140' tower. The Board had some questions, but at this time, Mrs. Rozanski moved the site plan for Sprint Spectrum at 113 Main Street be acknowledged; Mr. Brodeur seconded; all aye.
- Action Item #5. Ted Gay, representing Guerriere & Halnon on behalf of Ben Franklin Savings Bank, had submitted a request for an extension on the 120 day approval period for their site plan. Mrs. Rozanski moved the extension be granted; Mr. Brodeur seconded; all aye.
- The minutes of April 29th were brought up. Mr. Hartman made a correction for the acknowledgment, not approval, of the site plan for Dominos. Mrs. Rozanski moved the minutes be approved as amended; Mr. Brodeur seconded; all aye.
- The invitation for the installation of officers for the VFW on May 16th was acknowledged.

9:10 p.m. - Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*attested*  
*6/11/98*

PLANS AND SPECS FOR ALDER STREET AND TROTTER DRIVEDISTRIBUTION LIST:

FYI: GAS - BAY STATE GAS; ELECTRIC - BOSTON EDISON; CABLE - TIME-WARNER

- 2 SETS GIVEN TO INDUSTRIAL DEVELOPMENT COMMISSION

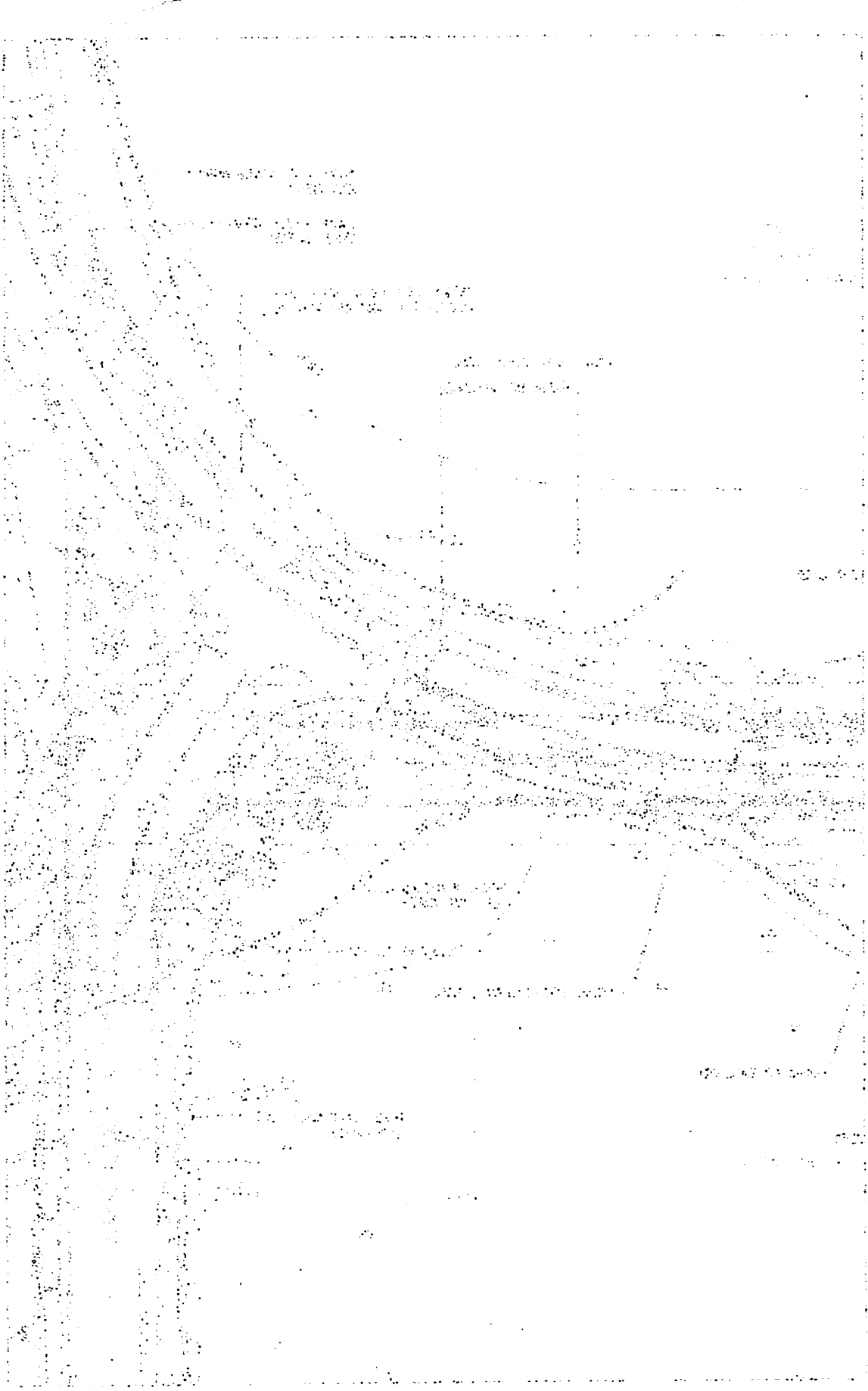
1.	3/31/98	Lorusso Corp. 3 Belcher St. Plainville, MA 02762	Pete Dodge ph - 508-695-3252 fax - 508-699-2387
2.	4/6/98	Paul Susi 25 Neal St. Walpole, MA 02081	Jim Susi ph - 508-668-0362 fax - 508-668-5112
3.	4/6/98	Murray Paving Co. 39 Taylor St. Framingham, MA 01701	Mike Shimkus ph - 508-820-7244 fax - 508-820-7283
4.	4/7/98	I. W. Harding Construction 700 West Center St. Unit 8 W. Bridgewater, MA 02379	Mr. Shilih ph - 508-588-2222 fax - 508-588-3456
5.	4/9/98	Putnam Pipe Corp. 90 Elm St. Hopkinton, MA 01748	David Putnam ph - 508-435-3090 fax - 508-435-5372
6.	4/10/98	Tro-Con Corporation 5 Skyview Rd. Woburn, MA 01801	Paul ph - 781-935-9471 fax - 781-729-2721
7.	4/13/98	Bardon-Trimount 1101 Turnpike St. Stoughton, MA 02072	Kevin Rooney ph - 781-344-1100 fax - 781-341-2440
8.	4/13/98	ET&L Construction Corporation Box 295 Stow, MA 01775	Jude Farese ph - 978-897-4353 fax - 978-897-0779
9.	4/13/98	Cenedella Excavating P. O. Box 680 Medway, MA 02053	Steve Cenedella ph - home - 5-8-533-8963 no fax

10. 4/21/98 Martin Brothers Contracting  
55 Streeter Road  
Boston, MA 01602-1109 Carlton Martin  
ph - 508-754-2252  
fax - 508-754-1930
11. 4/21/98 LAL Construction Company Inc.  
P. O. Box 1349  
Fall River, MA 02722 Mike Louro  
ph - 508-676-3962  
fax - 508-679-5047
12. 4/21/98 A. R. Belli  
271 Nevada Street  
Newtonville, MA 02160 Linda Belli  
ph - 617-332-8855  
fax - 617-332-2158
13. 4/21/98 Lorusso Corp.  
3 Belcher St.  
Plainville, MA 02762 John Rocha  
ph - 508-695-3252  
fax - 508-699-2387
14. 4/21/98 Pavao Construction Corp.  
1892 County Street  
Dighton, MA 02715 Fran Grenon  
ph - 508-669-6755  
fax - 508-669-4372
15. 4/23/98 Mario Susi  
36 Westwood Street  
Dorchester, MA 02121 Raymond Susi  
ph - 617-265-4525  
fax - 617-265-5229

16. 4/29/98 Wes Court Corp.  
175 Commercial Cr.  
Dorham, MA 02026 Kenneth Vogel  
ph - 781-326-4020  
fax - 781-326-9957

Returned  
755/1

## PROPOSAL A



1/2" x 1/2" x 1/2"



N/F  
TED MEDICAL CORP.  
MAP 3-1, LOT 3/6

**ALDER STREET**

**TROTTER DRIVE**

# **PROPOSAL B**

KIEWIT ENGINEERING CO.			
CHARTER	DATE	DESIGN T.J.L.	DATE
SUBJECT			
PROPOSED ROAD			
PROJECT			
REV. NO.	DATE	REVISION	BY





*Michael J. Hartman*  
*Town Administrator*

## BOARD OF SELECTMEN

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

### AGENDA

April 27, 1998

- 7:00 Open meeting, sign warrants, approve minutes of April 6th and April 13th meetings.
- 7:30 Attend public hearing of Board of Water/Sewer Commissioners.
- 7:45 Robert Power's evaluation
- 8:00 Public hearing on Animal Control By-law article on Annual Town Meeting warrant.
- 8:30 Continuation of Public Hearing for manager change for Schezwan Gardens.

Administrator's Report

Committee Reports

Action Items

*executive session*

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 27, 1998.

1. Acknowledge Site Plan for Cybex, Trotter Drive.
2. Acknowledge Site Plan for Domino's Pizza, 122 Main Street.
3. Sign Right of Entry's for MacNeil's, 107 Oakland Street and Ellen Realty, 6 and 10 Main Street.
4. Sign Stop Loss contract with Life Insurance Company of North America.
5. Vote on Change Order #11 for the Medway Elementary School Building in the amount of \$31,604.00.
6. Nancy Charlton requests permission to place two (2) Medway Pride Day signs up at Milford/West Streets and Main/Village Streets

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 27, 1998

Present: Doug Downing, Raphaela Rozanski, Town Administrator Michael Hartman.

7:10 p.m. - Mr. Downing called the meeting to order in Sanford Hall of Town Hall.

- Action Item #1 was taken out of order as representatives from Cybex were present for the Selectmen to acknowledge their site plan. Those representatives were Ken Bancewicz, owner and Julius Diogenes, P.E. of CDW Consultants.

Mr. Diogenes stated that they intend to construct two additions to the existing building: the smaller addition would be for manufacturing, and the larger as a showroom but not a retail area. He said they have already been before the Board of Health, where it was indicated there were no modifications required to the septic system. Mr. Diogenes said they would be meeting with the ConCom this evening and submitting a determination of applicability. They next hope to meet with the Planning Board on May 12th but they have met all zoning criteria.

Mr. Downing felt that the additional space usage was for basically passive use, with Mr. Bancewicz agreeing noting the increase in their product line. Mr. Downing stated the Board has officially received and accepted the site plan.

- Warrant #43 was signed for last week totalling \$293,975.16.
- Warrant #44 was signed for this week totalling \$749,840.74.

7:20 p.m. - Committee Reports.

- Mrs. Rozanski reported receipt of a letter from the Town of Middleborough stating that Medway's Chapter 70 aid had been reduced. She stated the MMA will be discussing this issue further to see if they should go back to the original formula, which could mean an extra \$50,000 for Medway.

- Mrs. Rozanski said she attended a construction meeting last Wednesday for the Senior Center, and everything was moving along nicely, including the telephone lines.

- Mr. Downing brought up a recent award Rep. Barbara Gardner received from the Mass. Agricultural Society. The award allowed Rep. Gardner to donate a tree to one of the towns she represents, and she chose Medway. Mr. Downing had suggested that a flowering tree be planted at the Senior Center, so the Board was now awaiting word for when the dedication would take place.

- Mr. Downing stated he and Mrs. Rozanski were both at the Library open house and encouraged residents to see their new renovated library. He also indicated that, although not officially notified yet, the Town still is in the pipeline for receiving grant funding.

- Paul DeSimone stopped by to let the Board know he had dropped off the as-built for page 1.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 27, 1998

Alder Street and Trotter Drive to Mr. Hartman earlier this afternoon. He said he got a call from Paul White and referred him to Mr. Hartman from now on feeling the Office should be the one dealing with him. His three concerns were: the footbridge, which should be out to bid; the cul-de-sac, which has a small change; and the acceptance of Trotter Drive, which will be discussed at Town Meeting. Mr. DeSimone asked Mr. Hartman if he had any questions; he had none.

7:30 p.m. - The Board adjourned their meeting to a joint meeting with the Water/Sewer Commissioners in their Office. The purpose of this meeting was to discuss a possible public hearing for the residents in the Longmeadow area.

Bob Heavey, Chairman of the Commissioners stated that the Water/Sewer Board does not wish to have to pressure pumps in Town Streets, and doing so would set a precedent to other developers. Ron Wilson added that some of the residents in the Longmeadow area hired an attorney and wanted a public hearing held. He really did not know the purpose of it as the Water/Sewer Board will not change their position on this issue. Paul Goguen agreed stating there was solidarity among the three members of the Water/Sewer Board and they were unanimous on this.

Town Counsel Richard Maciolek was present and he was asked if they need the public hearing? Mr. Maciolek stated they have applied for one, so they should have it. Mr. Downing told the Commissioners the Selectmen needed to get back to their meeting, but to let them know when the public hearing would be scheduled.

7:55 p.m. - Mr. Downing read the ad that appeared in local papers concerning a public hearing for a proposed change to the existing leash law as will appear on the Town Meeting warrant on May 11th. Animal Control Officer Brenda Hurteau was also present.

Since Ms. Hurteau had proposed the article, he asked her to explain why. She stated that she felt the leash law should be more specific as it was open to interpretation. She said if a dog is not on a leash, no one really has control of that animal at all times. Mr. Downing asked her to read the current by-law, and then the proposed by-law. Ms. Hurteau noted it had become a problem, which was the reason she had brought this forward.

Mrs. Rozanski asked if any incidents had resulted in a bad outcome, and Ms. Hurteau indicated not yet, but there had been some close cases. She said she had asked surrounding towns about their leash law, and Bellingham had a 6' leash law while Millis was 10'.

Mr. Downing said further discussion would be held at Town Meeting when it was opened for general comments.

Ted Ammering, who was present in the audience, spoke about being a jogger and how he felt threatened at times by dogs who were running loose. He noted being bitten twice and feeling that people should not have to be concerned walking down the street. His wife, Jackie, was also present and commented that the by-law was originally put in place for upholding public safety. She felt that the original concern was still the same.



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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 27, 1998

Mr. Downing thought that if there was a 10' leash law, the Park Commissioners could impose some restrictions on owners walking their dogs; however, Ms. Hurteau noted that the Town does not have a pooper scooper by-law, so there would probably not be any changes. Mr. Ammering agreed that the Park can't be policed anyway and most people would not want dogs in the Park, regardless of being on a leash.

Mrs. Rozanski moved to close the public hearing; Mr. Downing seconded; all aye.

8:10 p.m. - Lee Henry was present to go over the evaluation of Bob Power. Mr. Henry explained he did the evaluation, but he was not sure it was his responsibility to do so after reading the employee agreement. He did state, however, that his knowledge and skills go far to provide the services. If nothing else, he requested that the Board change his title from Acting Highway Superintendent to Highway Superintendent. Mr. Henry said he felt that Mr. Power has performed the duties required of him and deserves to be recognized.

Mr. Downing stated that any change to a position should come through the Town Administrator. He would have to look at the job description, i.e. the duplicity with work being performed by Mr. Podgurski last year. He further added that if they are rewriting the job description, there are probably some bargaining implications and they might have to ask that the employee agreement be re-opened and the position posted. Mr. Downing felt the decision rested with the Selectmen and the Town Administrator.

Mrs. Rozanski moved to approve the evaluation for Bob Power with 44 points; Mr. Downing seconded; all aye.

- Mr. Henry updated the Board on the construction going on at Town Hall, and that there was a week lost when the inmates were doing interior painting of a school while the school was closed. He indicated the hope that the second floor could be completed by the end of May.

8:30 p.m. - Mr. Brodeur joined the meeting.

- Mr. Downing continued the public hearing for the change of manager for Szechuan Garden. Tucker Reynolds, attorney, was present on behalf of the owners. Owners, Susan and John Chiang were also in attendance.

Mr. Reynolds noted that all forms were filled out and in accordance with ABCC regulations. He stated that the present manager had other commitments, and was planning on moving on. The proposed manager is a co-owner and head chef and on the premises most of the time anyway.

Mr. Reynolds said that both owners will be attending the alcohol awareness program that is available.

MINUTES OF THE SELECTMEN'S MEETING  
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Mrs. Rozanski moved to approve the change of manager from Mike Far Liang to Yu Ling Chiang; Mr. Brodeur seconded; all aye.

8:35 p.m. - Administrator's Report.

- Mr. Hartman stated that at last week Selectmen's meeting, the Board discussed the public hearing that would be held on the new procedures for site plan review. He stated that he has since met with Chairman Don Springer and asked him to look at the fee structure adopted and review costs to the petitioner. Mr. Hartman felt that for a large building, the costs may be too high, especially in light of the fact that the petitioner would be charged based on the entire footprint, not the addition or new structure area.

Mr. Downing asked if the fee structure had to be adopted at Town Meeting? Mr. Hartman said, according to Town Counsel, it did not have to go to Town Meeting or to the Attorney General as long as they charged a reasonable fee. The fee structure will be discussed further on April 29th, but Mr. Hartman did note that a waiver cannot be granted for a restaurant even if there were no external changes. Mrs. Rozanski agreed that a fee shouldn't be charged for the entire building and should be reviewed again; especially, with a \$1,000 review fee, \$11,000 remodeling fee, plus the cost of a building permit.

- Action Item #2 - Mrs. Rozanski moved <sup>acknowledgement</sup> ~~approval~~ of the site plan application of Domino's Restaurant to be located at 122 Main Street; Mr. Brodeur seconded; all aye.

Other questions were raised insofar as variances were concerned, but Mr. Downing suggested it be left in the hands of Messrs. Speroni and Hartman.

- Committee Reports continued.

- Mr. Brodeur said he attended the Emergency Management meeting, and noted they were continuing to restructure and determining how to spend their present appropriation and the next fiscal year's appropriation.

- Action Item #3 - Three additional rights of entry for Route 109 were given to the Chairman for his signature. Mr. Downing asked to abstain from signing as he had been employed by one of the applicants, and suggested the Clerk be authorized to sign. Mrs. Rozanski moved the Clerk be authorized to sign the rights of entry for the MacNeils and Ellen Realty Trust; Mr. Brodeur seconded; all aye.

- Action Item #4 - The Stop Loss contract with Life Insurance Company of North America was given to the Chairman to sign. Mr. Downing said he would sign it off camera as there were multiple signature pages.

- Action Item #5 - Change Order #11 for \$31,604 was given to the Board for their approval. Mr. Hartman said, in speaking with the Town Accountant, that she asked the Board not take this up for page 4.



MINUTES OF THE SELECTMEN'S MEETING  
APRIL 27, 1998

signing at this time as she still needed additional information from Mr. Verdolino. Mr. Downing commented he also had questions, including why the change order was dated February 19th. He also felt it was time to ask the Chairman to give the Board an update as there were some issues on the back burner, as well as a tally being kept of errors and omissions. Mr. Downing felt there was time to remit payment, and asked that Mr. Boczanowski be placed on the agenda for May 18th. He would get in touch with him. With reference to Berlin Steel, Mr. Hartman said he sent three letters out with no reply.

- Action Item #6 - The request of the Medway Pride Day Committee to put two signs on Town property to advertise Pride Day was brought up. Mrs. Rozanski moved approval to grant permission for the Committee to place a sign at Main and Summer Streets, and a sign at Milford and West Streets; Mr. Brodeur seconded; all aye.

- A Beano application was received by the Board for the use of the VFW on Tuesdays by Congregation Ael Chunon of Millis. Mrs. Rozanski moved to grant the license for the use of Beano submitted by Naomi Mael and Michael Mushnick; Mr. Brodeur seconded; all aye.

- Mrs. Rozanski moved to approve the minutes of April 6th; Mr. Brodeur seconded. There were some follow-ups by the Board including the technology appropriation proposed for school and town on the Town Meeting warrant. It was not sure if they had to be separate articles and votes or not.

Mr. Downing asked Mr. Hartman to check with Town Counsel unless John Collett of the FinCom indicated it had been resolved. Mr. Hartman said, at first, it was thought that the school portion might be bondable, but the Town Accountant has since changed her mind. Mrs. Rozanski noted she was not sure if you could separate the source of funding.

On another follow-up, Mr. Downing brought up the air conditioners as part of the renovation process. With this, Mr. Hartman said there may be some funds leftover that would take care of that purchase; all aye on the minutes.

- Mrs. Rozanski moved approval of the minutes of May 13th; Mr. Brodeur seconded. There was a follow-up by the Board on the Insurance Committee meeting. Mr. Hartman said he was in the process of setting up that meeting as they were waiting for information from the insurance companies. Mr. Downing asked Mr. Hartman to inform Mr. Collett of the status; all aye on the minutes.

- Mrs. Rozanski acknowledged receipt of a letter sent to her by Girl Scout Troop 4901 noting that the girls needed to write to a Town Official as part of their badge work indicating what they would do to make life better for young people.

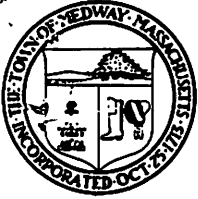
- 9:12 p.m. - Mrs. Rozanski moved to adjourn to executive session for the purpose of discussion of potential litigation, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - yes; Mrs. Rozanski - yes; Mr. Downing - yes.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 27, 1998

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*opened as  
amended  
5/4/98*



*Michael J. Hartman*  
*Town Administrator*

## BOARD OF SELECTMEN

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

### AGENDA

April 13, 1998

- 7:00 Open meeting, sign warrants, approve minutes of March 30th meeting.
- 7:05 Public hearing for a manager change for Medway Szechuan Garden, Inc.
- 7:15 Carol Langford and Eileen Kahn regarding a Youth Center
- 7:45 Review evaluation for Jackie Ammering
- 8:00 Joint meeting with Cable Access and Cable Advisory.

Administrator's Report

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 13, 1998.

1. Final draft of Policies and Procedures of the Board of Selectmen.
2. Vote on change order #12 for Library Renovations in a credit amount of \$498.00.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 13, 1998

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Town Administrator Michael Hartman.

- 7:02 p.m. - Mr. Downing called the meeting to order in Sanford Hall of Town Hall.
- Mrs. Rozanski moved approval of the minutes of March 30th; Mr. Brodeur seconded; all aye.
- Warrants were signed totalling \$1,075,083.33.
- 7:05 p.m. - Mr. Downing read the ad that appeared in the local paper for a public hearing for change of manager for Szechaun Garden. No one was present for the hearing and the Office had not been contacted. Mrs. Rozanski moved the hearing be continued to April 27th at 8:30 p.m.
- 7:15 p.m. - Carol Langford and Eileen Kahn, accompanied by Jack Ryan and Richard Gildea, came to meet with the Board to express their desire for a youth center and their willingness to do what was necessary to get one up and running in Medway.

Mrs. Langford said the idea of a youth center had been in the back of her mind for many months, and since then, has been trying to see who else was interested in assisting her in this endeavor. She had been checking with other towns that have youth centers to see what the process was they had to go through to get their centers. Mrs. Langford said she had also been in touch with Rep. Gardner to see if there were any available grants, either on the State or Federal level. Rep. Gardner was not aware of anything from the State, but she did inform Mrs. Langford that once a center was up and running, there was a "Cops and Kids" grant by the State for approximately \$50,000. Rep. Gardner recommended involvement between the school, police and the community, and did say there was a bill in the legislature for federal money, but it was not approved yet. Mrs. Langford came this evening to see what the Board's feelings were on this subject.

Mr. Downing voiced his support saying it was a great idea and the need is there. The School Department for years had told him of the problems with early release days when he was on the School Committee. He did say, however, there

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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 13, 1998

was no funding available within the Town.

Mrs. Langford said they felt it best to look at other properties in Town, not just the CCD building across from Town Hall. She also was thinking about seeing if there was someone interested in building a building for them.

Mr. Ryan said years ago there was an attempt to have a youth floor at St. Joseph's Rectory, but that faded away when parent volunteers were unavailable. Mr. Downing saw the problems with busy parents, and suggested they go to merchants in Town for support and assistance in fund raising. He was not aware of a buildable lot for them.

Mrs. Rozanski asked them to consider staffing as part of their overall plan and volunteers in all capacities. Mr. Downing also suggested going to the various churches for rotational coverage if they get a space, and to form a steering committee to set policy.

When asked about the CCD building, Mrs. Langford said the Village Church offered the Archdiocese \$175,000, assuming there was \$100,000 worth of repairs to be done. The Archdiocese wanted \$290,000 since it was appraised for \$264,000.

Mrs. Rozanski suggested pursuing civic groups, i.e. Lions, Scouts, who might be willing to assist and take this on. Richard Gildea, who was present, suggested the possibility of using the Senior Center on weekends, and it was noted there was room for expansion at the building.

Mr. Ryan reiterated that other towns have realized the need for youth centers and have opened them up. He also noted that students with leadership skills might be willing to help supervise along with parents. Mrs. Langford noted they would be using Uxbridge as a model for their program.

Mr. Downing concluded by offering the following suggestions: that their committee branch out; get a mission statement and goals; ask the Schools to help out and tell them it is incumbent upon them to make the Schools available; let the Park Department offer help and ideas; get some objectives and form a foundation.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 13, 1998

Mr. Brodeur agreed adding that the organization and support should come first; then the building.

Mr. Downing asked that they eventually call or come back to the Board with an update. Mrs. Langford said they would advertise their next meeting publicly.

- 7:45 p.m. - Health Agent Bill Fisher and Board of Health Chairman Cathy Chenard came to meet with the Board to discuss the evaluation of Jackie Ammering.

Both Mr. Fisher and Mrs. Chenard went over more specifics and examples of Mrs. Ammering's work.

Mrs. Rozanski moved to approve the evaluation of Jackie Ammering with 50 points; Mr. Brodeur seconded; all aye.

- Since Mr. Brodeur was feeling ill and was going to leave early, he requested that certain items be taken out of order.

- Mr. Brodeur brought up the proposed Policies and Procedures for the Selectmen, and specifically Mrs. Rozanski's request for researching the use of the Town Seal on stationary. He felt the way she had suggested was appropriate with only her name on the stationary as a Selectman. She gave the Board a sample of what could be inserted in the policies under I.C. Board Ethics.

Mr. Downing said there should be a permanent record in the Office, and suggested just sending a draft letter to the Office so it could be placed on the Selectmen's stationary for dispersal. Mrs. Rozanski reiterated that, at times, she has constituent service letters to send out and would just prefer to send them out on her own. Mr. Downing restated then that correspondence could be out there that the Office and other Selectmen were not aware of. If it is an official document, it should emanate from the Office.

Mr. Downing asked Mr. Hartman to make a mental note of the different Board headers on stationary and to try and standardize them, at the same time as he ordered his own stationary. Mr. Brodeur moved to officially adopt the Board's policies and procedures as written up as the final draft dated April 13, 1998  
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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 13, 1998

with the revisions he recommended on page 12; Mrs. Rozanski seconded; all aye.

- Mr. Brodeur moved approval of Change Order #12 for the Library for \$498; Mrs. Rozanski seconded; all aye.
- The Open House at the Library on April 26th from 2-5 p.m. was noted.
- Mr. Hartman asked the Board to sign an additional copy of the contract with Thomas Kuch for the Library that had been misplaced.
- The Board signed the annual town meeting warrant.
- 8:17 p.m. - Mr. Brodeur left the meeting at this time.
- Members of Medway Cable Access including Norm Schneider, Wayne Ledder and Pam Bennett, and Cable Advisory Chairman Charlie Myers came to meet with the Board concerning the cable cameras for televising meetings in Sanford Hall.

The Board discussed two points of view that recently came to light: the Cable Access Board was of the opinion the remote control unit that was being used in the Selectmen's meeting room prior to renovations that the Cable Access Board felt should continue to be used; Cable Advisory and the Selectmen felt the new equipment negotiated in the contract with Time-Warner was coming to Town Hall.

After some discussion, it was agreed that all information should funnel from Mr. Hartman dealing directly with Frank Foss of Time-Warner and then to Mr. Schneider and Mr. Ledder.

Mr. Ledder said that the Cable Access Board felt the new equipment would be better served at the School for town meetings and other special productions because it required the services of a volunteer in the room as well as someone back at the Studio.

Mr. Hartman said this was brought to light when Kara Perreira, who had come to Town Hall, said the Cable Access Board had decided to leave the new equipment in the School. Mr. Hartman had then suggested to Ms. Perreira that a page 4.



MINUTES OF THE SELECTMEN'S MEETING  
APRIL 13, 1998

letter be sent to the Selectmen from the Cable Access Board so stating their intention. A letter from Francis Pelletier, President of the Access Board, was then acknowledged stating the above.

A brief discussion was held on the pros and cons of the different remote units, with Mr. Downing saying that three cameras were best, but more importantly were the microphones, which he did not want to see hanging from the ceiling but still wanted an enhancement of audio.

Mr. Myers stated that the contract was between Time-Warner and the Town of Medway, which included certain areas such as Inet hookup, additional senior programming and additional equipment for the schools and access. He stated that it was Bob O'Neill's idea to get new equipment. Again, it was agreed that Mr. Hartman would follow through from here.

- 9:00 p.m. - Mr. Hartman noted that Senator Magnani's letter of April 6th referring to a revolving trust fund for loans for water projects was passed on to the Water/Sewer Department.

- Mr. Hartman brought up the Meadowoods court case and told the Board they need to review Town Counsel's letter with options and determine if they want to file an appeal. He said the Attorney General called and stated an interest in an appeal. Mr. Hartman's question to the Board was, do they want to appeal?

Mr. Downing stated that the revision of the by-law was approved by the Attorney General's Office. If there was a judgment, then the judge rules. He suggested Mr. Hartman send the pertinent data, i.e. the by-law and the judgment, to the State Building Commissioner's Office with a copy to the Attorney General's Office, and invite them out to meet with the Board. He asked why should the Town spend money if the State could fight on our behalf, and then change the Building Code if successful.

Mr. Hartman reiterated that what the Town did was exceed the State Building Code, and the judgment is saying that the we can't. The Board was concerned about the "window of time", so Mr. Downing suggested Mr. Hartman call the Clerk of the Court to find out what the lifespan of the appeal is.

MINUTES OF THE SELECTMEN'S MEETING  
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- 9:15 p.m. - Mrs. Rozanski will bring back to Rep. Parente the Board's support on House Bill #5353 as amended referencing cellular towers, and the Board's agreement to oppose the removal of authority over the siting of the towers from cities and towns.
- With reference to Newcomers & Friends' use of the Town's tax identification number, Town Counsel had responded with the opinion that they could not. The Secretary was asked to make available a copy of his letter dealing with this.
- The Board discussed Boston Edison and the Town's request to possibly consider donating a site to the Town. A first site is no longer available; a second site is still under consideration.
- The Board briefly discussed the FinCom's interest in cutting the Police Department's budget. Mr. Downing told them, if they had to, cut the budget not the positions. Mr. Hartman said he informed Joe Dzcizek of the FinCom that the Police should have a second in command, and that the Board did not want to revisit this area. He also felt if the Chief was given a list, he should be ready to make an appointment. Mr. Downing suggested Mr. Hartman meet with the Chief.
- With reference to the MPO replacement, Mrs. Rozanski moved to authorize the Chair to sign the nomination papers for Maureen Dwinnell; Mr. Downing seconded; all aye.
- Mrs. Rozanski moved to authorize the Chair to sign the rights of entry for additional residents for the Route 109 project; Mr. Downing seconded; all aye.
- Mr. Downing said some FinCom members want a meeting with the Insurance Committee on GBS. Mr. Hartman noted Mrs. Allen had said she did not feel a quorum could be attained at this time. Mrs. Rozanski asked if they should change the Plan Administrator? Mr. Downing said it could be done sometime. With that, Mrs. Rozanski said Mr. Hartman could call the meeting.

Mr. Hartman said he had the latest information from the Consultant. Mr. Downing felt they should shop around as the market was good at this time and there were competitive plans out there, but not with Blue Cross/Blue Shield

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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 13, 1998

because of labor agreements. Mr. Downing clarified that the FinCom was not requesting the meeting with the Insurance Committee to make changes for July 1st. Mr. Hartman agreed the vendor could change, and since we were self-insured, we had some leeway, but the Town won't get a custom-written contract.

- There was some confusion as to \$444,000 on the FinCom sheet of encumbered funds, and Town Accountant Arti Mehta was asked to clarify that figure. Mrs. Mehta said the figure was \$49,000. Mr. Downing asked Mr. Hartman to contact David Verdolino to discuss these funds which they felt were school-related. Mr. Downing asked Mr. Hartman to inquire from Mrs. Mehta what figure she was carrying of encumbered funds.

- 9:45 p.m. - Administrator's Report.

- The Board acknowledged the proposed five-year paving plan.

- Mr. Hartman mentioned that no procedures or fee schedules had been established for the roadway access permit, and asked if he could proceed with a public hearing and the establishing of the procedure and fees, noting he would like to have them in place by August if possible. The Board agreed.

- With reference to Mr. Hartman's request to form a Technology steering committee, Mrs. Rozanski moved approval of this committee; Mr. Downing seconded; all aye.

- As Procurement Officer, Mr. Hartman said he would be meeting with departments to establish a process and to open bids in house.

- Mr. Hartman said the Selectmen's updated handbooks have been ordered.

- Mrs. Rozanski asked about site plan review fees, and Mr. Hartman said there had been no public hearing on the fee structure. For example, Scott Power was assessed \$500, and another company was assessed \$1,000 which has not been paid. He didn't know how the fees were based, but would be contacting Town Counsel and advise the Board.

Mrs. Rozanski said there was the potential for getting a grant for sewer  
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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 13, 1998

at Alder and Trotter which would affect Cybex. She would try and find out the cost. Mr. Hartman noted they were building a showroom, and he would be talking to them later on this week. He said their engineer was preparing the site plan for possible submittal on April 27th.

- 10:00 p.m. - Mrs. Rozanski moved the meeting be adjourned; Mr. Downing seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved  
4/27/98*



## BOARD OF SELECTMEN

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

*Michael J. Hartman*  
*Town Administrator*  
April 12, 1998

To: Board of Selectmen

From: Michael J. Hartman

Subj.: Administrative Report

### PROPOSED FIVE YR. PAVING PLAN

Included in the materials for tonight's meeting is a proposed five year paving plan. Please note that the plan includes some streets that are part of the five year TIP proposal. The activities proposed for the streets included in the TIP represent a "fall back" position if the streets are not ultimately included in the TIP. We are seeking your review and approval of the plan.

### ROAD ACCESS BY-LAW

Last year the Town adopted a road access by-law. To date, we have yet to establish procedures to implement the by-law. With your permission, selected members of the staff and myself will develop procedures and a fee schedule for public hearing and your approval.

### TECHNOLOGY REPORT

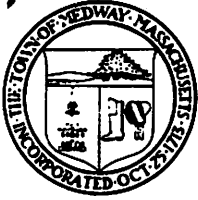
As you are aware, the Technology Committee has issued their report. With your approval, I would like to create an implementation steering committee. The committee's purpose would be to provide me with assistance in the implementation of the plan and to help ensure that our final system is a cohesive one.

### PURCHASING

As you are aware, one of my significant areas of responsibility is serving as the Town's Chief Procurement Officer as defined in 30B. In the next two weeks I will be meeting with departments to establish a process for carrying out this responsibility.

### UPDATE

Selectmen handbooks have been ordered, and will be delivered sometime after they have been printed.



*Michael J. Hartman*  
*Town Administrator*

## **BOARD OF SELECTMEN**

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

### **AGENDA**

April 6, 1998

- 7:00 Open meeting, sign warrants
- 7:05 Open bids for demolition of condemned  
building at 311 Village Street
- 7:30 Norfolk County Commissioners regarding  
the sale of the hospital
- 8:00 IDC, Paul DeSimone to update Selectmen  
on Alder Street plans.

Administrator's Report

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 6, 1998.

1. Approve and vote on request of George Groehl, 236 Main Street regarding advertising sign.
2. Have chairman sign Right of Entry for Toth, Donnelly and Macaluso.
3. TIP letter to Grace Sheppard.
4. Vote on Annual Town Meeting Warrant.
5. Second reading of policies and procedures for Selectmen

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 6, 1998

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Town Administrator Michael Hartman.

- 7:00 p.m.- Mr. Downing called the meeting to order in Sanford Hall of Town Hall.

- Treasurer/Collector Marjorie Sanford came to ask the Board to sign the 3.83%, \$230,000 bond anticipation note dated April 10, 1998 for the sewer connection to the Middle/High School. She was accompanied by Town Clerk Maryjane White. The Board approved the note.

- The Secretary was asked to provide information on the Town Seal to Mrs. Rozanski, and later to Mr. Hartman as well.

- The Board acknowledged a letter dated April 2nd from Rep. Gardner asking for the Board's support of House Bill No. 4666/Senate Bill No. 1715. She was requesting that the Town place an article on the warrant so the residents could decide if they wanted to establish a Community Preservation Fund. Mr. Downing asked Mr. Hartman to check and see if it had already been voted in, and if not, to hold it as an action item.

- Mr. Downing acknowledged a letter from John Holmberg with reference to Charlie Norman's property at 311 Village Street, for which bids were about to be opened, asking that the demolition not go forward. Mr. Downing knew the issue of Mr. Norman's property had been ongoing for a while.

7:05 p.m. - Mr. Brodeur read the ad that appeared in local ads concerning the bid opening for demolition of the two houses at 311 Village Street. Six bids were received from:

Wayne & Co., Hingham - \$21,211, bid bond and update.  
Jay-mor Enterprises, Pelham, NH - \$13,370, bid bond and update.  
F & D Truck Co., Worcester - \$27,220, bid bond and update.  
Great Northern Corp., Everett - \$28,999, bid bond, no update.  
Orlando Enterprises, Framingham - \$16,830, bid bond, no update  
McLaughlin Bros., Brockton - \$24,000, bid bond, no update.



MINUTES OF THE SELECTMEN'S MEETING  
APRIL 6, 1998

Mrs. Rozanski confirmed there was a court order for demolition from 1995.

Mr. Brodeur moved to turn the bids over to the Board of Health for their review and recommendation; Mrs. Rozanski seconded; all aye. Mrs. Rozanski gave Bill Fisher of the Board of Health a copy of Mr. Holmberg's letter.

- Warrant #41 totalling \$278,892.85 was signed by the Board.
- 7:30 p.m. - Two of the three Norfolk County Commissioners, Bill O'Donnell and Peter Collins, came to confirm with the Board the sale of the respiratory hospital. With the help of the Norfolk County Advisory Board, which has been in effect since 1918, this was able to be accomplished, agreeing this was the fiscally responsible course to follow. The Trustees and Commissioners agreed on the selection of Olympus out of the two bids received. Mr. O'Donnell noted there would be no effect on assessments, and no problem on bond with their bond rating having gone up.
- 7:40 p.m. - Mrs. Rozanski noted that Cybex was looking to expand, and was wondering about the possibility of having a joint meeting with different departments involved in that process. Mr. Hartman said this could be discussed at a department head meeting, after which he could give them the process to follow.
- Mr. Downing said he had attended the School Committee meeting where the budget was presented. He will be attending the FinCom meeting on Wednesday.
- Mrs. Rozanski said the Senior Center Building Committee was meeting tomorrow.
- 2. of Action items. Right of way easements were signed by the Chairman for Toth, Donnelly and Macaluso.
- A concern was mentioned to Mrs. Rozanski by Mrs. Mehta that the school technology upgrade may not be bondable, but the town hall could be. This would be checked into.
- 1. of Action Items. George Groehl's request for an earlier time for his sign permit at 236 Main Street was brought up. Mr. Brodeur moved to extend Mr. Groehl's sign permit from June 1st to May 1st; Mrs. Rozanski seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 6, 1998

- 3. of Action Items. Mr. Brodeur moved to endorse the TIP letter to Grace Shepard as revised on March 31st; Mrs. Rozanski seconded; all aye.
- 7:55 p.m. - Paul DeSimone, Chairman of the IDC came to meet with the Board accompanied by members Paul Mitchell and Jim Mucci. With reference to drainage easements, Mrs. Rozanski said Gino Carlucci had commented there may be a need for articles for the warrant after a ConCom meeting.

Also present from the Alder Street neighborhood were Karen Alves, Peter Badger and Janet Riera.

A copy of a certified letter from Kiewit was passed on to the IDC noting some concerns they had about modifications for the Alder Street and Trotter Drive intersection.

Mr. DeSimone read the letter and was amazed by all the authority that was expressed he had. He did comment that Cybex was invited to more than one meeting, but other than that, he had no comment.

Mr. DeSimone stated, while he was gone, he was kept up-to-date with all the developments, including the bidding process and the support received by the Board on the progress. He was aware of the advertising being conducted in the Central Register and two newspapers, as well as \$79,950 received in reimbursements.

Mrs. Rozanski informed Mr. DeSimone of the intent of Cybex to add on, with all looking positive at this time. She told them about the letter received on March 26th from Mr. Giagrande of DCI concerning a meeting held with Mr. Hartman and Mr. Henry. She also asked Mr. Hartman about Trotter Drive being accepted.

Mr. DeSimone said he did not understand these current concerns as the design was based on the Selectmen's wishes. He did not feel it appropriate that the Consultant had been placed in such a position. Mrs. Rozanski noted that a gate is not part of the project at this time. However, Mr. Hartman stated that Mr. Giagrande had said the gate had been approved, even though he and Mr. Henry said it had not been. In looking at past minutes, it seemed as if signage and possible movable barricades had been approved.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 6, 1998

Mr. DeSimone brought up the Selectmen's meeting Mr. Mele attended, and said he been invited to the March 11th meeting the IDC had, but Mr. Mele did not show up. Mr. Downing said that Mr. Mele was concerned that he was not specifically told what would happen to his property. Mrs. Rozanski said she told Mr. Mele that you don't get a special invitation to attend a town meeting, but she would personally invite him to the next IDC meeting.

Mr. DeSimone asked if it was status quo on the cul-de-sac, and Mrs. Rozanski said it was. She again said there was no gate at this time, but the residents would have the right to petition. Mr. Downing restated that the DPS, the Fire Chief, the Police Chief and the Highway Department were all opposed to the idea of a gate. He was not saying he would not support it, but would try to enforce the traffic issues by signage. Mrs. Rozanski added that the Board of Selectmen's intent is to deter traffic.

Mrs. Alves reminded the Board of Mr. Badger's willingness to get information on a gate; however, Mr. Brodeur reminded her that in the winter, it could not be plowed, especially when there was a large amount of snow.

Mrs. Alves again brought up the number of traffic trailers traveling on the road, and the area had not even been developed yet. Mr. Downing said he would speak to the Police Chief about it, but he felt there would be more coverage in the summer when the kids were out of school. Mrs. Alves asked if there could be a detail in the area once a week, and Mr. Downing said he would express her concerns to the Chief. Mrs. Rozanski added that a part of deterring traffic would be to keep industrial and residential separate and that was why the intersection was designed this way with no gate. She said the intersection is the same and there was room for turn-around; the road was not blocked off.

Mr. DeSimone went back to the subject of the bid opening scheduled for April 27th. He felt the Consultant should review the bids, possibly going over them with Mr. Hartman, and then come back to the Board with a review and recommendation. He said he would like to see a pre-construction meeting with the utility companies after the low bidder has been notified and approved, and then begin their marketing program. Mr. DeSimone indicated he would get a commitment from Cybex in writing as well with their intentions, but he also asked Mr. Hartman, if he was speaking to Cybex and they were thinking of expanding their septic system, to keep it at the front of the building. For sewer, they were  
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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 6, 1998

leaning toward a connection with Bellingham rather than Milford.

With reference to responsibility for field surveying, Mr. DeSimone stated that the Town has a contractual agreement with DCI to handle that.

At this time, he asked that the Board solicit new members for the IDC, at least one to replace Buddy Rabaoli. He stated that the grant expiration date for this project was December 3, 1998. A tentative pre-construction meeting date was scheduled for May 18th at 10 a.m.

Mrs. Alves requested the Board's help in asking the contractors not to use Alder Street during the constructions process. Mr. Downing felt that was something Mr. Hartman could assist with.

Mr. DeSimone brought up the acceptance of Trotter Drive at Town Meeting. It was noted that PMP's letter of March 27th recommended it not be accepted at this time. Mr. Brodeur felt acceptance was needed only to the footbridge. Mr. Downing asked Mr. Brodeur to get together with ~~John~~ <sup>Jim</sup> Boczanowski and Don Springer next week to fine-tune this area and Lost Hills. Mr. Brodeur commented that a condition could be placed on the acceptance of Trotter Drive. Mr. Downing asked Mr. Brodeur to review all the documentation and the specific comments, and if it goes beyond the Kiewit driveway, they need station numbers. He said he wants to accept where Kiewit stopped; this had nothing to do with Lost Hills except the footbridge; 150' - 250' at the most.

- 9:00 p.m. - The Board reviewed the articles for the Town Meeting warrant.

- 9:25 p.m. - The Board was in receipt of comments from Town Counsel regarding the letter from Berlin Steel for request for direct payment. In reviewing the letter, Mr. Brodeur felt the Board needed to take the action recommended by Town Counsel as the awarding authority. Mr. Brodeur moved to authorize Mr. Hartman to take the appropriate action and write the necessary letters; Mrs. Rozanski seconded; all aye.

- 9:30 p.m. - The Board proceeded with a second reading of the policies and procedures as retyped by the Secretary. Some corrections and changes were made and it was agreed to have a final draft and possible adoption on the agenda for April 13th.

MINUTES OF THE SELECTMEN'S MEETING  
APRIL 6, 1998

- The Board acknowledged a memo from the Town Accountant dated April 2nd concerning bonding capacity. They will review the memo and asked that it be placed as an action item for April 13th.
  - As part of his administrative report, Mr. Hartman stated that two Library employees, Lori Brownell and William Hoffman, have completed their probationary time of employment and will now be regular employees of the Town.
  - Mr. Hartman asked the Board to sign the letter of commendation for James Smith, and also noted he had written the letter to the Park Commissioners concerning the Walker Street property.
  - Mr. Downing acknowledged a letter from Frank Pelletier representing Medway Cable Access concerning the cable equipment to be installed at Town Hall. He said he had spoken to Charlie Myers, Chairman of the Cable Advisory Committee, and he had voiced concern that this was not what was originally agreed with Time-Warner. He agreed he did not want to physically have someone here, but rather than a remote, questioned if there could be a third camera - two for the audience and one for the Board. He also did not want overhead mikes, and was interested in knowing what the status was on the equipment for placing items on the bulletin board.
- Mr. Downing felt there was a need for a joint meeting with Cable Access and the Cable Advisory Committee. Since Mrs. Rozanski was liaison to Cable, she was requested to try and get representatives from both groups to attend the meeting on April 13th at 8:00 p.m.
- The Board, after some discussion, agreed there would not be a raised platform in Sanford Hall for Board and Committees to sit at.
  - The Board scheduled the personnel evaluations of Bob Power at 7:30 p.m. and Jackie Ammering at 7:45 p.m. on April 13th.
  - Mr. Hartman stated that various departments were questioning if new air conditioners were going to be purchased. At this time, the Board did not feel there were sufficient funds in the budget, but to keep the request in mind. Mr. Downing felt there were higher priorities in the renovation process at this time. Possibly ceiling fans or screens could be considered.
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MINUTES OF THE SELECTMEN'S MEETING  
APRIL 6, 1998

10:15 p.m.-Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

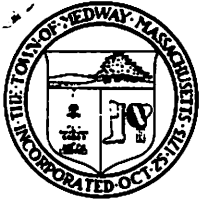
Respectfully submitted,

M. J. Fredette

Secretary

mj

*revised &  
amended  
11/27/98*



*Michael J. Hartman*  
*Town Administrator*

## **BOARD OF SELECTMEN**

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

### **AGENDA**

March 30, 1998

- 6:00 Open meeting, Evaluations for Mark Flaherty, Lee Henry and Paul Keefe
- 7:05 Rick Merrikin regarding the Apollo Building
- 7:30 Marjorie Sanford  
vote and sign notes.
- 7:45 Kelly O'Rourke, Chairman, Medway  
Municipal Technology Committee  
regarding Final Report.

Administrator's Report

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 30, 1998.

1. First reading of the Draft Policies and Procedures for the Board of Selectmen.
2. Acknowledge receipt of Site Plan for 33 Alder Street received on March 26, 1998.
3. Vote and sign Emergency Transfer Request for \$84.00 for the printing of the Annual Town Report.
4. Vote and sign Emergency Transfer Request for \$75.00 for Pre-employment physicals.
5. Chairman sign Right of Entries for Route 109 Reconstruction
6. Review and vote on articles for Annual Town Meeting Warrant.
7. Vote on request of Edward Reardon to the Street Naming Committee.
8. Acknowledge designation of Mass ReLeaf grant made available by Ginley-Crowley Funeral Home.
9. Acknowledge letter from Park Commissioners regarding Walker Street property.
10. Appoint Paul Graney to the Industrial Development Finance Authority through April 1, 2003
11. Appoint Joan Beaudry to the Board of Registrars through April 1, 2001.
12. Approve minutes of 3/2/98, 3/9/98, 3/16/98 and 3/23/98 meetings.



***MINUTES OF THE SELECTMEN'S MEETING  
MARCH 30, 1998***

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Town Administrator Michael Hartman.

- 6:10 p.m. - Personnel evaluations were conducted for Mark Flaherty, Lee Henry and Paul Keefe.

- Mark Flaherty was first. Mr. Flaherty was told he needs to utilize the Town Administrator in providing information.

Mr. Flaherty received the following scores:

Mr. Downing - 36; Mr. Brodeur - 34; Mrs. Rozanski - 35.

- Lee Henry was next. Since Mr. Henry is not a member of the union, there was no total score recorded on this particular evaluation form.

Mrs. Rozanski did wish to state for the record that she did not feel they should be doing an evaluation on Mr. Henry because he was not an employee; if one was to be done, it would be done after one year and not six months; and he should be doing a report for the Board. Mr. Downing stated the evaluation was being done as per the memorandum of agreement. Mr. Brodeur added that he felt Mr. Henry was coming along in the area of knowledge of the position and was doing a great job. Mrs. Rozanski again reiterated Mr. Henry was a private contractor.

- Paul Keefe met with the Board. He did inform them that he taught courses; he didn't take them. The Board said they did like his initiative, but was told he needs to utilize the Town Administrator in providing information.

Mr. Keefe received the following scores:

Mr. Downing - 36; Mr. Brodeur - 43; Mrs. Rozanski - 39.

(The above minutes taken by Mr. Hartman.)

- 7:15 p.m. - Rick Merrikin came to speak to the Board about the Apollo building. Mr. Merrikin stated he had been waiting for information from the State, and showed the Board his site plan. He will be having further discussions with Mr. Potheau, but one of main concerns was the permanent entrance, and the

***MINUTES OF THE SELECTMEN'S MEETING***  
***MARCH 30, 1998***

thought of having an additional second entrance. In speaking with Tom Loughlin of Mass. Highway, Mr. Loughlin feels it is a Town issue. He also brought up the billboard, owned by Mr. Potheau, which he feels is important and appears to be going into the right of way. He feels this is pre-existing and non-conforming, but would be pursuing the permit process.

Mrs. Rozanski asked Mr. Hartman to check into this further. Mr. Merrikin understood he might have to go to the ZBA for a slight modification; however, Mr. Brodeur thought if the sign doesn't extend beyond the travel way, it may not be encroaching.

Mr. Merrikin also brought up the inside wall of the Apollo building, which they said was previously an outside wall, and which will again become the outside wall. Mr. Merrikin was advised to get a demolition permit.

Insofar as the curb cut was concerned, Tom Loughlin again said this was done at the local level, but Mr. Downing did not want to deviate from the State plans. He felt the curb cut should be a separate site plan; basically two driveways. Mr. Downing said if this was done, one driveway should only be "in", and one "out" from a safety standpoint. But at this point in time, should not be on the present site plan. Going back to the curb cut, Mr. Brodeur suggested he pursue the roadway access permit process. Mr. Merrikin stated he might go through the site plan process anyway to get it recorded and certified, and would send the Board a letter to the effect.

- 7:27 p.m. - Mr. Brodeur left on a fire call.

- Treasurer/Collector Marjorie Sanford came to the Board to ask that they sign a bond anticipation note for sewer loan in the amount of \$230,000 at an interest rate of 3.83% from Citizens Bank of Mass. Mrs. Rozanski moved to approve note #936-1 for \$230,000; Mr. Downing seconded; all aye. Town Clerk Maryjane White was present as well for certification.

- The Board jumped around on the Action Items.

- 3. Mrs. Rozanski moved approval of an emergency transfer to the FinCom for \$84 for the printing of the annual town report; Mr. Downing seconded; all aye.

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***MINUTES OF THE SELECTMEN'S MEETING  
MARCH 30, 1998***

- 4. Mrs. Rozanski moved approval of an emergency transfer to the FinCom for \$150 for pre-employment physicals; Mr. Downing seconded; all aye.
- 7. Mrs. Rozanski moved to appoint Edward Reardon to the Street Naming Committee through June 30, 1998; Mr. Downing seconded; all aye.
- 10. Mrs. Rozanski moved to re-appoint Paul Graney to the Industrial Development Finance Authority through April 1, 2003; Mr. Downing seconded; all aye.
- 11. Mrs. Rozanski moved to re-appoint Joan Beaudry to the Board of Registrars through April 1, 2001; Mr. Downing seconded; all aye.
- 5. Mrs. Rozanski moved the Chairman be authorized to sign the Right of Entries for the Route 109 reconstruction project; Mr. Downing seconded; all aye.
- 7:42 p.m. - Mr. Brodeur returned to the meeting.
- 8. The Board acknowledged designation of a Mass ReLeaf grant made available by Ginley-Crowley Funeral Home through the Mass. Memorial Tree Program. Mr. Hartman said it required the Tree Warden's signature and would have to be maintained by the Town for three years, so Mr. Downing suggested he get together with Mr. Dolloff. Mrs. Rozanski moved to request Mr. Hartman send a thank you letter to the Ginley-Crowley Funeral Home; Mr. Brodeur seconded; all aye.
- 2. The Board acknowledged receipt of the site plan ~~for 33~~ for an industrial building at 33 Alder Street from ESP Associates received in the Office on March 26th.
- 9. The Board acknowledged receipt of a letter from the Park Commissioners accepting the land offered by the Board on Walker Street. Mr. Downing did not recall making that specific offer, but that in speaking with Park Superintendent Fred Sibley, had told him the Highway Department was cleaning up the property and would the Park Department consider it for recreational purposes? He stated he had not made any commitments.

**MINUTES OF THE SELECTMEN'S MEETING**  
**MARCH 30, 1998**

Mrs. Rozanski asked if Park could just use the property under the Selectmen's jurisdiction? Mr. Brodeur believed it would need town meeting action for the Board to give the land to the Park. Mr. Downing said some of the area could be used for Park, and some of the area could have another use. He felt that people on Oakland Street would then have an access to the land via sidewalks, but that the DPS and the Safety Officer should offer comments in determining what was safe.

Mrs. Rozanski agreed town meeting would have to vote to permanently give the land to the Park, but the Selectmen could allow them to use it. She noted once the Board gives them the land, it can never be returned. At this time, she recommended making it clear to the Park Commissioners this was not permanent.

Mr. Brodeur suggested Mr. Hartman propose a letter and bring it to the next meeting.

- 7:50 p.m. - Kelly O'Rourke, Chairman of the Municipal Technology Committee, came to speak to the Board about the final report they had submitted on the technology study. She was accompanied by Jack Ryan, a member of the Committee. She said CIPC had seen the report and indicated the Committee needed to come back with solid numbers, especially with the havoc that could be experienced with the year 2000. They, therefore, came up with a figure of \$239,450, which they feel confident and accurate with. CIPC was supportive of this figure, as seemed FinCom.

Ms. O'Rourke said she hoped to have another meeting with department heads next Thursday at 11:00 a.m. at Fire Station II and Doug Gardner of Pioneer would also be present. From that meeting, she hoped to form a steering committee to continue the project on. She felt that the Committee was basically finished and looked to the Board for direction now. They asked that the Committee continue until the term ended in June at least. Ms. O'Rourke said she would be willing to contact various vendors for the equipment.

Mr. Brodeur asked if Pioneer would be doing the network consulting for \$20,000 as noted in the recommendation? Ms. O'Rourke said it may not be him, but he could help to locate someone locally. She also wanted to ensure there was no duplication in department budgets, and said they were recommending \$7,500 in

***MINUTES OF THE SELECTMEN'S MEETING  
MARCH 30, 1998***

the FY'99 budget for training. Mr. Ryan said it was really a three-year program they were recommending and asked the Board not to cut the amount for training. Ms. O'Rourke agreed saying the training was necessary. She noted she and Mr. Gardner met with Mr. Hartman this evening, and they would be going to him from now on.

Mr. Brodeur asked how long the system was good for, and Ms. O'Rourke said 5-7 years, but it was expandable and with a greater range than is here now. Mr. Downing asked if they were compatible with the schools, and Mr. Ryan said only on the administrative side.

Barry MacDougall, who was present, asked that the Board consider developing a business and communication strategy and training trainers and purchasing videos.

Mr. Downing asked that a copy of the report be available at the Library and Town Hall.

- 8:15 p.m. - Warrant #40 was signed totalling \$1,095,540.
- Administrator's Report.
- Mr. Hartman stated that Derek Harrington has been made a regular Dispatcher, and Edward Baker has been hired as Assistant Mechanic. He asked the Board for permission to proceed with the preliminary engineering discussion of the Village and Summer projects. Mr. Hartman also noted receipt of the specs for Alder Street and the paving of a street, Trotter Drive Extension, that's not accepted. He said the plan is drawn that way, but the land does not belong to the Town. Mr. Brodeur felt that acceptance at Town Meeting should come before they begin.
- Mr. Hartman asked the Board to sign the contract for mapping services with DesLauriers I& Associates Inc. for upgrading of 1996 and 1997 information into the data base and the printing of new tax maps. He stated Town Counsel had reviewed the agreement.

Mr. Brodeur moved to sign the agreement between the Board of Assessors and DesLauriers for services as outlined in the agreement effective 3/10/98 for \$7,800; Mrs. Rozanski seconded; all aye.  
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## **MINUTES OF THE SELECTMEN'S MEETING**

**MARCH 30, 1998**

- Mrs. Rozanski asked about the crossing guard appointments, saying that John Clark had called her about the appointment. The Secretary said that was an emergency crossing guard appointment of Penny Kelly that he was probably referring to. Mr. Hartman will check into it, but Mr. Downing said the appointment is usually a recommendation from the Police Chief.
  - A memo to Grace Shephard outlining the FY 99-04 projects was noted which needed to be sent by 3/31. The Board had some comments on three of the streets on the list which will be checked out before the memo is sent. It was then suggested that Mr. Henry could attend the meeting next week if need be.
  - The Board noted receipt of a letter from Senator Magnani on the Historic Preservation Grant Program, which Mr. Downing asked Mr. Hartman to keep a follow-up on, a copy of which was sent to the Historical Commission. Mrs. Rozanski asked that he keep on top of the Community Action Statement as well.
  - A letter was acknowledged from Cybex of 10 Trotter Drive stating their intention to expand their headquarters. Mrs. Rozanski said she had received a phone call from Ken Bancewicz, Facilities Manager, asking what the procedure should be, and she advised sending this letter.
  - It was noted the Planning Board was having a public hearing on the rules and regulations on April 14th.
  - 8:45 p.m. - Committee Reports.
  - Mrs. Rozanski said she attended the recent Planning Board meeting where they discussed zoning by-laws, streets to be accepted, the industrial area, and telecommunication towers with reference to the articles on the town meeting warrant. She noted there would be no open space article.
  - Mr. Downing said he went to the FinCom meeting on Saturday with Mrs. Rozanski. He stated they have recovered in potential savings about 10% of the \$1.3 million (\$127,000) that have exceeded anticipated receipts. He said he is not advocating a one million dollar override so he wants to share information and let people know the FinCom is working on it. He said they would probably be meeting again Saturday.
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***MINUTES OF THE SELECTMEN'S MEETING  
MARCH 30, 1998***

Mrs. Rozanski said they have to find all the sources, but that the FinCom wanted to cut the Police budget. Mr. Downing said the Chief did not go for that, and he told the FinCom they were only advisory, and to not make managerial decisions. He noted Michael Creed and Joe Dziczek were going to see the Chief.

- Mrs. Rozanski asked Mr. Hartman to inquire about the report from the Fire Chief on the EMS stipend program. It was noted that the Board does not want the FinCom to touch that program at all if they were looking to reduce funds.

- Mrs. Rozanski moved to approve the minutes of March 2nd, March 9th, March 16th, and March 23rd. Some corrections were made to the minutes. Mr. Brodeur then seconded the motion as amended; all aye.

- Mr. Downing acknowledged receipt of Jimmy Smith's evaluation. Since he was at a grade 8, step 8, he could not receive another step increase, so Mr. Downing suggested a letter be placed in his personnel file of commendation.

Mr. Brodeur moved to approve the evaluation of Jimmy Smith with 52 points and to request the Town Administrator send a letter of commendation for outstanding performance with the Board signing it; Mrs. Rozanski seconded; all aye.

- 9:05 p.m. - The Board reviewed the warrant, and Mr. Downing asked Mr. Hartman to check with the Town Accountant and the Treasurer on the bonding. He said he would get it for him in time for Saturday's meeting.

- The Board began a first reading on the Selectmen's policies and procedures. Mr. MacDougall asked the three-member Board of Selectmen if they should be deciding what a five-member Board will be doing? Mr. Downing said Mr. Hartman should be able to assist in this area, and said he was welcome to a copy of the proposed policies. Mr. Hartman added that a changing of the rules does not take an extraordinary vote. Mrs. Rozanski said she would check with the dietary association for their wording on the correct use of a Seal. She felt it was O.K. to use for official business, i.e. Mr. Brodeur's letter to Kiewit. It was noted that operating procedures would be needed for advisory committees as well.

- Mr. Downing asked Mr. Hartman to follow up on his request to the MMA in January for six copies of the Selectmen's handbook.  
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*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 30, 1998*

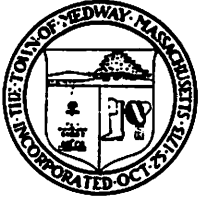
- 10:25 p.m. - Meeting was adjourned.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*approved  
4/13/98*





## BOARD OF SELECTMEN

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

*Michael J. Hartman*  
*Town Administrator*

### AGENDA

March 23, 1998

- 7:00 Open meeting, sign warrants, approve  
minutes of 3/2/98 and 3/9/98 meetings.
- 7:05 Rick Merrikin regarding the Apollo  
Building
- 7:15 Marjorie Sanford  
regarding Payroll RFP
- 7:30 Kristen Diebus regarding appointment  
Finance Committee

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 23, 1998.

1. Approve Information Center budget.
2. Approve MFEMSA request for a Boot Drive on May 16, 1998

**MINUTES OF THE SELECTMEN'S MEETING  
MARCH 23, 1998**

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Town Administrator Michael Hartman.

6:15 p.m. - Mr. Downing called the meeting to order in Sanford Hall of Town Hall.

- Mrs. Rozanski moved the Board of Selectmen's salary budget for purposes of discussion at \$97,343; Mr. Brodeur seconded; all aye. Mr. Downing asked Mr. Hartman if he had any discussions with the Administrative Assistant; he said he had not. On hearing that, Mr. Downing said the Board of Selectmen will assume that responsibility. It was asked if an article was needed on the Town Meeting warrant to abolish the position? Mr. Brodeur felt the process was included in the financial portion of the Town Meeting. The salary portion of the budget was voted all aye 3-0 at \$97,343.

With reference to expenses, an additional \$500 was placed into the printing line item for pamphlets. Mrs. Rozanski moved approval of the Expense portion of the Board of Selectmen's budget at: Consultant - \$2,500; Merit Increases - \$15,600; Regular Expenses - \$15,750; Total \$33,850; Mr. Brodeur seconded; all aye 3-0.

The Board noted they took postage out of the Selectmen's budget to be included in the Treasurer/Collector's budget, so the Treasurer should be so notified of the change; however, Boards that charge fees should be made aware of this so it is still included in their calculations.

(The above minutes taken by Mr. Hartman).

- 6:40 p.m. - Administrative Assistant Ruth Allen and Secretary M. J. Fredette joined the meeting.

- The Board discussed the upcoming Town Meeting and some large expenditures for technology, paving and school contractual commitments. Mrs. Rozanski suggested Mr. Hartman find out about the Town's bonding capacity from the Treasurer.

In reviewing an article submitted by both Fincom and the Water/Sewer  
page 1.

Present: Douglas, Johnson, James, Richard, Kapinski, Kowalski, Town  
Administrator Michael, H. H. H.

8:15 p.m. - Mr. Johnson called the meeting to order in Board Hall of Town  
Hall.

Mr. Johnson moved the Board of Selectmen's salary budget for purposes  
of discussion. Mr. Johnson seconded all eyes. Mr. Johnson asked Mr.  
H. H. H. if he had any questions with the Administrative Assistant. He said he  
did not. Mr. Johnson then the Board of Selectmen will assume  
that responsibility. It was asked if an article was needed on the Town Meeting  
warrant to abolish the position. Mr. Johnson said the process was included in the  
final portion of the Town Meeting. The salary portion of the budget was voted  
all eyes 7-0 at 8:45 p.m.

With reference to expenses, an additional \$200 was placed into the opening  
two town pamphlets. Mr. Johnson moved approval of the expense portion of  
the Board of Selectmen's budget at \$22,500. Mr. Johnson seconded all  
eyes 7-0.

The Board noted that the position of the Selectmen's budget to be  
included in the Treasurer's budget so the Treasurer should be so notified  
of the changes. Mr. Johnson said that changes should be made aware of this so it  
will be included in the final calculations.

(The above minutes taken by Mr. H. H. H.)

8:40 p.m. - Administrator's Assistant Keith Allen and Secretary Mr. J. Johnson  
joined the meeting.

The Board discussed the upcoming Town Meeting and some large  
contributions for technology, printing and school construction. Mr. Johnson  
said that he suggested Mr. H. H. H. find out about the Town's financial picture from  
the Treasurer.

At 9:00 p.m. the meeting adjourned. Mr. Johnson and the Board of Selectmen  
Page 1

**MINUTES OF THE SELECTMEN'S MEETING  
MARCH 23, 1998**

Commissioners for the maintenance of the Water Department, it was noted there were different figures being submitted by each. Mr. Hartman was asked to check out the discrepancy.

- Committee Reports.

- Mr. Brodeur said he could not attend the Planning Board meeting the next evening. Mrs. Rozanski said she would try and attend since they would be discussing zoning articles, including open space and telecommunication towers, and possibly the footbridge for Alder Street.

- Mr. Dziczek reminded the Board of the FinCom meeting on Saturday with possible discussion of a debt exclusion. Mr. Downing felt the exclusion should be only for non-repetitive items, such as technology and repaving, extraordinary one-time items. Mrs. Rozanski suggested Mr. Dziczek check out the bonding rates.

- Walter Sampson of the Council on Aging stopped in to be reassured by the Board that they would place the Senior Citizen tax relief program on the annual town meeting warrant again. Mr. Brodeur felt that as long as Mr. Sampson had come to the meeting, the Board should vote as to its inclusion.

Mrs. Rozanski moved to include the article for the Council on Aging for the senior citizen assistance program for \$22,500 on the warrant; Mr. Brodeur seconded; all aye. Mr. Sampson noted their request was going from \$15,000 to \$22,500, and that custodial services were also being considered for the Senior Center.

- The warrant was signed totalling \$364,614.70.

- Mrs. Rozanski asked if anyone had heard about potential grant money for the library since we were at the top of the list. Mr. Downing thought he had read in the paper that it had gotten approved unanimously. Mrs. Rozanski noted the money was voted in the budget, and if the grant was approved, that would be additional money for the Town.

- Treasurer/Collector Marge Sanford came to speak to the Board regarding the

Treasurer/Collector/Alfred Sanford came to speak to the Board regarding the

additional money for the room.  
The money was voted in the budget and if the grant was approved, that would be  
the money that it had gotten approved unanimously. Mrs. Rozanski noted  
for the library since we were at the top of the list. Mr. Downing thought he had  
Mrs. Rozanski asked if anyone had heard about potential grant money.

The warrant was signed totalling \$304,000.00.

Consent

\$222,500 and that custodial services were also being considered for the senior  
assisted living. Mr. Sampson noted that request was going from \$12,000 to  
\$222,500 on the warrant. Mr. Brodum  
After Rozanski moved to include the article for the Council on Aging for the

come to the meeting, the Board should vote as to its inclusion.

was meeting again. Mr. Brodum for that as long as Mr. Brodum had  
been that they would place the Senior Center on the annual  
Walter Sampson of the Council on Aging report in to be reviewed by the

times.

one-time items. Mrs. Rozanski suggested Mr. Dixie check on the funding  
only for non-repetitive items such as technology and reporting, extraordinary  
possible discussion of a debt exclusion. Mr. Downing felt the exclusion should be  
Mr. Dixie reminded the Board of the Finance meeting on Saturday with

and possibly the for the for Alder Street.

discussing zoning articles, including open space and telecommunication towers.  
Mrs. Rozanski said she could not attend the Planning Board meeting the next  
evening. Mr. Rozanski said she could try and attend since they would be

Committee Reports

out the discrepancy.  
were current figures being submitted by each. Mr. Hannan was asked to check  
the information for the maintenance of the Water Department. It was noted there

**MINUTES OF THE SELECTMEN'S MEETING**  
**MARCH 23, 1998**

RFP for payroll services. She stated had done an analysis of the two companies, Harper's and ADP. She noted both were rated highly advantageous according to the parameters given. Mrs. Sanford said ADP was certified to the year 2000; Harper's was expected to be through the Fall of 1998, with the one year with option to renew.

She stated that additional questions came up which were sent to both companies, coming out about both equal. Mrs. Sanford did state, however, that the computer they have now is not adequate to run Harper's. She suggested going with the current provider for one more year, with the option to renew.

Mr. Downing said that the service was subject to appropriation, otherwise they were locked into three years. He noted if it does not include performance and appropriation, it could just be a one year commitment. Mr. Downing determined from the Treasurer that the last contract was subject to appropriation, and suggested they include performance along with the appropriation.

Mr. Downing said he had seen correspondence between the School Department and the Treasurer's Office, but would support her recommendation. Mrs. Sanford said there was only one major problem on February 28th with turnaround time. She said she has discussed payroll with the School Department on many occasions. Mrs. Sanford said she feels ADP is on top of tax laws, and has better control on the 403B plan, and is comfortable with them. If the School Department does not like them, she said she would take the processing back in the Treasurer's Office. She also noted that they are contracted with ADP through April of 1998<sup>8</sup>, so there were some months left.

Mrs. Rozanski moved to approve the recommendation of the Treasurer/Collector to award the payroll services contract to ADP for one year subject to a performance evaluation and appropriation; <sup>with the option to renew for two additional years</sup> Mr. Brodeur seconded; all aye. Mrs. Sanford gave the Board all her files on the RFP.

- The minutes of March 2nd, 9th and 16th were brought up, but it was agreed to hold off review of them until next week.

- With reference to the boot drive, Mr. Brodeur said most of the members of the Medway Fire & EMS Association, Inc. did not recall a vote being

that the two companies. She noted that she had done an analysis of the two companies. She noted that the two companies were rated highly according to the parameters given. Mrs. Sanford said ADP was equal to the one 2000. She noted that she had done an analysis of the two companies. She noted that the two companies were rated highly according to the parameters given. Mrs. Sanford said ADP was equal to the one 2000. She noted that she had done an analysis of the two companies. She noted that the two companies were rated highly according to the parameters given. Mrs. Sanford said ADP was equal to the one 2000.

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Mrs. Downing said that the service was subject to appropriation otherwise they would be locked into three years. She noted that it does not include performance and appropriation is subject to a one year commitment. Mrs. Downing stated that from the Treasurer's Office that a matter was subject to appropriation and suggested they include a statement along with the appropriation.

Mrs. Downing said she had seen correspondence between the School Department and the Treasurer's Office, but could not support her recommendation. Mrs. Sanford said there was only one major problem on February 28th with turnaround time. She said she had discussed payroll with the School Department on many occasions. Mrs. Sanford said the idea ADP is on top of tax laws, and has better control on the payroll plan and is comfortable with them. If the School Department does not like them, she said she would take the processing back in the Treasurer's Office. She also noted that they are connected with ADP through April of 1978, so there would be some months left.

Mrs. Kozlowski said to approve the recommendation of the Treasurer's Office to award the payroll services contract to ADP for one year subject to a performance evaluation and appropriation. Mrs. Brown seconded all of this. Mrs. Sanford gave the Board all the information on the ADP.

The minutes of March 3rd and 14th were brought up, but it was a vote to hold off review of them until next week.

It is referred to the Board of Education. Mrs. Brown said most of the members of the Advisory Committee Association Inc. did not recall a vote being



**MINUTES OF THE SELECTMEN'S MEETING  
MARCH 23, 1998**

recorded at the meeting, so possibly they should wait on making a decision. Mr. Downing suggested approving the request, and those that wish to volunteer to assist in the boot drive would do so. Mr. Brodeur questioned if it was not voted, does it have insurance restrictions?

Mrs. Rozanski moved to approve the boot drive subject to receiving verification of an affirmative vote from the Association; Mr. Brodeur seconded; all aye.

- The Information Center budget was brought up, but Mr. Hartman stated he had not met with the Town Accountant to get additional information on education and training. They would be meeting the next day, but felt the total numbers hadn't changed. He wanted to make sure there was correlation with technology before the amount was finalized hoping the numbers would go down.

Mrs. Rozanski moved to approve the Information Center budget for Expenses of \$32,200 subject to final review by the Town Administrator; Mr. Brodeur seconded; all aye.

- The Master Plan Committee's budget was brought up. Mr. Brodeur moved to approve that budget for Salaries - \$480; Expenses - \$500; Total - \$980; Mrs. Rozanski seconded; all aye. Mrs. Rozanski noted they have chosen not to have a secretary, with Mr. Downing adding that possibly a Senior Citizen will be utilized.

- Mr. Downing acknowledged receipt of a letter from Marcy Thomas of the Conservation Commission indicating her hopes that the area on Village Street she speaks about can be used as a canoe launch area.

Mrs. Rozanski stated that the land management agreement to have a canoe launch there is by means of the Public Access Board; the cleaning up of the area is still with the Department of Environmental Management under the Greenways grant. Mr. Dzikzek thought the Town had a right of way on Sanford Street, with Mrs. Rozanski believing the Town owned a part of the hill. Mr. Downing added that the Town can even do a nature trail; we have a sewer easement. Mr. Brodeur commented we could also take the land by eminent domain.

Mr. Brodeur moved to authorize the Board of Selectmen to sign the land management agreement between the Town of Medway and the Commonwealth of Mass.; Mrs. Rozanski seconded; all aye.

recorded at the meeting so possibly that she did want to make a decision. Mr. Downing suggested approving the proposal and those that wish to volunteer to assist in the boot drive would do so. Mr. Brodson questioned if it was a good idea if have insurance restriction.

Mrs. Kozanski moved to approve the boot drive subject to receiving verification of a affirmative vote from the Association. Mr. Brodson seconded all eyes.

The Information Center budget was brought up by Mr. Blumman. Since he had not met with the Town Association to get additional information for an education and training. They would be meeting the next day, but felt the total number hadn't changed. He wanted to make sure there was correlation with technology before the amount was finalized. The numbers would go down.

Mrs. Kozanski moved to approve the Information Center budget for expenses of \$12,200 subject to final review by the Town Administration. Mr. Brodson seconded all eyes.

The Master Plan Committee budget was brought up by Mr. Blumman. Moved to approve that budget for expenses of \$12,200. Mr. Brodson seconded all eyes. Mrs. Kozanski noted they have chosen not to have a secretary with Mr. Downing at that point. A senior citizen will be utilized.

Mrs. Downing acknowledged receipt of a letter from Mrs. Thomas of the Green River Commission indicating her hope that the area on Village Street she speaks about can be used as a new launch area.

Mrs. Kozanski stated that the land management agreement to have a canoe launch there is by means of the Public Access Board. The cleaning up of the area will with the Department of Environmental Management under the Green River grant. Mr. Brodson thought the town had a right of way on Sunset Street. Mrs. Kozanski believed the town owned a part of the hill. Mr. Downing added that the town can even do a park trail. We have a sewer easement. Mr. Brodson commented we could also take the land by eminent domain.

Mrs. Brodson moved to authorize the Board or delegation to sign the land management agreement with the town or necessary and the Commission will be. Mrs. Kozanski seconded all eyes.

**MINUTES OF THE SELECTMEN'S MEETING**  
**MARCH 23, 1998**

Mr. Dzikczek wished to inform the Board as to the possible dangers that might arise at that location, and that the Town was buying into the need to protect what we clean up, and to maintain it. It could become an attractive nuisance to the Town, and asked if Town Counsel knew about the agreement and any liabilities?

Mrs. Rozanski stated that the Town owns property along the river anyway, but we would have to have some safety signs in place. Taking the proper precautions also included taking certain responsibilities. Mr. Downing said that the Department of Fisheries and Wildlife will maintain it; we just have to keep it clean and restrict the parking.

7:40 p.m. - Kristen Diebus came to speak to the Board about being appointed to the Finance Committee. Mr. Downing said he was always pleased to see new people coming forward and asked if she had spoken to any member of the FinCom yet; she said she had not. Ms. Diebus told the Board she had lived in Medway for over two years and was interested in being involved. She said she has worked in the public sector with public funds, management and budgeting, and had the time now to get involved.

Mrs. Rozanski thought she was very qualified. She moved to appoint Kristen Diebus to the Finance Committee through June 30, 2000; Mr. Brodeur seconded; all aye. Ms. Diebus understood from Mr. Downing that the FinCom was having a meeting on Saturday, but she would be unable to attend.

- Mr. Downing acknowledged the communication from Paul DeSimone dated March 9th and suggested they table discussion of the letter until he was able to meet with them personally. Mr. Hartman understood he would be coming back to Medway after April 1st.

- The Board noted receipt of an application for site plan approval submitted by Robert Scott Power for a location at 42 Broad Street. Mr. Brodeur publicly acknowledged its receipt and was making it known at this public meeting as noted in these minutes as per the Zoning By-laws, Section C.

- Mr. Downing said the Board was behind on some personnel evaluations, and suggested they meet prior to the next Selectmen's meeting to do Paul Keefe, Mark Flaherty, Lee Henry and Ruth Allen. They agreed, so each individual will be given 15 minutes between 6:00 and 7:00 p.m.

Mr. Rosenfeld wished to inform the Board as to the possible dangers that might arise at that location and that the town was buying into the need to protect what was clean up and to maintain it. It would become an attractive nuisance to the town and asked if Town Council knew about the agreement and any liabilities?

Mrs. Rosenfeld stated that the town owns property along the river anyway. But we would have to have some safety signs in place. Taking the proper precautions also included making certain responsibilities. Mr. Downing said that the Department of Fisheries and Wildlife will maintain it we just have to keep it clean and protect the parking.

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Mrs. Rosenfeld thought she was very qualified. She needed to appoint Kristen Nichols to the Finance Committee through June 30, 2000. Mr. Downing seconded all eyes. Mr. Downing understood from Mr. Downing that the Finance Committee was having a meeting on Saturday but she would be unable to attend.

Mr. Downing acknowledged the communication from Paul Desjardins dated March 2nd and suggested they raise discussion of the letter until he was able to meet with them personally. Mr. Desjardins understood he would be coming back in Midway after April 1st.

The Board noted receipt of an application for site plan approval submitted by Robert Scott Power for a location at 42 Board Street. Mr. Downing proposed acknowledged it receipt and was making it known at this public meeting as noted in these minutes as per the zoning laws of the town.

Mr. Downing said the Board was behind on some personnel evaluation and suggested they meet prior to the next town meeting to do that. Mr. Downing thanked Mr. Henry and Kristin. He agreed so each individual will be given 15 minutes between 6:00 and 7:00 pm.

**MINUTES OF THE SELECTMEN'S MEETING**  
**MARCH 23, 1998**

Mrs. Rozanski asked if they shouldn't be receiving a recommendation from their specific Boards? Mr. Brodeur stated it was not required, but Mrs. Rozanski said she would like to talk to the Boards anyway. Mr. Brodeur acknowledged it could be done unofficially, but not as a Board; it is not addressed in the contract.

Mr. Downing felt a more appropriate approach would be to send a memo to all four and advise them as to when they would be scheduled. He thought they should be asked for whatever they wanted to contribute, and examples of what they have been doing which could be included in the weekend packets for Friday or brought with them on Monday. Mrs. Rozanski said they should include any classes or seminars attended. Mr. Brodeur added if they don't have any comments, it's a score of "2".

- Mr. Downing brought up on-going correspondence received from Berlin Steel concerning work done on the Memorial School. As liaison to the School Building Committee, he was aware of the poor workmanship done by them and some of the inferior products such as the railing and some steel work. He agreed there were some issues here; however, he did not feel the Board should address the issues. It rests with the general contractor, and he had not seen the latest response from Stella.

Mr. Brodeur moved to acknowledge receipt of the letter dated March 17th from Berlin Steel, and to let them know the Board was awaiting advisement from the School Building Committee; Mrs. Rozanski seconded; all aye.

Mr. Downing added that Stella and Symmes, Maini & McKee probably won't release any funds, but felt it was professional courtesy to at least acknowledge the letter from Berlin Steel. Mr. Brodeur felt it was the subcontractor's legal right to request payment to the Board of Selectmen.

- Mr. Downing recommended a first reading of the policies and procedures that they have been considering for the Board of Selectmen to be placed on next week's agenda, and asked that they be prepared to discuss them.

8:05 p.m. - Barry MacDougall was present and voiced his concern on the status of the EMS situation in Town since he originally wrote to the Board eight months before. Reading an article in the Country Gazette on February 25th, he felt they were regressing rather than getting better, and was hoping for a permanent and  
page 6.

Mr. Brodman asked if they should not have a recommendation on their part. Mr. Brodman stated it was not required but that it would be good to have one. Mr. Brodman asked if they could be done informally. Mr. Brodman stated it is not addressed in the contract.

Mr. Brodman told a more appropriate approach would be to send a letter to all four and ask them to let them know they would be scheduled. He thought they should be asked to let them know they wanted to contribute and examples of what they have been doing. Mr. Brodman stated he would include in the weekend packet for Friday or brought with them on Monday. Mr. Brodman stated they should include any classes or seminars attended. Mr. Brodman stated if they don't have any comments it's a score of "2".

Mr. Brodman brought up on-going correspondence received from the Board of Academic Work done on the Board of Academic Work. Mr. Brodman stated the Building Committee was aware of the poor workmanship done by them and some of the materials products such as the railing and some steel work. He agreed there were some issues here but even he did not feel the Board should address the issues. He stated with the general contractor and he had not seen the latest course from Stella.

Mr. Brodman moved to have the receipt of the letter dated March 1, 1978 from Stella 2nd and to let them know the Board was waiting a response from the School Building Committee. Mr. Brodman seconded all and

Mr. Brodman added that Stella and Symmes, Mr. Brodman would not be any longer but he was professional courtesy to at least acknowledge the letter from Stella. Mr. Brodman felt it was the Superintendent's legal right to request payment to the Board of Education.

Mr. Brodman recommended that the reading of the policies and procedures that they have been considering for the Board of Education to be placed on next week's agenda and asked that they be prepared to discuss them.

Mr. Brodman stated that Mr. Brodman was present and voiced his concern in the situation. Mr. Brodman stated he originally wrote to the Board eight months before. He stated an article in the State of New York on February 2, 1978, he felt they were in a position where they were not giving them any help for a long time and

*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 23, 1998*

lasting solution.

Mr. Brodeur advised him that enrollment in the EMS program was up and they did modify the incentive program. Mr. MacDougall added that he was hoping for some time for the Town Administrator to get involved since he felt the program needed professional management assistance, and he could provide a lasting improvement for the department's operation.

Mr. Downing said that the Town Administrator has direct supervision over the Fire Chief and the EMT's. Mr. MacDougall just asked them to keep this high on their list of priorities, with Mr. Brodeur saying he felt he had seen progress in the last 3-4 months. Mr. MacDougall was aware of the presentation made by the Fire Chief and the EMS Coordinator, but he expected if management had problems, that they would give solutions to the problems before any changes were made. The Board noted they went to an EMS meeting and listened to the group, and it wasn't just dollars that concerned them, but fairness of distribution.

Mr. MacDougall also asked them to stay in touch with our State Representative with regard to upgrading of ambulance service. Mr. Brodeur suggested Mr. MacDougall attend a regional meeting of the collaborative, with Mr. MacDougall additionally asking that they let the public know about some of the improvements now going on in our EMS Department.

- Mr. Downing said he wanted to revisit the Selectmen's budget since the Administrative Assistant and the Secretary were not present at the time. He stated that the salary line item was not budgeted for three positions, only the Town Administrator and the Secretary, which includes the current salary for the two positions. If Mrs. Allen would like to stay and discuss this area, he invited her to do so, or to think it over and meet with him alone or collectively as a Board. They would make the time available.

8:22 p.m. - Mr. Brodeur moved the meeting be adjourned; Mrs. Rozanski seconded; all aye.

Respectfully submitted,  
M. J. Fredette  
Secretary  
mj  
page 7.

*approved as  
amended  
3/30/98*



leading section.

Mr. Broderick advised that enrollment in the EMS program was up and they did modify the incentive program. Mr. MacDougall added that he was hoping for some time for the Town Administrator to get involved since he felt the program needed professional management assistance and he could provide a lasting improvement for the department's position.

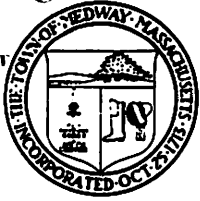
Mr. Downing said that the Town Administrator has direct supervision over the EMS Unit and the EMS Unit. Mr. MacDougall just asked them to keep this high on their list of priorities with Mr. Broderick saying he felt he had seen progress in the last 3-4 months. Mr. MacDougall was aware of the presentation made by the EMS Unit and the EMS Coordinator but he expected if management had problems that they would give solutions to the problems before any changes were made. The Board noted that they went to an EMS meeting and talked to the group and it wasn't just about that concerned them but finances or distribution.

Mr. MacDougall also asked them to stay in touch with our State representative with regard to upgrading of ambulance service. Mr. Broderick suggested Mr. MacDougall attend a regional meeting of the collaboration with Mr. MacDougall additionally asking that they let the public know about some of the improvements now going on in our EMS Department.

Mr. Downing said he wanted to rev. in the department's budget since the Administrator, Assistant and the Secretary were not present at the time. He stated that the salary position was in budget for three positions only the Town Administrator and the Secretary which includes the current salary for the two positions. He also would like to stay and discuss this area he invited them to do so. He thought it over and most with him alone or collectively as a Board. They would make the time available.

Mr. Broderick moved the meeting to adjourn with Mr. Kozanski seconded all over.





## BOARD OF SELECTMEN

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

*Michael J. Hartman*  
*Town Administrator*

### AGENDA

March 16, 1998

7:00 Open meeting, sign warrants, approve  
minutes of 2/2/98 and 2/23/98 meetings.

#### BUDGETS:

7:05 Fire Department and EMS  
7:30 Council on Aging  
7:45 Emergency Management  
8:00 Industrial Development Commission  
Selectmen's  
Town Hall  
Street Lighting  
Annual Report  
Health Insurance  
Other Insurance

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 16, 1998.

1. Vote on request for Boot Drive on May 16, 1998.
2. Discuss memo from Water Sewer Superintendent regarding property adjacent to Lovering Street Water Tower.
3. Approve reconfiguration of the Snow Removal Budget  
(amount of money is the same as previously approved)
4. Discuss letter from MSA regarding regional school transportation.
5. Vote on government representative to CMEMS.
6. Discuss memo from Fire Chief regarding Wellness Act.
7. Discuss and approve Information Center Budget.
8. Approve Building Inspector's budget.

**MINUTES OF THE SELECTMEN'S MEETING**  
**MARCH 16, 1998**

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Town Administrator Michael Hartman, 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, presently being utilized as Mr. Hartman's office.

- The minutes of February 23rd were brought up.

On an update from the minutes, Mr. Downing acknowledged and passed on a memo to Mr. Hartman that had been <sup>mailed</sup> delivered to his house by Paul DeSimone. The memo concerned who was responsible and who would file the PWED grant reports, so he suggested a joint meeting with the IDC in April. According to Mr. DeSimone, the PWED grant is not the responsibility of Gino Carlucci or Design Consultants, but that it is usually coordinated through the Town Accountant's Office and the Selectmen's Office.

After a minor correction to the minutes was made, Mrs. Rozanski moved approval of the minutes of February 23rd as amended; Mr. Brodeur seconded; all aye.

- The minutes of February 2nd were brought up again, but Mr. Downing stated he had a problem with certain comments he had made to be included in the minutes, and did not feel anything further needed to be addressed on those minutes. The Board was in agreement on this and no further action will be taken.

**7:15 p.m.** - Fire Chief Wayne Vinton came before the Board to discuss the Fire Department budget. He was accompanied by his Deputy Chief, Mickey Rojee. He stated that staffing was at full level, and equipment was an on-going review, noting they would be needing new Scott airpacks in the future.

Mr. Downing felt some costs expended for new subdivisions should be built into the bonding through the Planning Board. The Chief was aware of this, but said they do have to provide the service. Mr. Downing asked the Chief to pursue this area, to be more pro-active and professional, not put it at the taxpayer's expense, and suggested sending a letter to the Planning Board in this regard. Mr. Brodeur agreed with making the developers put in the conduit, which Mr. Downing felt the Town was providing inexpensive services for at the volunteers' expense.

presented to the Planning Board for review and approval. The Board is to be kept advised of the progress of the project.

Room 2 of Town Hall, present being utilized as a planning office.

The minutes of February 22nd were brought up.

On an update from the minutes, Mr. Downing acknowledged and presented a memo to Mr. Hartman that had been delivered to his house by Paul Downing. The memo concerned who was responsible and who would file the PWD grant report, so he suggested a joint meeting with the Board, as a result of the decision, the PWD grant is not the responsibility of the Planning Board or the Committee, but that it is usually coordinated through the Town Engineer's Office and the Zoning Office.

After a minor correction to the minutes was made, Mr. Downing presented approval of the minutes of January 19th as amended. The minutes were approved.

The minutes of February 1st and 8th were brought up for review and approval. Mr. Downing stated he had a problem with the minutes and had made a correction. He stated he did not feel anything further needed to be added or changed to the minutes. The Board was in agreement with this and no further action was taken.

Mr. Downing - Mr. Chief Wayne Wilson came before the Board to discuss the Department budget. He was accompanied by his Deputy Chief, Mr. Wilson. He stated that staffing was at full level, and equipment was in good condition. They would be needing new foot caps in the future.

Mr. Downing told the Board costs expended for new subscriptions, and the building the bonding through the Planning Board. The Chief said he was not sure if they do have to provide the service. Mr. Downing asked if it was possible to be more proactive and provide more information. Mr. Downing suggested sending a letter to the Planning Board in the future. Mr. Downing stated with making the budget, but the condition of the building is not a problem. Town is providing information and is in a good position.

**MINUTES OF THE SELECTMEN'S MEETING**  
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Deputy Chief Rojee said if they got rid of fire boxes, insurance rates would go up. The Chief noted that the Town of Franklin was looking into computerizing their fire alarm systems, which would then necessitate a change in the Planning Board rules and regs so a fee could be set.

Mr. Downing inquired about chronic false alarms, and the Chief said they are trying to get them straightened out.

Mrs. Rozanski moved approval of the Fire Department budget for: Salaries - \$136,336; Inspection Fees - \$500; Expenses - \$63,706; Total - \$200,542; Mr. Brodeur seconded; all aye.

- The Fire Chief next discussed the EMS budget. He was accompanied by EMS Coordinator Charlene Tingley.

The Chief said there was an additional increase for incentive stipends in salaries, and few items under expenses, as Mr. Downing and Mrs. Rozanski were aware of from attending the last EMS meeting. Chief Vinton said that, so far, response has been positive from the EMS personnel on the additional stipends. The only other change the Chief was looking for was increasing the part-time clerical staff to full-time.

Mr. Brodeur said the best defense was to look at the total budget, and asked what monies the Town brought in the last three to four months? The Chief said collections were far behind, even though the third party billing company Comstar is sending out the billings. He stated that in calendar year 1997, bills were sent out for \$129,000, and so far they have collected \$92,000. Chief Vinton stated this was picked up as a problem area by the auditing firm 3-4 years ago. He said there was a problem with the abatement system, and the way the Treasurer/Collector and the Town Accountant have charged the accounts. He, too, would like to develop a good program and felt there could be better follow-up with a full-time person. The Chief added that Comstar sends out three bills, and they pay Comstar \$13.50 per bill paid. So far in 1997, they have paid Comstar \$4,800.

Mr. Brodeur asked the Chief how voters could be convinced going from part-time to full-time would be a good move? The Chief suggested looking at the current accounts receivables for ambulance from the Town Accountant.



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Richard Gildea, who was present, asked if Senior Citizens on the tax relief program could be utilized? The Chief thanked him, but said it needed to be someone on a constant basis who could provide the follow-ups and continuity.

Mr. Downing added that the program needs to be cost-effective. With Mr. Hartman on board, it will be taking some of the burden off of the Town Accountant. She is also not the Technical Coordinator; that is Mr. Hartman, so that will be some additional relief for her. Mr. Downing did not feel adding additional staff made sense until the Chief could come back with the whole scenario. He felt they needed to professionalize and use his oversight. Last year, the Chief requested two full-time firefighters, and he did not see additional clerical support at that time. Mr. Downing said he should fight for services for the department for day-to-day use first, not clerical. He believed the Chief should reconsider this proposal and bring it up again next year. He was not sure he could support it this evening.

Mr. Brodeur agreed saying this was the first approach, and it could always be addressed mid-year. The Chief was asked how Franklin handled their billing, and he stated it was done in-house, but their Technical Committee will be coming in to evaluate the process. Mrs. Rozanski felt it was more administrative than clerical, and suggested he go for a better, tighter organization, rather than fragmentation.

A brief discussion was held on the request for a washer/dryer at Station II. More study is needed on this, but it was felt that the EMS personnel should not be going home with the clothing they wear in an ambulance run. Mr. Downing agreed that when the equipment was installed, the Chief should get together with the Board of Health for guidelines. Mrs. Rozanski agreed it had merit, but needs protocol.

Mr. Brodeur moved to approve the EMS budget for: Salaries - \$83,554; Expenses - \$16,100; Total - \$99,654; Mrs. Rozanski seconded; all aye.

**7:55 p.m.** - Richard Gildea was present with the Council on Aging budget. Mr. Downing noted that they had included a van driver at \$8.00/hr., but felt that some further criteria should be set down. Mr. Gildea said the driver just needs CPR training, with the hopes of operating four days a week even though there are 1,500 seniors over 60 in Town with only about 100 using their services. In looking at the figures, Mr. Downing noted it would cost only \$20,000 more than last year for a  
page 3.





**MINUTES OF THE SELECTMEN'S MEETING**  
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fully functional building. He noted, however, that both positions need to be advertised and posted.

Mrs. Rozanski moved approval of the Council on Aging budget for: Salaries - \$36,057; Expenses - \$20,900; Total - \$56,957; Mr. Brodeur seconded; all aye.

Mr. Gildea noted the building was scheduled to open the last week in July, or they would let it ride until Labor Day.

**8:10 p.m.** - John Cicciu came to meet again with the Board concerning the Emergency Management budget which he was asking to be level-funded again at \$800 for expenses. He did bring a list for the Board of the basic equipment he and his volunteer committee were requesting be considered for future purchases. He commented their next meeting was on April 9th and different members of his team were working on different areas of research.

Mr. Downing commented there were four cots in the basement, and Mr. Cicciu indicated they were also working with the Red Cross for donations. He said \$800 would take care of additional cots, blankets and water containers, so his committee would like an additional \$3,500 to be committed.

The Board briefly discussed the handling of an emergency noting there is a manual on the subject. Mr. Downing suggested meeting with the Police Chief and Fire Chief to discuss potential emergency situations, and continue the process of further developing the plan. He also felt the Town could reimburse his volunteers for the use of their four-wheel drive vehicles, and recommended they set up phone chains and means of communication with one another. Mr. Downing also suggested getting some figures to substantiate the spending of the \$800. Mr. Brodeur said he would attend their next meeting on April 9th.

Mrs. Rozanski moved to approve the Emergency Management budget for: Expenses - \$800; Mr. Brodeur seconded; all aye.

**8:50 p.m.** - IDC Vice-Chairman Jim Mucci came to speak to the Board again about the IDC budget.

Mrs. Rozanski moved approval of the IDC budget for: Salaries - \$1,025; Expenses  
page 4.

fully functional building. The hotel, however, had both positions need to be  
advertised and posted.

Mrs. Rozanski moved approval of the Council on Aging's request for a  
\$236,021 Expense - \$200,000 Total - \$36,021 for program expansion.

Mr. Gilson noted the building was scheduled to open for use in July of 1978.  
would let it ride until 1979.

4:15 p.m. - John Gilson came to meet again with the Board and staff.  
Emergency Management building was in the way of the building. The building was  
\$200,000 expense. He did bring a plan to the Board of the building. The  
his volunteer committee was working on the building. The building was  
commented that the building was on April 1978 and that the building was  
now working on different ways to expand.

Mr. Downing commented that the building was in the way of the building and that  
indicated they were also working with the building. The building was  
would take care of an infant and children in a later conference so the building  
would use an additional \$2,500 to be committed.

The Board briefly discussed the handling of an emergency, noting that the Board  
on the subject. Mr. Downing suggested meeting with the Police Department and the  
Chief to discuss potential emergency situations and discuss the process of further  
developing the plan. He also felt the Board could reimburse the volunteer for the  
use of their four-wheel drive vehicles and equipment if they set up phone service  
and means of communication with one another. Mr. Downing also suggested  
getting some figures to substantiate the spending of the Board. Mr. Downing said he  
would attend their next meeting on April 1978.

Mrs. Rozanski moved to approve the Emergency Management building  
Expense - \$200,000 Total - \$36,021 for program expansion.

4:50 p.m. - Mr. Vice-Chairman the Board's committee to the building and the  
the building.

Mrs. Rozanski moved motion of the Board to accept for \$236,021  
page 2

**MINUTES OF THE SELECTMEN'S MEETING**  
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- \$615; Consultant - \$4,000; Total - \$5,640; Mr. Brodeur seconded; all aye.

**9:01 p.m.** - The Board of Selectmen's budget was next on the agenda. Mr. Brodeur brought up salaries and organization in the Office. He noted each of the two Town Administrator finalists had an executive secretary and maybe a night-time Board secretary.

The subject of postage was brought up and Mrs. Allen's suggestion to include the postage machine costs totally in the Treasurer/Collector's budget. Mr. Downing recommended asking Mrs. Sanford for a breakdown of those postage costs. He also noted he would eventually like to see a receptionist who would have this area under the job description.

Mrs. Rozanski asked the Board where they were going with the Town Administrator position and the Administrative Assistant position? Mr. Brodeur had asked what if they reduce the secretarial position to a night-time Board secretary and have the Administrative Assistant as support for the Town Administrator. He said he asked this of Labor Counsel and had found out it was a violation of union negotiations and they could not reduce the secretary to just a night-time Board secretary.

The salaries in question were broken down as: \$26,853 - Secretary; \$45,844 - Administrative Assistant; \$65,500 - Town Administrator.

Mr. Downing said they needed to come back to this after the three of them have had a chance to talk and evaluate. Mrs. Rozanski asked if he was saying that he felt the Administrative Assistant position is eliminated? Mr. Downing agreed. He suggested coming back to revisit this next Monday night at 6 p.m. The Board agreed.

- The next budget was Town Hall. Mrs. Rozanski moved approval of the Town Hall budget for: Salaries - \$15,909; Expenses - \$47,308; Total - \$63,217; Mr. Brodeur seconded; all aye.

- Next was the Street Lighting budget. Mrs. Rozanski moved to approve the Street Lighting budget for Expenses - \$95,000; Mr. Brodeur seconded; all aye.

- 2012/2013 Budget - 2012/2013 Budget - 2012/2013 Budget

2012/2013 - The Board of Education had a new member of the Board of Education brought up salaries and compensation in the Office of the Comptroller. The Board of Education had an executive committee and was a significant part of the Board of Education.

The subject of postage was brought up and discussed. All of the suggestions made in the postage machine costs were in the Department of Education. The Board of Education recommended asking Mrs. Shattuck for a resolution of the postage costs. The Board also noted the Board eventually had to see a resolution which would have the money under the job description.

First, Rozanski asked the Board where they were going with the Town Administrator position and the Administrative Assistant position. Mr. Shattuck had asked what if they reduce the secretary position to a night time Board secretary and have the Administrative Assistant as a part of the town Administrator. He said he asked the Board Council and they would not reduce the violation of union negotiations and they would not reduce the secretary to a night-time Board secretary.

The salaries in question were between town and county. The Administrative Assistant is a town Administrator.

Mrs. Downing said they needed to come back to the other side of the town. She had a chance to talk and evaluate. Mrs. Rozanski asked if there was anything that she felt the Administrative Assistant position is obligated to do. She said she suggested coming back to the next meeting night of 6 pm. The Board agreed.

- The next budget was Town Hall. Mrs. Rozanski moved approval of the Town Hall budget for Salaries - \$1,800,000. Rozanski - \$1,800,000. Total - \$1,800,000. Mr. Broder seconded and agreed.

- Next was the Street Lighting budget. Mrs. Rozanski moved to approve the Street Lighting budget for Salaries - \$1,800,000. Mr. Broder seconded and agreed.

***MINUTES OF THE SELECTMEN'S MEETING  
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- The Annual Town Report budget was addressed. Mrs. Rozanski moved approval of Expenses - \$2,500; Mr. Brodeur seconded; all aye.

- The Insurance budget was next for the Board's approval. Mr. Rozanski moved approval of the separate line items for Group Health and Group Life Insurance; Mr. Brodeur seconded; all aye.

Mrs. Rozanski moved approval of the Insurance budget for: Group Insurance - \$1,251,565; Other Insurance - \$135,900; Municipal Property Insurance - \$5,000; Total - \$1,392,465; Mr. Brodeur seconded; all aye.

***9:40 p.m.*** - The warrants were signed totalling \$524,264.52.

- **Committee Reports.**

- Mr. Downing noted that the FinCom had drafted a letter on emergency transfers which they asked be sent out by the Board.

- **Action Items.**

- 1. The Board acknowledged receipt of the letter from the Medway Fire & EMS Association Inc. requesting the Board's approval for a Boot Drive on May 16th. Mr. Downing felt more particulars should be know before they take any action, such as was it voted by the Association? Mr. Brodeur knew that previously it had been voted; he was not sure of this time but would check on it. This was asked to be placed on next week's agenda.

- 2. The letter from Water/Sewer Superintendent Mark Flaherty on the Lovering Street water tower was acknowledged. Mr. Downing noted that Mr. Flaherty had said the Town has no interest in putting in a second water tower there, and he felt it was not the Board's desire to encourage an easement for the best interest of the common good. He suggested advising Mr. Flaherty that the Board has no interest in this request.

Mr. Brodeur moved to communicate back to the Water/Sewer Superintendent that the Board has no interest in this endeavor and they do not authorize the use of Town Counsel; Mrs. Rozanski seconded; all aye.

The Annual Budget Meeting was held on January 19, 1978. The Board of Directors approved the 1978 Budget of \$1,251,000. The Board also approved the 1978 Capital Budget of \$1,251,000.

The Insurance Budget was presented for the Board's approval. The Board moved approval of the separate line items for Group Health and Group Life Insurance. Mr. Brodwin seconded all items.

Mr. Brodwin moved approval of the Insurance Budget for Group Life Insurance. The Board moved approval of the Insurance Budget for Group Life Insurance. The Board moved approval of the Insurance Budget for Group Life Insurance. The Board moved approval of the Insurance Budget for Group Life Insurance.

9:40 p.m. - 1:00 a.m. were spent talking about the 1978 Budget.

#### Executive Summary

Mr. Brodwin noted that the Board had approved the 1978 Budget. The Board also approved the 1978 Capital Budget. The Board also approved the 1978 Insurance Budget.

#### Action Items

1. The Board acknowledged receipt of the letter from the Board of Directors dated January 19, 1978. The Board also acknowledged receipt of the letter from the Board of Directors dated January 19, 1978. The Board also acknowledged receipt of the letter from the Board of Directors dated January 19, 1978. The Board also acknowledged receipt of the letter from the Board of Directors dated January 19, 1978.

2. The letter from the Board of Directors dated January 19, 1978, was acknowledged. The Board also acknowledged receipt of the letter from the Board of Directors dated January 19, 1978. The Board also acknowledged receipt of the letter from the Board of Directors dated January 19, 1978. The Board also acknowledged receipt of the letter from the Board of Directors dated January 19, 1978.

3. The Board moved to approve the 1978 Budget. The Board moved to approve the 1978 Capital Budget. The Board moved to approve the 1978 Insurance Budget. The Board moved to approve the 1978 Insurance Budget.

**MINUTES OF THE SELECTMEN'S MEETING**  
**MARCH 16, 1998**

- 3. The Board noted receipt of a revised Snow Removal budget, which did not have a change in monies, but just reconfigured. Mrs. Rozanski moved to approve the revised Snow Removal budget dated March 9, 1998 in the amount of \$80,000; Mr. Brodeur seconded; all aye.
  
  - 4. The Board acknowledged receipt of the letter from the Mass. Selectmen's Association dated March 5th concerning regional school transportation reimbursement. Mrs. Rozanski noted the Board has been vocal in support of this legislation in the past. Mr. Downing suggested sending another letter to the legislature confirming the Board's support, with a copy to Mr. Hardin of MSA and Mary Ford, mayor of Northampton.
  
  - 5. The Board was in receipt of a letter from the Fire Chief dated March 12th asking for a government representative from the Town to the Central Mass. Emergency Medical Systems Corporation annual meeting. Mrs. Rozanski said the Chief had informally asked if she would like to be the rep; the Board agreed. Mr. Brodeur moved to appoint Raphaela Rozanski as the Board's rep to the Central Mass. EMS Corp.'s annual meeting; Mr. Downing seconded; all aye.
- The Chief noted that EMS Coordinator, Charlene Tingley, will continue to serve as the First Responder rep.
- 6. The Board discussed Chief Vinton's memo dated March 11th concerning the Wellness Act. Mr. Downing suggested the draft letter as proposed be signed by the Chairman of the Finance Committee and himself, on behalf of both Boards. Mr. Brodeur moved to authorize the Chairman to sign the letter asking for an exemption for Call/Volunteer Departments, and to ask the FinCom Chairman to sign as well; Mrs. Rozanski seconded; all aye.
  
  - 7. The Board noted receipt of the Information Center budget, but Mr. Downing suggested tabling it until next week after they had been able to review it. He also told Mr. Hartman that Technology Committee Chairman Kelly O'Rourke would be contacting him for a brief overview. It was hoped there was no duplication between that Committee and CIPC.
  
  - 8. The Building Inspector's budget was brought up. It was felt that they should maintain level-funding at this time, so Mr. Brodeur moved to approve the  
page 7.

3. The Board noted receipt of a copy of Waste Water Treatment Plant #1 and did not have a change in motion, but just not assigned. Waste Water Treatment Plant #1 was approved by the Board and the Board dated March 9, 1997 in a meeting. Waste Water Treatment Plant #1 was approved by the Board.

4. The Board noted receipt of the letter from the Board. Waste Water Treatment Plant #1 was approved by the Board and the Board dated March 9, 1997 in a meeting. Waste Water Treatment Plant #1 was approved by the Board.

5. The Board was in receipt of a letter from the Board. Waste Water Treatment Plant #1 was approved by the Board and the Board dated March 9, 1997 in a meeting. Waste Water Treatment Plant #1 was approved by the Board.

The Board noted that the Board dated March 9, 1997 in a meeting. Waste Water Treatment Plant #1 was approved by the Board.

6. The Board discussed the Board dated March 9, 1997 in a meeting. Waste Water Treatment Plant #1 was approved by the Board.

7. The Board noted receipt of a letter from the Board. Waste Water Treatment Plant #1 was approved by the Board.

8. The Board noted receipt of a letter from the Board. Waste Water Treatment Plant #1 was approved by the Board.



**MINUTES OF THE SELECTMEN'S MEETING**  
**MARCH 16, 1998**

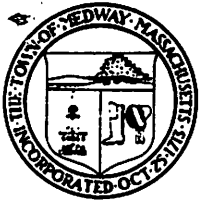
Building Inspector's budget for: Salaries - \$57,169; Inspection Fees - \$27,010; Expenses - \$4,978; Total - \$89,157; Mrs. Rozanski seconded; all aye.

- Mr. Downing suggested reserving a spot on the warrant for the Board to sponsor an article changing the commitment that created the Master Plan Committee compelling them to submit a plan at the annual town meeting in May. He felt they should be absolved of that commitment and to recommend it be implemented for next year. He noted that the Committee is in the process of tabulating the surveys. Mr. Downing also said that the All Boards Meeting on Saturday is basically the Master Plan Committee's and the only item on the agenda.
- Mr. Downing reminded the Board of the Finance Committee meeting on Wednesday, March 18th at the Memorial School at 7:00 p.m. Mr. Brodeur said he would attend.
- **10:14 p.m.** - Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Handwritten signature*  
3/30/98



## BOARD OF SELECTMEN

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

### REVISED AGENDA

March 9, 1998

7:00	Open meeting, sign warrants
BUDGETS:	
7:05	Board of Registrars
7:15	Town Accountant
	In House Computer
7:45	CIPC
8:00	Tree Warden/Moth Agent
8:15	Cemetery Commission
8:30	Veteran's Agent
8:35	Apollo, 2/4 Main Street - Building Plan
8:45	Mark Flaherty, regarding Sandra Bennett's evaluation
	Committee Reports
	Action Items

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 9, 1998.

1. Vote on request of Sabina Doyles, Entertainment License
2. Comments on DEP 21E survey.
3. Approve application for employer assisted education for Allen Tingley.
4. Vote and sign request for Civil Service list for Police Lieutenant.
5. Discuss and vote on church parking on School Street.
6. Discuss Chief Lambirth's letter for disposition of seized vehicle.
7. MIIA multi year proposal for Property & Casualty rate gaurantee.
8. Appoint Grace Hoag to Cultural Council.
9. Notification of EMT appointments.
10. Discuss response from Fire Chief regarding Wellness Program (Pension Reform Act of 1987).
11. Approve minutes of 2/2/98 meeting.
12. Vote & Sign contract for Supplementary Construction Proposal for Library renovations.
13. Vote & sign contract for Window Treatments for Library renovations.
14. Discuss letter from Norfolk County Commissioners regarding sale of hospital.
15. Vote on merit increase for Barbara Spratt.

NOTE: Finance Committee meeting on March 11th High School Conference room.

**MINUTES OF THE SELECTMEN'S MEETING  
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Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Town Administrator Michael Hartman, Administrative Assistant Ruth Allen.

**7:04 p.m.** - Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2, presently Mr. Hartman's Office.

- Warrants were signed totalling \$792,136.83.
- **Committee Reports.**
- Mr. Downing noted attending the ZBA hearing, but nothing in particular to report on.

**7:05 p.m.** - Town Clerk Maryjane White came before the Board with the Board of Registrars budget, which was level-funded.

Mrs. Rozanski moved approval of the Board of Registrars budget for: Salaries - \$300.00; Expenses - \$5,000; Total - \$5,300; Mr. Brodeur seconded; all aye.

- Back to **Committee Reports.**
- Mrs. Rozanski reported that the Senior Center was on schedule, and the Friends of the Elders were getting tables and chairs with monies raised. She noted that Neil Dixon of Dixon-Salo was the Clerk of the Works.

**7:12 p.m.** - Town Accountant Arti Mehta was present with her budget. She noted she was working with the Technology Committee for municipal computers. Mr. Downing said that should be done through the CIPC as well.

Mr. Brodeur moved approval of the Town Accountant's budget for: Salaries - \$73,350; Expenses - \$3,553; Total - \$76,903; Mrs. Rozanski seconded; all aye.

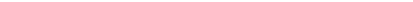
Mrs. Mehta also brought the Information Center budget. Mr. Brodeur noted that some items for downstairs are in this budget, and some items for upstairs are in the Town Hall budget; couldn't they be consolidated someday? Mr. Downing suggested Mrs. Mehta rework this budget with a narrative on each line item as to what it represented. It was not necessary for her to return as the numbers would  
page 1.

Administrative Services Department, 4000 University Avenue, Suite 100, Berkeley, CA 94702-1629

Room 2, presently Mr. Harman's office.

28. 02.1. 2012 - *paullista bengalis* *erythrina* *W* -

Principal Activities

Strukturformel:  2,2,4,4-Tetramethyl-1,3-dioxan-5,6-dion  
46.0000

1. The  $\mathcal{H}_\infty$  norm of the closed-loop system  $\|G_{cl}\|_\infty$  and  $H_2$  norm  $\|G_{cl}\|_2$  are given by

$$\|G_{cl}\|_\infty = \sqrt{\lambda_{\max}(P)} \quad \text{and} \quad \|G_{cl}\|_2 = \sqrt{\text{tr}(P)}$$

where  $P$  is the solution of the Lyapunov equation

$$A_{cl}^T P + P A_{cl} = -Q$$

with  $Q = B^T B$  and  $A_{cl} = A - BK$ .

[illegible]

100-443889-100-443890

that Neil Dixon of Dixon's was the Clerk of the Court. Friends of the Bishop were getting tables set down with no one around. The party was reported to have been a success and the Bishop was reported to have been very happy.

Donning said that should be done through the DPO as well. She was working with the Technology Committee for municipal computers. The town Association and Melita was present with her husband. She was in

[illegible]

1. The first step in the process of identifying a problem is to determine the nature of the problem. This involves a thorough understanding of the situation and the factors that are contributing to the problem. Once the nature of the problem is understood, the next step is to identify the causes of the problem. This involves a detailed analysis of the situation and the factors that are contributing to the problem. Once the causes of the problem are identified, the next step is to develop a plan of action. This involves determining the steps that need to be taken to solve the problem. Once a plan of action is developed, the next step is to implement the plan. This involves putting the plan into action and monitoring the progress. Finally, the last step is to evaluate the results. This involves determining whether the problem has been solved and whether the plan of action was effective.

**MINUTES OF THE SELECTMEN'S MEETING  
MARCH 9, 1998**

not change.

**7:28 p.m.** - Tree Warden Ron Dolloff was next with his budget. After a brief explanation of his job, he noted that he only determines which trees are on Town property and then deals with those situations. Last year, 30 trees were cut down. When asked if he would plant new trees, he asked who would take care of them and make sure they were watered properly? He stated that residents can put trees on private property if they so desire, which are usually guaranteed for a year. Mr. Brodeur asked that he revisit this some time, with Mr. Downing suggesting possible Boy Scout involvement. Mr. Dolloff noted the planting of trees takes a great deal of work and knowledge.

Mrs. Rozanski moved to approve the Tree Warden/Moth Agent's budget for: Salaries - \$1,000; Expenses - \$14,300; Total - \$15,300; Mr. Brodeur seconded; all aye.

**7:40 p.m.** - Tim Choate, Chairman of the Capital Improvement Program Committee, was not able to be present with his budget but had sent it on to the Board instead, indicating he was requesting level-funding.

Mrs. Rozanski moved approval of the CIPC budget for: Salaries - \$505; Expenses - \$170; Total - \$675; Mr. Brodeur seconded; all aye.

**7:43 p.m.** - The Board noted receipt of the Cemetery Commission's budget which they were requesting be level-funded again.

Mr. Brodeur moved approval of the Cemetery Commission's budget for Expenses - \$1,087; Mrs. Rozanski seconded; all aye.

**7:45 p.m.** - Veterans Agent Anthony Mastroianni came before the Board to discuss his budget. He felt the veterans of Medway were being well taken care of and was able to reduce the amount of benefits because of the good economy. He noted he had been doing this for 30 years and is available 24 hours a day.

Mr. Brodeur moved approval of the Veterans Services budget for: Salaries - \$5,500; Expenses - \$5,400; Total - \$10,900; Mrs. Rozanski seconded; all aye.



**MINUTES OF THE SELECTMEN'S MEETING  
MARCH 9, 1998**

- Mr. Brodeur acknowledged the letter from Chief Lambirth on the crossing guards budget, detailing the additional hours required.

- **Action Items.**

- It was requested that Mrs. Allen get an update from Town Counsel on the Wickett hearing; his interpretation on the judgment and how it effects the Gallison deed.

- Mr. Brodeur noted the Planning Board hearing on the Forest Edge sub-division with developer Jonathan Bruce was scheduled for March 24th, which was being re-advertised from last year.

- 1. Sabina Doyle had requested a one-day entertainment license for St. Patrick's Day, March 17th, as in previous years. Mr. Brodeur moved approval of the one-day license for Sabina Doyle for March 17th from 2:00 p.m. until 6:00 p.m. and from 7:00 p.m. until 11:00 p.m.; Mrs. Rozanski seconded; all aye.

- 2. The Board acknowledged receipt of the letter from DEP on their survey on 21E's. At first, Mr. Downing asked that it be sent back with the comment that there was nothing on-going that the Board was aware of. He then suggested it be turned over to the Office to be dealt with. Mr. Brodeur suggested the Fire Chief be contacted in this regard, but Mrs. Allen said he is only involved with underground tanks. The comment was also made that this was not a new program as it had been instituted back in 1993.

- 3. The Board noted receipt of the request for employer-assisted education for Sgt. Allen Tingley. Mr. Brodeur moved approval of employer-assisted education for Sgt. Allen Tingley in the amount of \$1,012; Mrs. Rozanski seconded; all aye.

- 4. The subject of the Civil Service list for Lieutenant was brought up, and Mrs. Rozanski moved that the Board request the list; Mr. Brodeur seconded; all aye. He then amended the motion to include that the Chairman be authorized to sign the request; Mrs. Rozanski seconded; all aye.

**8:15 p. m.** - Mark Flaherty, Water/Sewer Superintendent, was taken earlier than page 3.



The Board noted the fact that the subject of the request was not a member of the organization and that the request was not made in the interest of the organization.

Item 3

It was requested that the Board not an update from the Board on the subject of the request. The Board noted that the subject of the request was not a member of the organization and that the request was not made in the interest of the organization.

Mr. Broderick noted the Planning Board meeting on the subject of the request. The Board noted that the subject of the request was not a member of the organization and that the request was not made in the interest of the organization.

The Board noted the fact that the subject of the request was not a member of the organization and that the request was not made in the interest of the organization. The Board noted that the subject of the request was not a member of the organization and that the request was not made in the interest of the organization.

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**MINUTES OF THE SELECTMEN'S MEETING  
MARCH 9, 1998**

scheduled for the evaluation of Sandra Bennett. Mr. Brodeur asked if Mrs. Bennett had taken a training session within this evaluation year, and he said yes. Mr. Brodeur said he would like to see dates of training for anyone, along with any seminars attended. Mrs. Rozanski asked for examples of safety problems, and he said the carpet and on-going construction. Mr. Flaherty also said there were no safety policies in place, and OSHA does not apply to Medway. Mr. Brodeur was aware that MIIA rewards communities that are innovative.

Mr. Brodeur moved to approve the evaluation of Sandra Bennett of 47 points effective March 9th; Mr. Downing seconded; all aye.

- 5. The Board noted receipt of Chief Lambirth's letter concerning church parking on School Street during limited hours for Sunday services. Mrs. Rozanski wondered if neighbors had been given the opportunity to comment. Mr. Downing suggested they approve the diagram subject to the Chief finding out what the three neighbors had to say. Insofar as signage was concerned, Mr. Downing felt the Town could assist with that, but we should be reimbursed.

**8:20 p.m.** - Mr. Brodeur left the meeting on a fire call.

- **Committee Reports.**

- Mr. Downing said he had attended the School Committee meeting where a draft budget had been submitted of \$14,344,729, which was 9.9% over FY'98.

**8:30 p.m.** - Paul DeSimone came before the Board with a revised plan of the Apollo building. He noted they had located the building, the topography was done and the wetlands had been flagged. They were still trying to get a copy of the drainage as the 100% plan does not show drainage. He said the building was pre-existing and non-conforming, and it was not a problem with set-backs with the ZBA. Mr. DeSimone said that Rick Merrikin wanted to meet with the Board in two weeks on March 23rd at 7:05 p.m. with a site plan as he still had information he needed to obtain from the State. Mrs. Allen said she could contact Tom Loughlin of Mass. Highway, and then advise Rep. Gardner how everything stands.

- Back to **Action Items.**

**MINUTES OF THE SELECTMEN'S MEETING**  
**MARCH 9, 1998**

- 6. The Board discussed Chief Lambirth's letter concerning the disposition of a seized vehicle. Mr. Downing wondered if this vehicle was replacing another vehicle in the fleet, or was it a new vehicle. He said he would speak to the Chief about this.
- 7. The Board was in receipt of a multi-year proposal for property and casualty rate guarantee from MIIA. This covers the fiscal years 1999 and 2000 with minimum increase. Mrs. Rozanski moved that the Town accept the proposal and Mr. Downing be authorized to sign on behalf of the Town as outlined in MIIA's letter dated March 2nd; Mr. Downing seconded; all aye.
- 8. The Board received a letter from Grace Hoag requesting appointment to the Cultural Council. Mrs. Rozanski moved Grace Hoag be appointed to the Cultural Council through March 9, 2000; Mr. Downing seconded; all aye.
- 9. The Board acknowledged receipt of a letter from the Fire Chief indicating his appointment of three additional EMT's, now bringing the total in the department to 17.
- 10. The Board was in receipt of Chief Vinton's memo on the wellness program, which is the Pension Reform Act of 1987, wherein he indicated he would be attending a meeting the next evening on the subject. Since the Chief had also requested Town Counsel's opinion on the subject, this was tabled until next week.
- 11. Approval of the minutes of February 2nd was held off until next week when Mr. Brodeur could be present.
- 12. The Board was in receipt of the Library Director's recommendation for supplementary construction items. The Board felt this should be held over until next week when Mr. Brodeur could be present for discussion.
- 13. The Board was in receipt of the Library Director's recommendation for the contractor for window treatments. Mrs. Rozanski moved to award the contract to Walker Specialties of Jamaica Plain in the amount of \$3,980; Mr. Downing seconded; all aye.

*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 9, 1998*

- 14. The Board noted receipt of the letter dated March 4th from the Norfolk County Commissioners announcing the sale of the Massachusetts Respiratory Hospital, which Mr. Downing said was good news.
  - 15. The Board was notified of JCRB action for Conservation Secretary Barbara Spratt. Mrs. Rozanski moved to approve the merit increase for Barbara Spratt as recommended by the JCRB from a grade 3, step 4 to a grade 3, step 5 as of July 1st; Mr. Downing seconded; all aye.
  - The Board was in receipt of a letter dated March 9th Union Steward Sandra Bennett requesting the minutes of a grievance hearing held for Patricia Sampson on February 2nd be changed to reflect comments Ms. Bennett made on the evaluation process, and the effective date of increase be noted as November 12, 1997. Mr. Downing suggested Mr. Brodeur make contact with Ms. Bennett, but Mrs. Rozanski said they should just attach Ms. Bennett's letter of February 26th to the minutes. She did not feel the minutes should be changed but agreed the effective date should be included.
- Mrs. Rozanski moved to amend the February 2nd grievance hearing minutes to include an effective date of the merit increase to be November 12, 1997 and to attach Ms. Bennett's memo of February 26th; Mr. Downing seconded the motion to include the effective date, but not the attachment of the letter; agreed and all aye.
- 12. The Board brought up this Action Item again and since the substantial completion date of March 6th was noted, Mrs. Rozanski moved to award the contract to Thomas Kuck Fine Carpentry of Brockton for the five items noted in their letter of February 20th for \$5,860 per the recommendation of the Library Director Mr. Downing seconded; all aye

*9:00 p.m.* - Mr. Downing moved the meeting be adjourned; Mrs. Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj  
page 6.

*0883/30/98*

14. The Board noted receipt of the letter dated 14 March 1981 from Norfolk County Commissioners announcing the sale of the above property.

12. The Board was notified of JEB's activities in the following manner:

[illegible]

Mrs. Bennett's memorandum dated July 26, 1940, attached hereto, includes the effective date of the most recent to be filed under the name of Mrs. Bennett, namely, July 26, 1940.

Director, FBI, New York, New York, dated 1/10/50.

Their letter of February 20th last has been received for the Bureau and is being reviewed.

Contract to Thomas Kuchling, Director of Research, of Federal Bureau of Investigation, dated 1/10/50, is being reviewed.

Completion date of March 10, 1950, is being reviewed.

The Board brought up the Action II in again and again, and in the

- 12 -

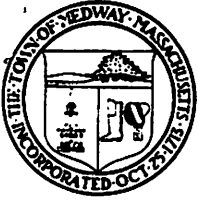
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## BOARD OF SELECTMEN

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

### AGENDA

March 2, 1998

- 7:00 Open meeting, sign warrants
- 7:05 Norfolk County Sheriff Jack Flood to  
review the services being provided to  
Medway.

#### BUDGETS:

- 7:30 Building Inspector
- 7:45 Open Space Committee
- 8:00 Police Department
- 8:15 Police/Fire Communications
- 8:30 Law
- 8:45 Zoning Board of Appeals
- 9:00 JCRB
- 9:15 Anthony Mele regarding Alder St/Trotter  
Dr.
- Committee Reports
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 2, 1998.

1. Open Annual Town Meeting Warrant
2. Discuss and vote on new Ambulance rates.

*MINUTES OF THE SELECTMEN'S MEETING*  
*MARCH 2, 1998*

Present: Douglas Downing, Raphaela Rozanski, James Brodeur (arrived at 8:10 p.m.), 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.

- Norfolk County Sheriff Jack Flood, along with Chuck Marshall, the Sheriff's Special Assistant, came to meet with the Board to review the services that were being provided to Medway.

Mr. Flood noted that he had been speaking to many boards of selectmen recently, and wanted to remind communities and non-profit organizations that they were happy to do repairs for them. One year ago, when he took the position, they did 40,000 hours worth of services in a program that Chuck's father, Clifford Marshall, had started. Since that time, they have done 79,000 hours in 28 cities and towns.

At this time, Mr. Flood said they were in the process of redoing Sanford Hall, the main hearing room. He said they were involved in weekend lock-ups now, assisting with suicide watch on weekends, having the availability of four canine drug detectives that can be used in fugitive situations, in schools, and in helping to locate missing persons. He reiterated their willingness to assist churches and non-profit groups, little league fields, with no intention of taking jobs away from anyone.

Mr. Downing said the Town has tried to take advantage of the services available because of the quality of work given, not just because it was for free; it was a win/win situation. Insofar as non-profit groups was concerned, he asked Mr. Flood if the Selectmen should act as a conduit? Mr. Flood thought that was good, but Chuck could be contacted. He reassured residents that the inmates were mostly drunk drivers and were part of the rehab treatment program, with everyone benefiting.

**7:15 p.m.** - Warrants were signed totalling \$503,853.96.

- Mr. Downing announced that, due to renovations to Sanford Hall, this would be the last live broadcast, but the bulletin board would announce when they would be back on cable.



WATKINS, JAMES E. JR.  
1000 1/2 N. 10th St.  
Wichita, Kansas 67202

Present: Douglas Downing, Chairman, Board of Directors  
810 1/2 N. 10th St., Wichita, Kansas 67202

7:00 p.m. - 7:15 p.m. - Board of Directors Meeting  
Room 1 of Town Hall

Notice: Douglas Downing, Chairman, Board of Directors  
Special Assistant, Board of Directors, Town Hall  
being provided to Members

Mr. Flood noted that he had been speaking to many people of selection from the  
and wanted to remind communities and non-profit organizations that they were  
happy to do repairs for them. One year ago when he took the position they had  
40,000 hours worth of services in a program that Chief Officer Mott had  
had started. Since that time they have done 27,000 hours in 28 cities and towns.

At this time Mr. Flood said that he was in the process of making 20,000 hours in  
main hearing room. He said they were involved in a program to help  
assisting with schools which on weekends, during the week, and during the  
to a date when they can be used to help in the schools and in the  
not be missing persons. He said that their willingness to work with the  
non-profit groups that he had helped with in the past was very helpful to  
anyone.

Mr. Downing said that he had tried to get the board of directors to help  
because of the fact that they had given not just money but also help in the  
non situation. He said that non-profit groups were a very important part of the  
the selection of staff and the board. Mr. Flood thought that the board of  
which could be contacted. He mentioned residents that the money was used  
drunk drivers and were part of the rehabilitation program with everyone  
benefiting.

7:15 p.m. - 7:30 p.m. - Warrants were signed relating 230,834,901.

Mr. Downing announced that due to renovations to Sanford Hall, they would  
be the last time there but the bulletin board would remain in the room  
be back on the 1st.

*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 2, 1998*

- Mr. Downing, in speaking for the Board, thanked everyone who stopped in at the social for the Town Administrator, Mike Hartman, who was quite surprised and pleased by those who came.

7:20 p.m. - Town Accountant Arti Mehta asked to speak to the Board for a few minutes to let them know she had been working by herself for the last month, but had received nine applications for the vacancy of her Financial Assistant position. She said she was sick and to pardon her voice. She stated that four rejected the position when they heard what the salary was. She recommended a Catherine Mierzejewski as her assistant but was requesting she be hired at a grade 5, step 3 because of the traveling involved, the growing of the Town and responsibilities.

Mr. Downing said the Board cannot approve anything other than a step 1 starting salary because of the guidelines sent out by the Board in the Fall. He said they cannot ask other boards to adhere to the step 1, and then bend the rules for your own use. Mrs. Rozanski suggested she check into maybe a different grade. Mrs. Mehta agreed and would recommend a grade 7. Mrs. Rozanski added there is a process if additional skills are involved, and maybe she should look at an upgrade. Mrs. Mehta said the Board's guidelines did include the words "unless justifiable".

Mr. Downing said he has served on the Board for the past three years, and was not willing to change or waive his position because of a candidate. Mrs. Mehta said she needed a way to work it out until the next Agreement comes up, and there was only 1 applicant she could hire and it would be a cut in pay for that person.

Mr. Downing noted the dilemma she was in, but suggested she bring in a temp, whatever is in the parameters of the Agreement. If no one was willing to start at a grade 5, step 1, she might have to go outside ~~of~~ <sup>for</sup> contract services as long as nothing prohibits it. Mrs. Mehta brought up the experience of the applicant. Again, Mr. Downing said this meeting was not going to resolve the issue, and bring a plan to the Board. Mrs. Rozanski again suggested seeking an upgrade if this job involved more than before; it has to happen before the hiring. She told Mrs. Mehta that if this person is not a Financial Assistant, then you are creating a new position if you feel you need someone with more qualifications and this person would be doing other things than was done in 1985. Mrs. Allen said the position was already upgraded in 1990. Mrs. Mehta asked what the time frame was; how long would it take? Mr. Downing said it had to make sense; it was advertised already.

page 2.

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page 2.

*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 2, 1998*

She would have to indicate what has impacted her department that is new and this was the reason the position has to be created. Mr. Downing said he was trying to give her a foundation, and wanted the "cause and effect" to rewrite a job description. He didn't want to just see a new job description; he wasn't being critical. Mrs. Mehta said she wanted positive support, and asked if she could have a three month review after hire? Mr. Downing stated she would have to post the new position even if it was provisional now; guidelines and restrictions have to be checked. He asked if there had been any internal applicants; she said no.

Mr. Downing assumed she was not satisfied with the caliber of the applicants, and believed she could go out and hire temp services, but she could not replace a municipal employee position with an outside contractor of services. Mrs. Rozanski reminded her that if she did contract for services, there were no benefits to that person. Mrs. Mehta brought up Mr. Henry's position. Mr. Downing stated that Mr. Henry was not functioning as Mr. Higgins; Mr. Henry was functioning as Mr. Podgurski who had a pension problem. He again told Mrs. Mehta if the individual she wanted to hire was still interested in the position, it would have to be a 5-1, with Mrs. Rozanski adding that she would have to apply after the new position was posted. Mr. Downing reminded her that they cannot guarantee that person the position, but Mrs. Mehta noted she then becomes an internal person. She said she would work on this more and meet the Board with her budget next week.

**8:00 p.m.** - The first of the budgets for Selectmen's review was the Building Inspector. Bob Speroni was present with two worksheets he was asking the Board to consider: one was with the present hours for his Clerk for 20 hours, and the other was for 30 hours. He showed the Board his summary since 1990 indicating an increase in the number of building permits from 755 to 1380, with the number of permits including all permits. Mr. Speroni said how hectic at times it can be and two additional hours would help his department. He indicated he would rather go slow with the 30 than requesting 40 right off. This extra cost was about \$5,600.

Mrs. Rozanski indicated that this would no longer be a shared position with the Fire Chief. Mr. Speroni understood that his Clerk would have to choose the 30 hours or staying with the Fire Chief for the 20 hours. Mrs. Allen noted they were two different job descriptions at two different rates. Mrs. Rozanski said it would require posting, which Mr. Speroni was aware of, and noted he had spoken to his Clerk that morning about this, and she agreed it was necessary.



*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 2, 1998*

Mrs. Rozanski asked if it was a new position, and Mr. Speroni said it was just expanding the present position. Mr. Downing inquired if it was like this all 12 months, and could they possibly revisit this later on, utilizing a senior citizen now? Mr. Speroni said that would not work, and he didn't see it slowing down. Mr. Downing suggested they take it under advisement as it will impact the Fire Chief's department as well, and revisit it next week when he met with the Board with his budget, but told Mr. Speroni he did not have to return next week. Mr. Speroni said he had to do what was best for the department, and Mr. Downing recommended he run it by Mr. Hartman as well.

**8:15 p.m.** - The Open Space Committee represented by Virginia Calapa was present with the budget. She stated they did not do a printing this year, so they want to defer the \$1,500 to July, so they are asking for \$2,100 this year.

Mrs. Rozanski moved approval of \$2,100 for expenses for the Open Space Committee; Mr. Brodeur seconded; all aye.

**8:17 p.m.** - Police Chief David Lambirth came in to meet with the Board concerning his budget. He stated that most of the increase in his position was with the Lieutenant position and an additional officer on the COPS FAST grant, of which they are asking for one officer for \$75,000. The Chief noted that if one of the Sergeants takes the Lieutenant's position, then he would need an additional officer to replace the Sergeant. He said that seven passed the exam, so they need to request a list from civil service.

Mr. Brodeur noted an increase in crossing guards, which the Chief said has been averaging 100 hours per week since they have been using additional personnel at the schools. Mr. Brodeur asked the Chief for a breakdown/comparison in crossing guards from 1996 to 1999.

Mrs. Rozanski moved to approve the Police budget for: Salaries - \$1,081,039; Expenses - \$89,547 Total - \$1,170,586; Mr. Brodeur seconded; all aye.

The Board discussed the evaluation of Police Secretary Martha Wingate, and the Chief's scoring of 50 points. He praised her for her outstanding work, and felt the position should have been upgraded. Mrs. Rozanski moved to endorse the Chief's recommendation and approve a merit increase for Martha Wingate from a grade 5, page 4.



Mrs. Rozanski asked if it was a good idea to expand the present building. A staff member responded that it would be a good idea to expand the building and could then be used for other purposes. Mr. Sporn said that he was not sure if it was a good idea to expand the building. He suggested that they should look at the budget and see if they could find a way to expand the building. He said that he was not sure if it was a good idea to expand the building. He suggested that they should look at the budget and see if they could find a way to expand the building. He said that he was not sure if it was a good idea to expand the building. He suggested that they should look at the budget and see if they could find a way to expand the building.

8:15 a.m. - The Board discussed the budget. The staff member presented the budget and the Board discussed it. The staff member presented the budget and the Board discussed it. The staff member presented the budget and the Board discussed it. The staff member presented the budget and the Board discussed it.

Mrs. Rozanski moved approval of \$1,100 for expenses for the Board.  
Committee Mr. Rozanski seconded all aye.

8:45 a.m. - Police Chief Don L. Smith came in to meet with the Board concerning his budget. He said that he had a lot of things to discuss with the Board. He said that he had a lot of things to discuss with the Board. He said that he had a lot of things to discuss with the Board. He said that he had a lot of things to discuss with the Board.

Mrs. Rozanski moved approval of \$1,100 for expenses for the Board. The Board discussed the budget and the staff member presented the budget. The Board discussed the budget and the staff member presented the budget. The Board discussed the budget and the staff member presented the budget.

Mrs. Rozanski moved to approve the Police Department's budget.  
Committee Mr. Rozanski seconded all aye.

The Board discussed the Police Department's budget. The staff member presented the budget and the Board discussed it. The staff member presented the budget and the Board discussed it. The staff member presented the budget and the Board discussed it. The staff member presented the budget and the Board discussed it.

*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 2, 1998*

step 7 to a grade 5, step 8 effective 1/30/98; Mr. Brodeur seconded; all aye.

**8:45 p.m.** - Sgt. Robert Saleski came before the Board with his Police/Fire Communications budget. Other than the 4% increase, there was nothing new in the budget, except for a slight increase in telephones.

Mrs. Rozanski moved to approve the Police/Fire Communications budget for: Salaries - \$149,522; Expenses - \$6,750; Total - \$156,272; Mr. Brodeur seconded; all aye.

**8:50 p.m.** - Richard Maciolek met with the Board concerning the Law budget. He stated it was basically the same as last year, and after 200 hours, the Town would be billed at \$100/hr. Mrs. Rozanski moved to approve the Law budget for Salaries - \$20,000; Expenses - \$6,000; Total - \$26,000; Mr. Brodeur seconded; all aye. Mrs. Rozanski then amended the motion to \$11,000 for Expenses, for a Total of \$31,000; Mr. Brodeur seconded; all aye.

**8:55 p.m.** - ZBA Chairman David Cole came before the Board concerning that budget. They briefly discussed the pending resignation of Patrick Mason, but he was informed no letter has been received by the Town Clerk or the Selectmen, so no one can be appointed in his place.

Except for the 4% increase, there was no change in his budget. Mrs. Rozanski moved to approve the ZBA budget for Salaries - \$3,541; Expenses - \$2,120; Total - \$5,661; Mr. Brodeur seconded; all aye.

Mr. Downing said he had not forgotten their secretary's request for a computer work station for night board secretaries.

**9:00 p.m.** - Mrs. Rozanski had the JCRB budget which was for salaries of \$454. Mrs. Rozanski moved to approve the JCRB budget for Salaries - \$454; Mr. Brodeur seconded; all aye.

Mrs. Rozanski said they should officially vote for the 4% increase, but Mrs. Allen said it was not necessary as it is in the contract and both wage scales are the same for union and non-union personnel. She still felt they had to vote on it, so she moved to increase the grades and steps effective July 1st up 4%. Mr. Downing felt page 5.



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8:45 p.m. - 2nd Board Meeting. In order before the Board with the Boarding  
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4:15 p.m. - 2nd Board Meeting. In order before the Board with the Boarding  
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the budget except for a slight increase in telephone

*MINUTES OF THE SELECTMEN'S MEETING*  
*MARCH 2, 1998*

there was no mechanism in place to adopt the wage rate for FY'99, so Mrs. Rozanski moved to adopt the FY'99 wage rates as attached to the personnel by-law as FY'98 +4%; Mr. Brodeur seconded; all aye.

- Mr. Downing asked Mrs. Allen to try and get all the budgets going before the Selectmen in their packets ahead of time.

**9:07 p.m.** - Anthony Mele came to speak to the Board concerning the taking of his property for the Alder Street/Trotter Drive intersection improvements. He stated that, at the January 26th special town meeting, it was stated all abutters were notified; he said he wasn't. He also stated that it was told all the abutters were in favor; he said he wasn't. Mr. Mele said he did not go to the special town meeting, but saw the taped meeting the following week and heard what was said.

Mr. Mele stated if the Town was going to take his land, fine, but shouldn't they be notified by mail, other than an ad in the paper? Mr. Downing agreed, and said he was operating under the assumption that there had been a dialogue between the abutters and the IDC. Mr. Mele said he was invited to a meeting in September, then it was postponed to October 15th. He was told he would be kept up-to-date, but then heard about the special town meeting. If IDC meetings were held, he didn't know about them. He did go to the Fire Station II one evening and couldn't get in. Mrs. Rozanski told Mr. Mele there would be another meeting next Wednesday at 7:00 p.m., and hoped he would come; he said he would.

Mr. Mele further stated he wanted to go on record as not being in favor of the cul-de-sac on Alder Street and Trotter Drive. He said a curve is being put in where it was straight, and he was not worried about what the taking was, but that they were taking a perfect intersection and coming up with a curve. Mr. Mele said that eventually, lights will be needed at Trotter Drive and Route 109, and there was already a 60' taking on either side of the road before it became Trotter Drive. He stated if they were improving the intersection, he wouldn't be here.

**9:25 p.m. - Committee Reports.**

- There were none.



*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 2, 1998*

- *Action Items.*

- Mr. Downing reminded everyone of the All Boards Meeting on March 21st from 9 a.m. to 12 Noon.

- 1. Mrs. Rozanski moved to open the annual town meeting warrant this evening and close it at the end of the business day on March 23rd; Mr. Brodeur seconded; all aye.

Mr. Brodeur asked if there should be separate non-financial and financial town meetings? Mr. Downing asked Mrs. Allen to inquire of our boards and committees if they felt two separate meetings were needed, and then the Board would consider the same format as last year. He requested a deadline of March 13th.

- 2. New ambulance rates as submitted by Chief Vinton were brought up. He noted the current rates were set in August of 1996, and that the 1998 rates have been approved by Medicare as the maximum allowed charges throughout Mass. to ensure the Town was recovering the increased costs of operating the service.

Mr. Brodeur moved to approve the Chief's revised EMS ambulance rates per the Chief's memo dated February 25th effective immediately as the maximum allowed charges approved by Medicare; Mrs. Rozanski seconded; all aye.

For the record, Mr. Downing read the new 1998 rates as follows:

Base - \$221.82

Mileage - \$9.93/loaded mile

Oxygen - \$40.86

Airways - \$99.25

Mast - \$58.38

Defib - \$87.56

- Mr. Brodeur noted he had the revised February 2nd minutes with him this evening. The Board agreed to look them over prior to approval.

- Mr. Downing brought up the wellness program which would affect the call volunteer firefighters. Mr. Brodeur said he had a problem in with the issue of physical fitness for a regular firefighter being the same as for call firefighters.  
page 7.

*MINUTES OF THE SELECTMEN'S MEETING  
MARCH 2, 1998*

Mr. Downing asked Mrs. Allen to send a note to Chief Vinton so the management team could review the act and get input from the firefighters. He then would like a letter from the management team to the Board which could then be forwarded to the legislators.

- Mrs. Rozanski moved approval of the March 1st meeting minutes as submitted by Mr. Brodeur; Mr. Downing seconded; all aye.

*9:50 p.m.* - Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

*Approved as presented  
3/30/98*

MINUTES OF THE BOARD OF DIRECTORS  
MARCH 1, 1968

Mr. Downing asked Mrs. Allen to read a letter to the Board from the management team about review of the Board's role in the investigation. The Board then received a letter from the management team to the Board which was read by Mrs. Allen. The Board then discussed the letter.

Mrs. Johnson moved approval of the letter to the Board. The Board then discussed the letter. Mrs. Johnson moved approval of the letter to the Board. The Board then discussed the letter.

9:50 a.m. - Mrs. Johnson moved the meeting be adjourned. The Board then discussed the meeting. Mrs. Johnson moved the meeting be adjourned. The Board then discussed the meeting.

Respectfully submitted,

M. J. Fredette  
Secretary  
mj

MINUTES OF THE SELECTMEN'S MEETING - March 1, 1998

Present: Douglas Downing, James Brodeur, Raphaela Rozanski

12:48 p.m. Mr. Downing called the meeting to order at the American Legion Hall on Cutler street with all members present. This meeting was scheduled here and at this time to also be an official signing ceremony and reception for the new Town Administrator, Michael Hartman.

The Board reviewed the latest revisions of the Town Administrator's contract from input from labor attorney Robert Garrett.

1:05 p.m. Mr. Michael Hartman arrived and, after some introductions and welcomes from members of the Search Committee, he reviewed the final version of the above contract.

More introductions of newly arriving Town officials, employees and residents took place while awaiting more members of the Search Committee. Members attending included: Paul Wilson, Chris Lorenzen and Frank Alconada. Members not able to attend were: Mary O'Leary and Dave Consigli, Jr.

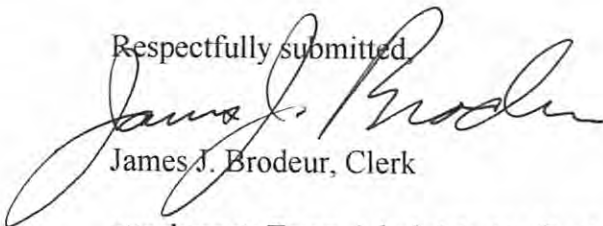
1:37 p.m. Mrs. Rozanski moved, Mr. Brodeur seconded to award and endorse the contract between the Board of Selectmen of the Town of Medway and Michael Hartman as the Town Administrator, effective March 9, 1998; all voted aye.

All three Selectmen/woman as well as Michael Hartman signed the contract, a copy of which will be made a part of these minutes when copied.

Brief discussion ensued among the Board and Mr. Hartman about where to report for work on March 9 without an office yet designated for the position. The Board will consider the situation later in the week and is meeting with the Sherrif's office this week for a work progress update on Town Hall renovations. A possible temporary work station discussed was somewhere in the Police Station.

1:40 p.m. Mr. Brodeur moved, Mrs Rozanski seconded, to adjourn the meeting and return to the reception: all voted aye.

Respectfully submitted,



James J. Brodeur, Clerk

attachment: Town Administrator Contract effective March 9, 1998

*Handwritten note:*  
Approved 3/2/98

MINUTES OF THE SELECTMAN'S MEETING - March 9, 1998

Present: Douglas Downing, James Johnson, Kenneth Johnson

12:48 p.m. Mr. Downing called the meeting to order in the American Legion Hall on 6th Street in the basement. The meeting was scheduled now and in the future to also be an official signing ceremony and reception for the new Town Administrator. A brief

The Board reviewed the most serious of the Town Administrator's contract from the previous Robert Johnson.

1:05 p.m. Mr. Downing presented a report of the Town Administrator and welcomed the new members of the Board. He reviewed the final version of the above contract. A few members of the Board expressed some concerns about the contract. Mr. Downing stated that the contract was a result of a long process and that the Board should be satisfied with the final version. He also stated that the contract was a result of a long process and that the Board should be satisfied with the final version.

1:15 p.m. Mr. Johnson moved Mr. Johnson seconded to move and order the contract from the Board of Selectmen to the Town of Johnson and Robert Johnson to the Town Administrator effective March 9, 1998. All voted yes. All then submitted a motion as well as Robert Johnson signed the contract which will be made a part of these minutes. A copy of the contract was also made.

Good discussion ensued among the Board and Mr. Johnson about the contract. Mr. Johnson stated that the contract was a result of a long process and that the Board should be satisfied with the final version. He also stated that the contract was a result of a long process and that the Board should be satisfied with the final version.

1:40 p.m. Mr. Johnson moved Mr. Johnson seconded to adjourn the meeting and return to the reception at the Legion Hall.

Respectfully submitted,  
James Johnson, Chairman  
Douglas Downing, Secretary

Attest: Town Administrator Robert Johnson



3/1/98

①

12:48 p.m.

## TOWN OF MEDWAY

TOWN ADMINISTRATOR  
CONTRACT OF EMPLOYMENT

signed @ 1:37 p.m.

This EMPLOYMENT AGREEMENT ("Agreement") is entered into as of 3/1/98 1998, by the Town of Medway ("Town"), a municipal corporation in the Commonwealth of Massachusetts with its principal place of business at 155 Village Street, Medway, MA, 02053, and Michael J. Hartman ("Employee"), an individual whose principal residence is

9 Linwood Ct Wrentham, RI

The parties acknowledge and agree to the following facts and circumstances:

In 1997, the Town Meeting approved the creation of the position of Town Administrator, an Employee appointed by the Board of Selectmen. The Employee possesses specialized knowledge and skill with regard to the coordination and management of municipal government. While the Employee shall have significant independent responsibility as the Town Administrator, the Employee shall report to the Board of Selectmen in performing all duties under this Agreement.

Accordingly, in consideration of the promises and the respective covenants and agreements set forth herein, and intending to be legally bound hereby, the parties hereto agree as follows:

1. Employment Period.

The Town shall employ the Employee for a period of three (3) years commencing on 3/9 1998, and terminating on June 30, 2001. In addition, as set forth below in Paragraphs A and B, there may be two (2) extension periods mutually agreed upon between the Town and the Employee. Any extension(s) of the term of the Employee's employment beyond June 30, 2001, must be preceded by a majority vote of the full Board of Selectmen, and shall be in the form of a written amendment(s) to this Agreement. Unless otherwise agreed upon by the parties, any extension(s) shall be upon the same terms and conditions as herein set forth.

A. Extension from June 30, 2001 to June 30, 2002.

In the event the Town wishes to enter negotiations with the Employee to extend this Agreement from June 30, 2001 to June 30, 2002, or if it intends not to extend this Agreement beyond its termination date, the Town agrees to provide the Employee with written notice of its decision, in either case, on or before midnight of June 30, 2000. It shall be the responsibility of the Employee to advise the Chairperson of the Board of Selectmen of its need to so notify the Employee by providing the Chairperson with a written notification to that effect no later than the last

regularly scheduled meeting of the Board in April, 2000. Failure of either party to timely advise the other pursuant to the provisions of the immediately preceding two (2) sentences of this Paragraph A shall not be considered a breach of this Agreement.

B. Extension from June 30, 2002 to June 30, 2003.

In the event the employment period has been extended pursuant to Paragraph A above, and the Town wishes to enter negotiations with the Employee to extend this Agreement from June 30, 2002 to June 30, 2003, or if it intends not to extend this Agreement beyond June 30, 2002, the Town agrees to provide the Employee with written notice of its decision, in either case, on or before midnight of June 30, 2001. It shall be the responsibility of the Employee to advise the Chairperson of the Board of Selectmen of its need to so notify the Employee by providing the Chairperson with a written notification to that effect no later than the last regularly scheduled meeting of the Board in April, 2001. Failure of either party to timely advise the other pursuant to the provisions of the immediately preceding two (2) sentences of this Paragraph B shall not be considered a breach of this Agreement.

This Agreement may not be renewed or extended beyond June 30, 2003. Accordingly, any desire of either party for extending the Employee's period of employment beyond June 30, 2003, shall be cause for new negotiations for the purpose of preparing a successor agreement.

It shall not be considered that the Town and the Employee have entered into an extension of the Employment Period, or any new agreement, unless expressly stated in a written document duly executed by the parties hereto.

This Agreement may be terminated at any time by either the Town or the Employee in accordance with the terms and conditions set forth in Paragraph 10 below.

2. Employment Duties.

A. The Town will employ the Employee as its Town Administrator. Unless this Agreement is terminated sooner, the Employee will continue in such employment for the duration of the Employment Period, and will perform in good faith and to the best of his abilities all services which may be required of him in such capacity, and such services and assignments as may be made by the Town's Board of Selectmen, consistent with the title and responsibilities of his position and his expertise.

B. During the Employment Period, the Employee will devote his full working time and efforts to the business and affairs of the Town within the customary scope of his position. Generally, the Employee's work week

shall consist of no fewer than forty (40) hours. As a salaried, exempt employee of the Town, the Employee shall not be eligible for overtime pay.

C. The Employee agrees to perform all services necessary and incident to the responsibilities of Town Administrator for the Town. The specific responsibilities of the Employee, as the Town Administrator, are set forth in Article XXIII of the Town of Medway General By-laws, as well as in Exhibit A, which is attached hereto and made a part of this Agreement.

3. Compensation.

A. For all services rendered during the Employment Period, the Employee's salary shall be at the annual rate of:

- 1) Sixty-five thousand five hundred dollars (\$65,500) from 3/9 1998 through June 30, 1999; and
- 2) Sixty-eight thousand dollars (\$68,000) from July 1, 1999 through June 30, 2000; and
- 3) Seventy-two thousand dollars (\$72,000) from July 1, 2000 through June 30, 2001.

B. The Employee's salary will be paid at periodic intervals in accordance with the Town's payroll practices for other Town employees. The Employee's predetermined periodic salary payment will be paid to the Employee as full compensation for all weeks worked by the Employee under this Agreement.

C. The Town will deduct and withhold from any payments to the Employee hereunder, any and all federal, state, and local income and employment withholding taxes, and any other amounts required to be deducted or withheld by the Town under applicable law.

shall consist of no fewer than forty (40) hours. As a salaried, exempt employee of the Town, the Employee shall not be eligible for overtime pay.

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B. The Employee's salary will be paid at periodic intervals in accordance with the Town's payroll practices for other Town employees. The Employee's predetermined periodic salary payment will be paid to the Employee as full compensation for all weeks worked by the Employee under this Agreement.

C. The Town will deduct and withhold from any payments to the Employee hereunder, any and all federal, state, and local income and employment withholding taxes, and any other amounts required to be deducted or withheld by the Town under applicable law.

4. Fringe Benefits.

A. The Employee shall be eligible for all insurance (medical, hospital, dental, life) benefits currently available to other Town personnel, subject to the same premium contributions as required by law and authorized by the Town of Medway, pursuant to M.G.L. Chapter 32B. Premium costs may be subject to change as governed by conditions of the municipal group policies.

B. The Employee will be a member of the Norfolk County Retirement System.

C. Earned Leave.

In lieu of vacation days and personal leave, the Employee shall have twenty-five (25) days of paid/earned time per fiscal year (prorated during the period of 3/9, 1998 through June 30, 1998). Whenever possible, the Employee shall give the Chairperson of the Board of Selectmen at least five (5) days notice of any extended leave(s).

D. The Employee shall receive as deferred compensation the sum of five thousand dollars (\$5,000) per fiscal year beginning with fiscal year 1999.

E. Holidays.

The Employee shall be entitled to the following eleven (11) paid legal holidays:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
President's Day	Veteran's Day
Patriots' Day	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

5. Reimbursement for Expenses.

The Town shall reimburse the Employee for all customary, ordinary, and necessary business expenses (set forth below) that are reasonably incurred in the performance of his duties hereunder, in accordance with the Town's policies and procedures for such expense reimbursement, and subject to the following maximum limitations:

- A. Auto Expense – One hundred and fifty dollars (\$150.00) per month.
- B. Conference and Travel – Two thousand seven hundred and fifty dollars (\$2750.00) per fiscal year.
- C. Professional Dues – Seven hundred and fifty dollars (\$750.00) per fiscal year.

6. Temporary Absence.

The Employee may designate a qualified officer, department head, or other employee of the Town to perform the duties of the Town Administrator during a temporary absence or disability. Any such designation shall be subject to the approval of the Board of Selectmen and made pursuant to Section 23.3 of Article XXIII of the Town's General By-laws. Except for emergencies, the Employee shall give the Chairperson at least five (5) days notice of any extended absence(s).

7. Evaluation.

A. The Board of Selectmen shall annually evaluate the performance of the Employee in writing, in accordance with the terms of a written evaluation instrument mutually agreed upon by both parties, which clearly articulates the goals, standards, and criteria by which the Employee's performance will be measured.

B. The Board of Selectmen and the Employee will agree upon this instrument within a reasonable length of time after the commencement of his duties as Town Administrator.

C. Such instrument shall be considered as part of and incorporated by reference in this document.

D. A summary or composite of the individual evaluations compiled by Board of Selectmen members shall be prepared by the Chairperson, signed by the Employee, and shall be placed in his personnel file. The Employee's signature shall not necessarily indicate agreement with the content thereof, but rather acknowledgment of receipt of the document.

E. The Employee may file a written response and attach the same to the evaluation in his file.

F. Nothing in this Agreement shall limit the Board of Selectmen and/or the Employee from discussing and/or reviewing his performance at any other time during the term of this Agreement or any extension(s) hereof.

G. Failure by the Board of Selectmen for any reason to evaluate the Employee in any year of this Agreement, or failure by the parties to reach agreement concerning the evaluation instrument, shall not be considered a material breach hereof.

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8. Medical Examination.

The Town Administrator shall have a comprehensive medical examination once each year, and the physician's report shall be sent to the Board of Selectmen. Said report shall be treated as confidential information. The entire cost of said medical examination and report(s) shall be borne by the Town.

9. Incapacity.

If the Employee becomes incapacitated during the Employment Period, the Town may terminate the employment relationship. The term "incapacitated," as used herein, means the inability of the Employee to perform the essential functions of his position for three (3) consecutive months, or a total of three (3) months over any period of twelve (12) consecutive months, due to the Employee's illness, injury, or other physical or mental incapacity.

10. Termination.

A. The Employee may terminate his employment with the Town for any reason by providing sixty (60) days written notice to the Town including the last date of his employment. Such notice may be waived by mutual agreement of the parties.

B. Throughout the term hereof, the Board of Selectmen may terminate this Agreement and the Employee may be subject to discharge for cause. "Cause" is defined and hereby limited for purposes of this Agreement to the following reasons: (1) willful neglect of duty; (2) felony or misdemeanor conviction of any crime involving moral turpitude; (3) violation of duties to the Town of honesty; (4) incapacity as defined herein; (5) any act or omission by the employee which substantially impairs the Town's business, goodwill or reputation; (6) insubordination; (7) conduct unbecoming any employee. This Agreement may also be terminated by the Town for a material violation of any provision of this Agreement which is not remedied by the Employee within thirty (30) days of receiving written notification of such violation. Such notice of violation must be predicated by a majority affirmative vote of the Board of Selectmen regarding such violation.

C. In the event the Employee is removed by the Board of Selectmen during such time that the Employee is willing and able to perform his duties under this Agreement and such removal is not for cause as set forth in Section 10B above, the Town agrees to pay the Employee a severance pay of ~~5~~ 6 months salary with all benefits. Employee shall also be compensated for all earned leave and other accrued benefits to date of removal, calculated at the rate of pay in effect upon termination. No severance pay or benefits shall be payable pursuant to this Paragraph 10C in the event the Agreement is not extended or otherwise renewed after June 30, 2001, or after any extensions pursuant to Paragraphs 1A or 1B above.



11. Arbitration.

Any and all controversies or claims arising out of or relating to this Agreement and the employment relationship, including but not limited to the discharge of the Employee and/or any compensation allegedly owing hereunder, shall be settled and determined solely and exclusively by arbitration in accordance with the Voluntary Rules of the American Arbitration Association, and the decision by an Arbitrator selected pursuant to such rules shall be final and binding subject to the provisions of M.G.L. Chapter 150C. Any claim for arbitration hereunder shall be null and void unless made within thirty (30) calendar days of the act or incident alleged as a basis for the claim or controversy. Such time limits may be extended by the mutual written agreement of the parties.

12. Governing Law.

This Agreement will be governed by, construed and interpreted in accordance with the laws of the Commonwealth of Massachusetts.

13. Entire Agreement: Amendment.

This Agreement sets forth the entire agreement between the parties relating to the terms of the Employee's employment with the Town, and it supersedes all prior agreements and understandings with respect to such subject matter. The Agreement may only be amended or extended by written instrument signed by the Employee and the Town's Board of Selectmen.

14. Waiver.

No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel against the enforcement of any provision of this Agreement, except by written instrument of the party charged with such waiver or estoppel. No such written waiver shall be deemed a continuing waiver unless specifically stated therein, and each such waiver shall operate only as to the specific term or condition waived and shall not constitute a waiver of such term or condition for the future or as to any act other than that specifically waived.

11. Arbitration.

Any and all controversies or claims arising out of or relating to this Agreement and the employment relationship, including but not limited to the discharge of the Employee and/or any compensation allegedly owing hereunder, shall be settled and determined solely and exclusively by arbitration in accordance with the Voluntary Rules of the American Arbitration Association, and the decision by an Arbitrator selected pursuant to such rules shall be final and binding subject to the provisions of M.G.L. Chapter 150C. Any claim for arbitration hereunder shall be null and void unless made within thirty (30) calendar days of the act or incident alleged as a basis for the claim or controversy. Such time limits may be extended by the mutual written agreement of the parties.

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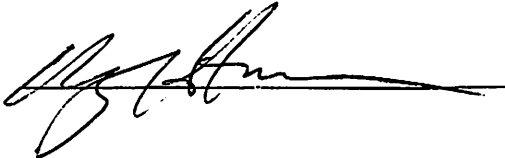
No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel against the enforcement of any provision of this Agreement, except by written instrument of the party charged with such waiver or estoppel. No such written waiver shall be deemed a continuing waiver unless specifically stated therein, and each such waiver shall operate only as to the specific term or condition waived and shall not constitute a waiver of such term or condition for the future or as to any act other than that specifically waived.

15. Severability.

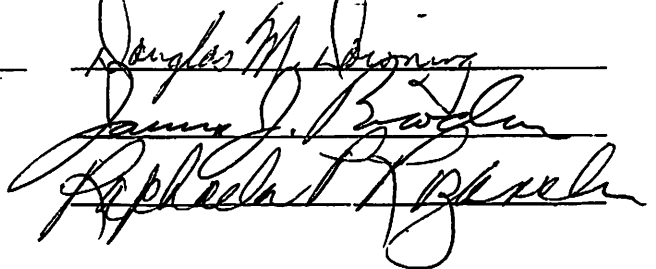
If any provision of this Agreement is held to be invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any other provision of this Agreement not held so invalid or unenforceable, and each such other provision shall to the full extent consistent with law continue in full force and effect. If any provision of this Agreement shall be held invalid or unenforceable in part, such invalidity or unenforceability shall in no way affect the rest of such provision, and the rest of such provision, together with all other provisions of this Agreement, shall to the full extent consistent with law continue in full force and effect.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date first set forth above.

MICHAEL J. HARTMAN



TOWN OF MEDWAY  
BOARD OF SELECTMEN



**EXHIBIT A****TOWN OF MEDWAY****TOWN ADMINISTRATOR****JOB DESCRIPTION**

**GENERAL STATEMENT OF DUTIES:** Administers and coordinates Town departments, personnel, and programs for the effective delivery of governmental services to the residents of the Town of Medway.

**SUPERVISION RECEIVED:** General supervision received from the Board of Selectmen.

**SUPERVISION EXERCISED:** Town employees specified by Town By-law, Town Meeting vote, or Board of Selectmen vote.

**ESSENTIAL RESPONSIBILITIES:**

**General Administration** Administers and coordinates the day-to-day activities of Town departments and employees pursuant to the powers and duties outlined in this document as well as Section 23.6 of Article XXIII of the General By-laws (approved April 28, 1997).

Recommends operational policies and procedures to the Board of Selectmen, including improved organization of Town departments.

Insures that the Town government complies with the provisions of general or special laws applicable to the Town, all By-laws, and all regulations established by the Board of Selectmen.

Oversees and directs the maintenance and repair of all Town buildings and land.

Maintains an inventory of all Town-owned real and personal property.

Makes frequent contacts with local, state and federal officials; also local business and community leaders. Serves as the Town's Coordinator for compliance with ADA (Americans with Disabilities Act) and OSHA (Occupational Safety and Health Act) regulations.

**EXHIBIT A**

**TOWN OF MEDWAY**

**TOWN ADMINISTRATOR**

**JOB DESCRIPTION**

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Oversees and directs the maintenance and repair of all Town buildings and land.

Maintains an inventory of all Town-owned real and personal property.

Makes frequent contacts with local, state and federal officials; also local business and community leaders. Serves as the Town's Coordinator for compliance with ADA (Americans with Disabilities Act) and OSHA (Occupational Safety and Health Act) regulations.

Prepares employees and volunteers for emergencies such as hurricanes or chemical spills. Insures that employees and volunteers have received adequate training. Keep Town's written emergency response plan up-to-date.

Maintains effective public relations by courteously and competently dealing with the citizens of Medway.

**Finances and Budgets:** Prepares, submits, and presents the Town Budget, supplemental appropriations and special fund budgets to the Board of Selectmen, Finance Committee, and Town Meeting. Shall develop routine financial reporting requirements and long term operating projections to track the fiscal position of the Town. This includes reviewing individual departmental budgets, salary plans and union contracts, purchasing plans, debt schedules, past expenditure patterns, revenue and price forecasting, and policy direction from the Selectmen.

Assists the Board of Selectmen in presenting their budget to the Finance Committee and assists the Finance Committee in obtaining any budget information requested.

Exercises fiscal authority to insure that all Town departments and employees stay within their allotted budgets. Approves all bills paid by the Town and all checks issued by the Town. Prepares and submits routing and special Town activity and financial reports to the Board of Selectmen. Prepares, with the assistance of the Town Accountant, year-end financial transfers in order to balance budget.

Oversees and/or coordinates the work performed by the Town's financial advisor, bond counsel, Town Treasurer/Collector, and Town Accountant for the issuance of municipal bonds and notes.

**Capital Plan** Works with the Capital Improvement Program Committee, Town Accountant, and Department Heads in the development and implementation of the long-range capital plan. Surveys departments for their requests, assesses priorities, and determines the costs and financial impact of the plan and the Town's fiscal capability to carry it out. Insures the development and maintenance of computer applications and records for all capital items.

**Personnel Administration:** Supervises and directs the activities of the Town's departments, boards, commissions and officers now under the jurisdiction of the Board of Selectmen, as well as any other departments as may be assigned by general by-laws of the Town, state statutes, or other lawful directives. Acts as the Town's hiring and firing authority, serves as Personnel Director, oversees personnel administration and resolves problematic cases according to established policies and practices for implementation with union and non-union employees.

Shall have access to all Town and departmental confidential information including personnel records, negotiating positions, collective bargaining

agreements, and confidential investigations as required in the execution of official responsibilities.

Shall be the Selectmen's agent for collective bargaining and may employ special counsel to assist in the performance of such duties, subject to the approval of the Board of Selectmen.

**Purchasing** Serves as the Town's Chief Procurement Officer, meets and negotiates with potential vendors and contractors; monitors the progress of consultants and contractors retained by the Town.

Oversees the bidding and purchasing of equipment, materials, supplies and services for all Town departments, excluding the School Committee and Library Trustees. Seeks and evaluates opportunities for consolidated purchasing and alternative purchasing arrangements. The Town Administrator shall only purchase items for departments not under direct supervision if requested in writing. Analyzes bids and award contracts. Develops specifications for products and services needed by the Town.

**Insurance:** Administers the Town's insurance programs, including employee health care, property/casualty insurance, and workers' compensation. Works with the Town's insurance agents, consultants, or other administrators to insure that the programs are cost-effective and include all necessary items.

**Construction Projects:** Oversees all Town and School construction projects. This includes: working with the Building Committee, Board of Selectmen, Finance Committee, and Town Meeting to obtain approval of projects; reviewing bids; working with the construction administrator and contractors; evaluating the progress of projects on a periodic basis; approving all bills; administering all grants; and properly maintaining all records.

#### **OTHER REQUIRED RESPONSIBILITIES:**

**Pension:** Acts as the pension administrator of the Town.

**Grants:** Oversees the research and preparation of grant applications.

**Computers:** Oversees the computer operations of all Town departments (excluding the schools) including purchasing and maintenance of hardware and software, training of Town employees, and maintenance of computer contracts.

**General Administration:** Responds to requests for information from Town officials, residents, the media, and the general public by phone, through the mail, and in person on a wide-range of topics including budgets, purchasing, town policies and regulations, and general information about Medway and organizations and events within the Town.

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Responds to employee questions about benefits such as health insurance, life insurance, sick time, vacations, and pension.

Prepares and Annual Report and coordinates the preparation and printing of the Annual Town Report.

Works with Town Council on matters affecting Town government and matters involving litigation.

Performs other duties, as may be assigned, from time to time, by the Board of Selectmen.

#### **QUALIFICATIONS AND SKILLS:**

Ability to supervise department heads and subordinates.

Ability to organize and follow through on long-range projects.

Ability to deal tactfully with the public, media, and other employees.

Personal health, grooming, speaking and writing skills must be such as to reflect favorably on the community.

Knowledge of municipal budgets and financial processes.

Administrative ability to maintain employee personnel records, health insurance and benefit programs.

Knowledge of municipal grants.

Ability to handle expected and unexpected emergencies. Strong realization that small town government requires flexibility in what is entailed in the position.

Advanced computer programming skills with some knowledge of both hardware and software. Experience with DOS/Windows systems suggested. Experience with minicomputers and/or mainframes helpful.

Driver's license.

#### **EXPERIENCE AND TRAINING:**

Bachelor's degree in public or business administration and five years experience in public administration as a paid full-time public administrator. A Master's degree in public administration or related field may substitute for not more than two years of such paid experience.

**WORKING CONDITIONS:**

Town Administrator's regular hours are 8:30 AM - 5:00 PM, Monday through Friday. However, it is expected that the Town Administrator will work a number of evenings each year in order to meet time deadlines for tasks and will attend all Board of Selectmen meetings (held on weekday evenings). Additionally, attendance at an occasional Saturday meeting or workshop may also be required. Coordinates with the Chairman of the Board of Selectmen and prepares the agenda for both regular and special meetings: Must be prepared to submit to Selectmen as part of the agenda a report on all pertinent issues and concerns of the Town and also render an operations update.

Shall attend all sessions of all Town meetings and will be available to attend some meetings of the Finance Committee or other Town boards or committees when required. Furthermore, attendance will be required at an occasional early morning or weekend meeting. The Town Administrator shall be present within the Town's boundaries during emergency management situations unless assigned elsewhere by the Selectmen.

The Town Administrator shall not be required to be a resident of the Town or the Commonwealth when appointed but shall become a resident of the Commonwealth of Massachusetts within one year of appointment and live within a reasonable commuting distance from Medway.

This position is an exempt position as regarding federal and state minimum wage and overtime requirements and, therefore, is not eligible to be paid overtime for work performed beyond forty hours in a workweek.

This list of essential job functions, qualifications, and skills is not exhaustive and may be supplemented at any time.

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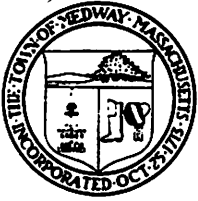
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## BOARD OF SELECTMEN

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

### AGENDA

February 23, 1998

- 7:00 Open meeting, sign warrants and approve minutes of 2/9/98 meeting.
- 7:01 Town Clerk regarding new voting machines
- 7:05 Public Hearing on 100% Plan for 109 Corridor Project, takings and easements

### BUDGETS:

- 7:30 Finance Committee
- 7:45 DPS/Highway
- 8:00 Snow Removal
- 8:15 Traffic Signals
- 8:30 Historical Commission
- 8:45 Industrial Development Commission
- 9:00 Memorial Committee

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 23, 1998.

1. Acknowledge Site Plan for Ben Franklin Bank corner of Main and Elm Streets.
2. Any comments on letter from Grace Shepard regarding TIP issues.
3. Any comments or requests regarding letter from Bay State Gas.
4. Sign form to participate in LUCA Program for Census 2000.
5. Any comments on letter from Kiewit.
6. Discuss Treasurer/Collectors Bond.
7. Vote on extension of PGC Associates Agreement for Senior Center building.
8. Vote on extension of Dixon-Salo Architects contract for Senior Center building.
9. Letter requesting Selectmen's meeting minutes of 1/27/98 meeting.
10. Vote on Standard Auto mileage rate for 1998.
11. Discuss Municipal Energy Consulting Agreement
12. Comments on Notice of Public Hearing on Edison owned location at 9 Summer Street.
13. Vote and sign EMS Rules and Regulations and Fire Department Rules and Regulations.
14. Representatives to CMEMSC for EMS Corp. Annual Meeting.
15. Vote on Brigg's sale of land Adams St. & Summer St.
16. Vote on Assistant Mechanic's position.
17. Discuss letter from ACO regarding leash law.
18. Vote on request of Planning Board for use of Town Counsel regarding Release of Covenant.

**MINUTES OF THE SELECTMEN'S MEETING**  
**FEBRUARY 23, 1998**

Present: Douglas Downing, Raphaela Rozanski, James Brodeur, 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 p.m.** - Town Clerk Maryjane White came to speak to the Board about voting machines. She stated that the Town had approved the purchase at Town Meeting last year, is fully funded, and she now wanted to make a recommendation of Accuvote out of Methuen. Mrs. White said other area towns utilize Accuvote, so it would be useful to have others nearby that could assist if necessary. Mrs. Rozanski moved to approve the purchase of LHS Accuvote 2000 voting machine for \$17,250; Mr. Downing seconded; Mr. Brodeur abstained as he had just arrived; aye. Mrs. White was asked by Mr. Downing to check with Rep. Gardner to see if there were any grants to cover this, but she felt there were just low-interest loans available. Mrs. White asked for a letter from the Board noting the approval of the purchase so it could be sent to the State.

**7:05 p.m.** - Mr. Brodeur read the notice that appeared in the paper for the public hearing on the 100% plan for the Route 109 corridor project for takings and easements. Some of the residents from the area of Route 109 were present. Mr. Downing said that the State was moving along with the Route 109 corridor project, and it will impact some of our residents, as some of the property will have to be used for storage of equipment and will require a temporary construction easement. Mr. Downing said the only property the Town would be doing an actual taking of would be some of the land of the MacNeils at 107 Main Street at the corner of Main and Oakland Streets.

Mrs. Rozanski said the State has already gone to the Conservation Commission. Mr. Downing asked if any of those present had a spokesperson for the group; there were none. He said an appraisal was done in the summer and construction easement costs was assigned then. They were as follows:

t.c.e. = temporary construction easement

Toth, 4 Thunderhill, t.c.e., \$650

Powderly, 11 Main, t.c.e. and permanent drainage easement, \$2,600

Carlson, 26 Main, t.c.e., \$1,200

**MINUTES OF THE SELECTMEN'S MEETING  
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Potheau, Apollo, 2-4 Main, t.c.e., \$5,900  
Lucas, 1590 Main, Millis, t.c.e., \$300  
MacNeil, 107 Oakland, taking, \$1,350  
Macaluso, 3 Main, t.c.e., \$360  
Sia, 5, 18, 20, 25 Main, t.c.e., \$850 for #18, \$950 for #20, \$4,000 for #25  
Trufant, 28 Main, t.c.e., \$400  
Gowan/Donnelly, 30 Main, t.c.e., \$1,250  
Lannon, 2 Thunder Hill, t.c.e., \$700  
Cerel, 15 Main, t.c.e., \$1,200  
Murphy, 16 Main, t.c.e., \$3,700  
Ellen Realty, 6 Main, t.c.e. and permanent drainage construction easement,  
\$7,000; 10 Main, t.c.e., \$600

A list of everyone in attendance at the public hearing is attached.

In explaining the cost assigned to everyone, Mrs. Allen stated it was being given to the owners for the use of their property during construction and for the inconvenience. Mr. Downing that all work was being done in the public way, except for the MacNeils.

Mrs. Donnelly asked about filling of any wetlands, but Mr. Brodeur said the plan didn't show it, and they have been to the ConCom anyway. He noted there would be a sidewalk on the north side of Main Street, and it had been agreed by the State to extend it from Coffee Street to Lee Lane. Mrs. Allen stated they hope to go out to bid in May and begin construction during the summer. When asked how long this all would take, Mr. Downing said he thought it would be a 1-1/2 to 2 year project, with much of the construction going on at the Millis end.

Mr. MacNeil said he wanted a stone wall on his property being taken. He felt it was the least the Town could do for taking his property.

Mr. Ross from 1 Main Street said he wanted a stone wall and granite curbing on his property too by virtue of living there for 40 years.

Mr. Downing again restated that all work is being done in the public way. Mr.  
page 2.

**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 23, 1998**

Brodeur did say, however, that if a tree is in the temporary construction easement, and it has to go, they have to take it.

Michael Jarrett of Apollo wanted to discuss the building he leases, but Mr. Downing said they wanted to discuss the residential concerns first.

Mr. Murphy of 16 Main Street did not have a problem with a tree being taken down on his property, which he felt was half-decayed anyway.

Mr. Downing stated that all comments will be sent to the State. He said that the site engineer and the State will contact the Board and give significant notice before work begins when it affects an abutter. Mr. Brodeur noted that when haybales and a silt fence are put down, work is imminent. He also said he didn't feel traffic would be restricted to just one lane of traffic at a time. Mr. Brodeur said once a contract is awarded, towns lose control of what is worked on and when, and minority contractors have to be notified by the main contractor.

Mr. Downing assured those present that the Board would let them know as much as they could as the information became available. Mr. Brodeur suggested their attendance at the pre-construction meeting if interested. Mrs. Allen was asked to check on how the t.c.e. fee gets to residents and when.

**7:45 p.m.** - Michael Jarrett, the business owner of Apollo; along with Attorney Collin Smith representing the owner of the property, Mr. Potheau; Mr. Merrikin, and Attorney Richard Maciolek representing the Town, were present to discuss different issues about the property at 2-4 Main Street. Mr. Maciolek said he requested the owner and tenant to be here so they could discuss the timing and nature of the work; to clear the encroachment off of Route 109, which needs to be done in a timely fashion; and to address the situation of the tenant stating that he could be out of the building by May 1st, with the encroachment removed in two weeks. Mr. Maciolek further stated that, through the attorney, he has been told by the owner that more needs to do more than demolishing the building. The proposed new roadway and sidewalk will cause further encroachment and they are concerned about the timing. Mr. Jarrett was asked if he had started to move out?  
page 3.



**MINUTES OF THE SELECTMEN'S MEETING  
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Mr. Jarrett said he had stated May 1st, as he still has to get the new phone lines and temporarily move into the house. He noted Boston Edison does not need any permits as there are no poles being moved. He felt everything should be done by May 1st. He also had not gone to the Building Inspector yet. Mr. Maciolek asked if Mr. Jarrett had plans to move back into the building? Mr. Jarrett noted he had a 20-year lease, and it's really not his problem; he doesn't own the building, he was just the business owner. Mr. Maciolek said he could operate in the existing building after this was taken; he was down just temporarily.

Mr. Smith said that the large building could become the operating center, but they needed a commitment from the landlord, then the Town would deal with Mr. Potheau on how to handle the demolition. Mr. Jarrett stated that the holding of his licenses for 1998 was not appropriate as it was done.

Mr. Merrikin said that 15' was added on to the front of the building, so possibly the inside wall could now become the outside wall, which was 4'-5' off street behind the property line. Mr. Smith thought getting the building demolished in the two-week time period was cutting it close, but they didn't want to hold up the work being done.

Mr. Merrikin stated they were doing a plan of the site to be completed in 2-3 weeks; however, if they have a single curb cut, they can't get to the parking area. To service the main building in the back, they may need another curb cut as the business uses all the land up to the street. He noted that the plan will show more. Mr. Maciolek requested that it take no more than two weeks for the plan as the encroachment is a significant issue. Mr. Jarrett said there are 60-70 vehicles stored there now.

Mr. Brodeur brought up the fence issue, and said it should be noted how security will be handled; who moves the fence; and who controls it. It was a possibility they could ask that the new fence be put up before the old one goes down. Mr. Maciolek said temporary fencing is a better request.

Mr. Ross of 1 Main Street said there were still gas tanks from the Jenny Station in front of his house, and they might have to go if still considered hazardous waste.  
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Mr. Downing asked that Mr. Merrikin have the plans by the end of next week, and then maybe set up another meeting. Mrs. Allen said that Tom Loughlin was the contact at the State.

Mr. Downing asked Mr. Smith if the demolition completion date of May 15th wasn't good, what was? If they could get a plan of the building, they could better determine that. Mr. Maciolek said they can get estimates and line up everything tentatively after the plan comes in, and then work on the demolition date. Mr. Downing placed the Apollo issue on the agenda for March 9th at 8:00 p.m. Mr. Potheau would drop the plan by at the Selectmen's Office. Mr. Brodeur moved to close the hearing; Mrs. Rozanski seconded; all aye.

**8:10 p.m.** - Mr. Maciolek was asked where the Town stood now on the easements and takings? He thought the appraiser was doing it, but said nothing was recorded in Dedham except the MacNeils. He also said the agreement needs to be signed on the easements so the contractor has permission to proceed. Mrs. Allen said he had the right of entry, and would call Mr. Loughlin on the plan for the corner piece. Mr. Brodeur noted that the plan for the corner needs to be surveyed and stamped, but he also thought temporary easements needed to get recorded.

**8:13 p.m.** - The first of the budgets for Selectmen's review was FinCom. Joe Dziczek was present on behalf of the FinCom. He stated there was a significant increase in printing cost. He said they are down to seven members, and also have a new secretary. The Committee is also requesting copies of bills in hand before submitting an emergency transfer to them at this point in the fiscal year.

Mrs. Rozanski moved to approve the FinCom's budget for: Salaries - \$2,120; Expenses - \$6,200; Reserve Fund - \$100,000; Total - \$108,320; Mr. Brodeur seconded; all aye.

Mr. Dziczek noted there is a new formatted emergency transfer form for departments to use.

**8:20 p.m.** - Interim DPS Administrator Lee Henry was present with his budgets, accompanied by Acting Highway Superintendent Bob Power. Mr. Henry said the budgets were built from the ground up, were mission-oriented and task-driven  
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**MINUTES OF THE SELECTMEN'S MEETING**  
**FEBRUARY 23, 1998**

with more accurate expense lines. With no guidelines, they tried to keep costs reasonable with an increase of 2.53% on the DPS budget. Mr. Henry said the Board had agreed in principal with the Assistant Mechanic position, so they had included the position in the salary line item. The other item in salaries is the DPS Administrator position which was included. The only other changes were to line 202, which was repair and maintenance, and they were recommending it become administration and systems since they were running three offices; to line 205, which was telephone, and they were suggesting it become communications since there are also portable phones; to line 333, which was paving and they were suggesting it become paving/road repairs; and to line 615 which includes funding for rental of equipment if needed.

Mrs. Rozanski why there was no amount included in part-time salaries? Mr. Henry said it was budgeted last year to include a secretary for \$9,000, plus \$10,640 already there, so the department has \$19,000 it doesn't really need, so line 102 will be zero.

Mr. Brodeur noted there used to be part-time summer help, but Mr. Power stated the employees have to be 18 now because of insurance purposes. Mr. Brodeur asked about salaries and raises, and Mr. Henry referred to the next page which had all the positions broken down.

Mr. Brodeur moved to approve the DPS budget for: Salaries - \$312,240; Expenses - \$80,790; Road Repairs - \$121,000; Vehicle Repair - \$60,000; Total - \$574,030; Mrs. Rozanski seconded; all aye.

The next budget to be discussed with Mr. Henry and Mr. Power was Snow Removal, which was increased to reflect a more accurate picture, with Mrs. Rozanski agreeing the Town has never spent less than \$80,000. Mr. Henry noted so far they had spent \$91,000.

Mrs. Rozanski moved to approve the Snow Removal budget for: Salaries - \$20,000; Expenses - \$60,000; Total - \$80,000; Mr. Brodeur seconded; all aye.

Their next budget was Traffic Signals which was level funded.

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Mr. Brodeur moved to approve the Traffic Signals budget for: Expenses/Total - \$2,500: Mrs. Rozanski seconded: all aye.

Some conversation ensued on pursuing left-hand signals and who burdens that cost? Mrs. Rozanski thought it might be included in Chapter 90 funds, but Mr. Henry was not sure it was. Mr. Brodeur thought on traffic signals, you need State approval on design, not necessarily the use of State money. When asked about the cost, Mr. Brodeur said it could vary from \$50,000 to \$150,000. Mrs. Rozanski said it would have to be a special article. Mr. Brodeur commented if we were able to use our money, it could be done quickly; if we had to wait for State money, it could be three years.

**8:45 p.m.** - Jim Mucci, Vice-Chairman of the Industrial Development Commission was present with that budget. He discussed quotes received from between \$3,500 and \$4,000 for 200 color brochures they want to produce. They had received \$2,000 last year and were requesting \$2,000 more this year.

Mr. Downing questioned the additional salary for secretarial services for filing documentation for the PWED grant. He thought the consultant did all the filing, and if he didn't do that, what were we paying him \$2,000 for? Mr. Mucci said he was doing the prep work. Mr. Downing said he thought the consultant was the grant administrator - who sends reports and checks the figures? Mr. Mucci said the secretary, Marion Cole, is sending the reports to the State and doing the record-keeping. Mrs. Rozanski said Gino Carlucci is the consultant; not the grant administrator.

Mr. Downing asked to hold the budget in abeyance to review the grant contract.. Mr. Brodeur added that there will be inspection costs, consulting costs, monthly pay estimates, and who will be doing the review and filing for the PWED grant? Mrs. Rozanski said she believed that was part of DCI's scope, but she didn't think they got involved with the PWED grant; it was the Board of Selectmen's responsibility. Mr. Downing recalled Joe Giovinazzo doing all of the above when he worked on the Cottage Street project. The IDC has been rescheduled to March 16th at 8:00 p.m.

**9:10 p.m.** - No one was present for the Memorial Committee budget, but a note page 7.

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was received from Chairman Col. Matondi indicating they were requesting level-funding.

Mrs. Rozanski moved to approve the Memorial Committee budget for Expenses/ Total - \$2,750; Mr. Brodeur seconded; all aye.

Changing subjects, Mr. Downing said he walked the Walker Street property. Mr. Henry added that he understood the Board had requested Norfolk County to survey the area. He noted they had located 30% of the bounds, and it was their general contention that their department could clean out the lot and redistribute the material there to provide an esthetic look to the property. Mr. Power said the spot could be used for canoers as a drop-off point, especially since it was 187.5 feet on two sides and 212.5 on the other two sides and buildable as an area for a picnic table, etc. Once it was surveyed for the definite lot size for the fourth corner, it could be done, with Mr. Henry adding it was nothing that they couldn't handle.

Mr. Henry asked if Action Item 16 on the agenda, the Assistant Mechanic's position, could be taken out of order as he said it required formal approval by the Board being it was revised and includes information requested. Mr. Brodeur was assured there was funding available to cover the position for the remainder of the fiscal year and asked what else needed to be done? Mr. Downing asked that the Union be notified of the new position, and that it be advertised and posted. Mr. Brodeur asked if they needed to do anything else in advance so that the position was clear in the contract. Mrs. Rozanski asked the Chairman if he wanted her to call Labor Counsel? Mr. Downing said he saw nothing to prevent them from proceeding, so Mr. Henry said he would post and advertise.

Mr. Brodeur moved to create the position of Assistant Mechanic for the Department of Public Services at a grade 6, step 1; Mrs. Rozanski seconded; all aye.

**9:30 p.m.** - Mr. Brodeur brought up the subject of Mr. Henry's employment with him. Mr. Henry commented he would be through on March 7th. Mrs. Rozanski thought it expired March 10th. Mr. Brodeur asked Mr. Henry if he had the terms of his agreement with him to look over; he did. Mrs. Rozanski said they would  
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have to post and advertise the position if they decide to create this position as an employee of the Town. Mr. Henry said it would be a new contract. Mrs. Rozanski asked if it would remain interim? Why not create the position?

Mr. Downing suggested leaving it with the Town Administrator, but he proposed extended it for six months. Mrs. Rozanski was opposed to this. She said it was included in the salaries portion of the budget for DPS for FY'99 as an employee.

Mr. Downing said the reason they entered into an agreement for six months was that they anticipated having the Town Administrator on board by then and to eliminate the Highway dilemma. We have to address this issue now. When the Town Administrator comes on board, there will be a multitude of tasks and other projects that can be done. Mr. Brodeur suggested rewriting the agreement for another six months. Mrs. Rozanski recommended they put it aside and think about it, but not rewrite it beyond July 1st.

Mr. Henry said they took funds out of salaries and transferred them <sup>at a special Town meeting</sup> to expenses to pay him. Mr. Brodeur suggested extending his agreement for four months to June 30th through the balance of FY'98, and moved it be rewritten. Mrs. Rozanski said to do this next week on March 2nd. Mr. Downing said he was still interim; they were just changing the date.

Mr. Brodeur moved to extend the duration of appointment of Lee Henry as Interim DPS Administrator as outlined in the original memorandum of understanding dated 9/8/97 which had six months duration, originally to expire on 3/6/98, to expire instead on 6/30/98. Mrs. Rozanski moved to take the appointment under advisement. Mr. Downing seconded Mr. Brodeur's motion. Mrs. Rozanski moved to take the appointment under advisement. Mr. Downing said the appointment had been moved and seconded, but was open for discussion. He stated for once, they were going to do this in a timely fashion. Mr. Brodeur said he would like to do an evaluation of Mr. Henry to justify the Board's action this evening, and asked that a blank evaluation form be put in their weekend packet. Mr. Downing said there was a motion and a second. The vote: Mr. Brodeur and Mr. Downing - aye; Mrs. Rozanski opposed; 2-1-0.

9:40 p.m. - The warrants were signed totalling \$270,628.57.  
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- The Board took Agenda Item 9 out of order and discussed minutes of meetings that were missing, in particular the request of the Union Steward for those of January 27th. Mr. Brodeur believed there was no meeting that night, but Mrs. Rozanski thought there was a grievance hearing. Mr. Brodeur noted he had minutes of January 26th and 29th, but Mrs. Rozanski recalled he was writing them that evening. Then it was believed the date as listed on the action items agenda was incorrect; it should have been February 2nd, and Mr. Brodeur said he would have them available the next evening which could be given out, but indicated as not approved yet.
- Mrs. Rozanski moved approval of the minutes of February 9th; Mr. Brodeur seconded; all aye.
- As a follow-up, Mr. Downing asked that Mrs. Allen send a letter to Mrs. DeGanne and the McDonnells notifying them that DPS had walked the site near them, were awaiting Norfolk County to come out and mark the bounds, and were still hoping to get the remaining items off the property.
- **Committee Reports.**
- Mr. Downing said the entire Board met with the Planning Board Tuesday evening on a number of issues, including snowplowing, which was a major one.
- Mr. Downing said he attended the ZBA meeting Wednesday night, and noted his disappointment that Willie Stevens had temporarily withdrawn his plans for his building across the street from Town Hall, but would be reviewing the structural engineer's report further. Mr. Downing said the ZBA also heard and dismissed the appeal of the Zoning Enforcement Officer's decision of property at 155 Lovering Street. There was no decision rendered as it was the same petition and couldn't be heard and was referred to the Planning Board.
- Mr. Brodeur said they need to place as a future agenda item the issue of a policy for snowplowing, including where and how they will snowplow, regardless of where the Planning Board stands on the issue. Originally, the plowing was done just to allow access for emergency vehicles. Mrs. Allen suggested the Interim DPS Administrator talk to other towns to see how it is handled. Mrs. Rozanski said page 10.

***MINUTES OF THE SELECTMEN'S MEETING  
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Milford does not charge for plowing unaccepted streets.

- Mrs. Rozanski said she attended the CIPC meeting Thursday, and they inquired about the opening and closing of the warrant for the May town meeting. Mrs. Allen indicated she would place that as an agenda item for next week.

Mrs. Rozanski also noted attending a special meeting of the Mass. Tech. Collaborative workshop roundtable by request of the SWAP business committee.

- **Action Items.**

- 1. The Board acknowledged receipt of a site plan for the Ben Franklin Bank to be located at the corner of Main and Elm Streets. Mrs. Allen said this was the procedure to follow with the new by-law. Mr. Brodeur noted it was in the Commercial II zone.

- 2. The Board discussed the letter from Grace Shepard regarding TIP issues. They felt the two most important issues were the Summer Street and Village Street projects, and Mr. Downing asked Mrs. Allen to relay that information to her.

- 3. The Board noted receipt of a letter from Bay State Gas indicating they would like to meet with them. It was felt the Board should get input from Interim DPS Administrator Lee Henry, and to ask him to respond to the letter, with a copy to the Board.

- 4. Mr. Brodeur moved to authorize the Chairman to sign the form to participate in the LUCA program for Census 200 for updating of addresses; Mrs. Rozanski seconded; all aye. Mrs. Rozanski wondered what the benefit was for the Town to participate? Mrs. Allen felt there was no choice as it was being mandated by the federal government, but said having an accurate count could affect the dollars we receive.

- 5. With reference to the letter from Kiewit, Mr. Brodeur said he sent a letter to Kiewit from the Board, and gave the Office a copy for the files.



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- 6. The Board noted receipt of a letter from the Treasurer/Collector requesting an increase in her bond. Mr. Brodeur moved to increase the Treasurer Collector's bond from \$150,000 to \$200,000; Mrs. Rozanski seconded; all aye.
- 7/8. The Board acknowledged extension of the grant contract for the Senior Center from DHCD and the subsequent request for extension of Gino Carlucci's contract and Dixon-Salo's contract. Since no additional funds are involved, Mr. Brodeur moved to sign the extension of contracts of PGC Associates and Dixon-Salo to September 30, 1998; Mr. Brodeur seconded; all aye.
- 9. Discussed earlier.
- 10. The standard auto mileage rate was brought, and it was noted that the rate had not changed in a few years. Mrs. Rozanski moved to approve the change in rate for standard autos to 32.5 for town business effective immediately; Mr. Brodeur seconded; all aye.
- 11. The Board discussed the letter received from the MMA dated February 6th concerning the MunEnergy program and asking the Town to support the MMA being the exclusive agent to negotiate energy purchases. Mrs. Rozanski moved to sign the agreement as presented noting the Town has 30 days to change their mind; Mr. Brodeur seconded and then amended his second to include subject to Town Counsel's approval; all aye.
- 12. The Board noted receipt of a letter from the DEP concerning a public hearing notice for Boston Edison for Station #446 at 9 Summer Street with six combustion turbines on March 18th at 10:00 a.m. at the DEP office in Woburn.
- 13. Mr. Brodeur moved to sign their endorsement of the EMS Rules and Regulations and Fire Department Rules and Regulations; Mrs. Rozanski seconded; all aye.
- 14. The Board acknowledged receipt of a letter from Central Mass. Emergency Medical Systems Corp. concerning their request for a representative from the Town to attend their annual meeting on May 5th. It was recommended this be referred to the Fire Chief for his recommendation, and to table it for now.

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- 15. The issue of Brigg's sale of land at Adams and Summer Streets was brought up. It was understood none of the Boards voiced an interest in the land; therefore, Mr. Brodeur moved to not exercise the Town's right of first refusal and to authorize the Chairman to sign the release; Mrs. Rozanski seconded; all aye.
- 16. Discussed earlier.
- 17. The Board acknowledged the letter from Animal Control Officer Brenda Hurteau concerning her request to change the town leash by-law. Her suggested by-law was set aside for town meeting.
- 18. The Board discussed the letter received from the Planning Board concerning their request to discuss the revocation of release of covenant on a property in the Blueberry Hills subdivision with Town Counsel. Mr. Brodeur moved to authorize the Planning Board to meet with Town Counsel, but to contact Mr. Brodeur prior to their meeting; Mrs. Rozanski seconded; all aye.
- 19. The Board acknowledged receipt of the latest Firefighter appointments by the Fire Chief. It was noted the Town now had their first two female firefighters.
- 20. The Board noted receipt of a letter from the Fire Chief indicating the EMS personnel's recommendation from their meeting of an additional \$1.00 per hour. Mr. Downing stated he had wanted the request to come from them. Mrs. Rozanski moved to accept the recommendation of the Fire Chief to revamp the EMS incentive stipend program to 24 hour coverage with \$1.00 per hour increase in rate with a 30 day review by the Fire Chief; Mr. Brodeur seconded; all aye.
- 21. The Board had received a request from Library Director Philip McNulty for their approval of the supplementary construction proposal for varied items. Mr. Brodeur did not know if they could do these items until after the contract was completed by the contractor. He asked if they could wait six months, and then do them? He said the Board should be looking for a certificate of beneficial occupancy or substantial completion, and recommended the Board postpone its approval. He, therefore, moved to delay action on the proposal and to

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hold it for a certificate of beneficial occupancy or substantial completion; Mrs. Rozanski seconded; Mr. Downing opposed; 2-1-o. Mr. Downing asked Mrs. Allen to so advise Mr. McNulty.

- 22. Mrs. Allen stated that two payroll companies had responded to the ad for payroll services. The proposals were opened from Harper Data Services of Worcester and ADP of the Providence region from E. Providence. Mrs. Allen noted that we hold the price proposals until after the comparison is done. She stated that the Office did not receive a copy of the proposal submitted for payroll services. Mrs. Rozanski moved to forward the proposals to the Treasurer/Collector for her review and recommendation; Mr. Brodeur seconded; all aye.

- 23. Mr. Brodeur brought up the new position of Administrative Secretary for the Planning Board, and moved to endorse the position effective July 1st; Mrs. Rozanski seconded; all aye.

- 24. The Board noted the request from the Master Plan Committee for funding, but it was understood it could not be a separate line item until July 1st. It was felt the Board could budget for services as preparation of their report under the Selectmen, so no emergency transfer was needed. Mrs. Allen was asked to so notify the Master Plan Committee.

*11:03 p.m.* - Mrs. Rozanski moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary  
mj

*Approved as amended  
3/19/98*

Public Hearing - Rte 109 Reconstruction  
Attendees

2/23/98

Mrs. Robert Carbon  
26 Main St.  
Medway, Mass,  
533-8230

Lawrence Ross  
1 Main St.  
Medway, Ma,  
533-8592

APOLO  
2-4 Main St  
Medway, MA. 533-6776

Sandra Infant  
28 Main Street  
Medway, MA 02053 533-8469

Helen Donnelly 533-7451  
30 Main St  
Medway, MA

John MacNeil 533-2258  
107 ORKLAND ST  
MEDWAY, MA 02053

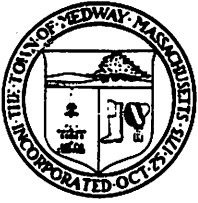
Ron Murphy 533 5520  
16 MAIN ST

RICHARD W. PERKIN

266 MAIN ST

441 426

Woburn, Mass



## BOARD OF SELECTMEN

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

### AGENDA

February 9, 1998

- 7:00 Open meeting, sign warrants and approve minutes of 2/2/98 meeting.
- 7:15 Linda DeGanne, 11 Walker Street regarding condition of town owned land abutting her property.
- 7:30 Park Idlybrook Committee regarding improvements to access to this site.
- 8:00 Conservation Commission FY'99 Budget
- 8:30 Emergency Management Budget
- 8:45 Fire Chief Vinton regarding report on EMS incentive program

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 9, 1998.

1. Approval of Fire Department Rules and Regulations.
2. Approval of EMS Rules and Regulations.
3. Approve Interim DPS Administrator's recommendation of engineering firm for design of Summer Street and the Village Street reconstruction projects.

*#1 Vanessa Hanger-Dustin*

**MINUTES OF THE SELECTMEN'S MEETING**  
**FEBRUARY 9, 1998**

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. Warrant #33 was signed totalling \$749,863.43.

**7:10 p.m.** - Linda DeGanne of 11 Walker Street, and Lisa and Doug McDonnell of 5 Walker Street came to speak to the Board concerning the town-owned land abutting their properties. Ms. DeGanne gave the Board pictures of the area showing debris on the property which had belonged to the Dube family. She indicated she had spoken to the Police Department and the Board of Health, and felt they were getting nowhere in getting the unsightly mess cleaned up.

Lisa McDonnell felt it was a safety hazard as there were 42 tires she counted piled up, as well as food left in the trailer that she thought might be drawing rats. She had also counted five Christmas trees and felt it was becoming a dumping ground.

Ms. DeGanne said Dan Dube was in Florida and no one from the family really cared about the condition of the property. Warrants against Donald Dube were also keeping him away from Medway. Barry MacDougall, who was present, asked if the Board had thought of sending Mr. Dube a letter giving him 30 days to clean up the property? Mr. Downing stated whenever he has spoken to Town Counsel, the issue has always been in litigation.

Ms. DeGanne mentioned the trailer at the edge of the property that was placed there by Tom McDonough, which Mrs. Allen noted, at one time, had been parked on Broad Street in front of the gate to the Highway Barn. Mr. Downing agreed there was junk left. He gave his personal pledge to get the property cleaned up and make it look like a recreational area for the townspeople. He said he would work with the Highway Department to see what could be done. Ms. DeGanne said the barn that the son was living in was still there too.

Mrs. Rozanski said that this was brought to her attention two years ago, and that was when the warrants were issued. It is our property and it is a case of trespassing.

Mr. Downing said he would check with Town Counsel one more time. He thought  
page 1.



**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 9, 1998**

it was in the files that Mr. Dube got a letter from Town Counsel telling him to clean up the property or he would lose whatever was left.

Mr. McDonnell suggested seeing if there was any state aid for making that lot more recreational. Mrs. Rozanski said possibly Greenways, but wondered if the neighbors could help once they got rid of the trailer? After they realized she did not mean financially, Mrs. McDonnell said it was mostly large items and heavy equipment would be needed.

Mr. Downing said he would get back to them and let them know how the problem would be attacked. For making it more recreational, he said he would speak to the Park Commissioners and maybe they could do a grant study, or it could just be left alone for the townspeople to enjoy.

Mr. McDonnell noted that Special Olympics might be willing to take the trailer for scrap, but agreed with his wife that heavy equipment would be needed to move the items on the property, possibly a fork truck and flat bed. Mr. Downing said he would ask Lee Henry, Interim DPS Administrator, if he could get some estimates on equipment, and hoped to have some direction by the end of the month.

**7:30 p.m.** - The Park Idylbrook Committee came to meet with the Board. They included Al Magliaro, Fred Sibley and Mark Aldrich. Mr. Magliaro said the Idylbrook Committee was going along pretty good, and asked Mr. Sibley to take the lead on the discussion.

At this point, Mr. Downing just mentioned to Mr. Magliaro the previous discussion held with Ms. DeGanne and the McDonnells, and the Board's interest to put that lot to recreational use and asked if the Commissioners might be interested? Mr. Sibley said he would take a look at the property and advise the Commissioners of his findings.

With reference to the Idylbrook property, Mr. Sibley said they had done a lot of footwork and the only area that was not moving forward was the access. He noted that the funds received were only for internal access, not to connect to Kimberly Drive or the paving of Wards Lane. He wanted the Board to recognize that the need does exist, and the situation that is there.

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Mrs. Rozanski asked about the balance in Chapter 90 funds, and Mrs. Allen stated that \$360,000 is committed with very little beyond that left. In looking at her status sheet, she saw the total available was \$379,000. Mrs. Rozanski noted Chapter 90 funds are to be used for public ways, so maybe those monies could be utilized.

Mrs. Rozanski asked if they would be making a recommendation for the awarding of the design contract? Mr. Sibley said the Committee feels Greenscape Company of North Easton was the one to choose for design and bid specs. He noted they have already met with the Conservation Commission and the Open Space Committee. Mr. Downing gave Mr. Sibley some information on urban self-help.

Mrs. Rozanski moved that the Board accept the recommendation of the Idylbrook Committee and award the contract for design services to improve the ten acres of Idylbrook property to Greenscape for \$8,870; this was then amended to not exceed \$8,870; Mr. Brodeur seconded; all aye. Mr. Downing suggested they meet with Town Counsel before negotiating the contract.

Mr. Brodeur asked what happens to Wards Lane and traffic? Mr. Sibley said the width of the road was really more important than the surface of the road. Mrs. Rozanski suggested some type of surveying. Mr. Brodeur said where the new houses are has been surveyed, and believed the width of the road was limited. He thought possibly they might have to do some takings to make the road two lanes wide, and maybe the Planning Board could provide some information.

Mr. Downing added that maybe the Norfolk County Engineers can come to do a layout of the road as phase two of the project, and let Mr. Sibley be the contact for the County. Mr. Sibley felt a 50' layout would be good. Mention was made of putting a cul-de-sac within Idylbrook, but Mrs. Allen noted that if the park area was closed at 9 p.m., then the cul-de-sac could not be used. Mr. Brodeur also noted that if the cul-de-sac was put within Idylbrook, they would be losing some of the parking spaces. It was noted that the cul-de-sac should be just for drop-off or pick-up and sidewalks are needed.

- Mrs. Rozanski moved approval of the minutes of February 2nd; Mr. Brodeur seconded; all aye.

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**8:00 p.m.** - The first of the budgets for Selectmen's review was the Conservation Commission. Chairman David Travalini was present on behalf of his Commission. He stated that a new law allows them to access their fees with the signature of the Board of Selectmen without going to Town Meeting.

Mr. Brodeur said the process of review fees passed a few years ago for the Planning Board and the Conservation Commission. Monies were put into separate accounts for consultants for builders and sub-division developers. Mr. Brodeur said the Planning Board has been using those fees and refunding any leftover monies back to the builders and developers.

Mr. Travalini stated that in their Order of Conditions, it is indicated that they will hire a consultant and that individual will be billed. He said they have collected a lot of monies in filing fees. Mrs. Rozanski said it is a segregated account and the Board of Selectmen can vote to transfer the monies to an account that can be accessed.

Mr. Downing suggested they have a workshop and hire a consultant to come in and conduct it, taking the cost out of the consultant fees. It was also suggested to make up another line item for equipment under expenses, which would include signs to be placed on conservation land.

Mrs. Rozanski moved to approve the Conservation Commission's budget for:  
Salaries - \$3,980; Consultant's Fees - \$1,000; Expenses - \$5,400; Total - \$10,380;  
Mr. Brodeur seconded; all aye.

Mr. Downing suggested checking with Interim DPS Administrator Lee Henry to see if they had any signs ConCom could use, or maybe use their template. Mrs. Rozanski recommended they encourage people to donate historical markers.

**8:30 p.m.** - John Cicciu, Emergency Management Director, came to meet with the Board about his budget. He did not come prepared with a detailed budget outline, but indicated his amount would be the same as last year at \$800.

Mr. Cicciu said he met with several volunteers who will assist in extreme emergencies two weeks ago, and they all agreed there is a need to either purchase or get cots and blankets and determine a shelter. He said he has been trying to get  
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some surplus equipment and would like to get more funding as time progresses even though he has not spent any of his budget yet. He said he was planning to meet with these volunteers again on Wednesday.

Mr. Downing suggested sending a letter to the Milford Armory, since some armories have closed, under both their signatures asking if there were any surplus items available the Town could have before we go and spend money.

Mr. Cicciu said he went to Ft. Devons but there was nothing left. He was working with the State and Rep. Gardner, and also trying to get two water buffalos and a generator, as well as a vehicle. Mr. Downing voiced his concern that we don't have the space or the manpower to take care of a vehicle, but Mr. Cicciu said the vehicle would be for transporting patients other vehicles could not get to.

Mr. Downing suggested Mr. Cicciu come at the end of the budget session to discuss if any items are available and where they could be stored. It was possible the \$800 could be used for obtaining storage. Mr. Cicciu said he and his volunteers would like to focus on establishing a shelter operation and a pantry, since in an emergency, it could be 3-4 days before outside help could get to us.

Mrs. Rozanski asked that whatever plan was integrated, not to forget the two nursing homes and the elderly. She also said to do up a plan first, and also to try and educate the public. Mr. Cicciu did say that he would like his volunteers reimbursed for any gas that they may use with their 4-wheel vehicles.

Mr. Downing suggested another table-top exercise, and Mr. Cicciu said he would try and organize one with his volunteers. Mr. Brodeur asked that Mr. Cicciu remember there needs to be a means of communication with his eight volunteers.

**8:55 p.m. -** Fire Chief Wayne Vinton and EMS Coordinator Charlene Tingley came to meet with the Board to discuss the EMS incentive stipend program. The Chief stated this first report of five weeks indicated it was not working. He noted with the Board the documentation with his report outlining the ambulance schedules including the number of segments available and the percentage of those actually filled. The Chief said it had gone from 62% the first week on coverage with the incentive, to 29% the fourth week. He asked Mrs. Tingley to talk about the feedback she had gotten from the EMT's.

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Mrs. Tingley said to backtrack, prior to July 1, 1997, the numbers were grim on coverage. She ran a report today from July 1st to the day before and noted there were 254 ambulance runs; 31 of the 254 were mutual aid; 5 of the 32 were runs that the ambulances were committed for. Out of the 254, 18 runs had a full crew.

With reference to the stipend program, the EMT's feel very particular in the way the stipend is given - the incentive was being given to make an EMT want to be on call, and they had to be on schedule and designated for specific hours. She said the EMT's felt the 7 a.m. to 7 p.m. time period was being recognized as more valuable than, for example, the 3 a.m. people. It, therefore, has had an opposite effect on the morale of the squad. Mrs. Tingley further said, even those who were getting the stipend felt it was not fair, because everyone is to work as a team.

Mrs. Rozanski asked if the EMT's did not want the incentive program? Mrs. Tingley said the way it was set up, it was not an incentive. She said their schedule could change and maybe they could become available where they weren't before, but there is no incentive for them to take it; only for those who already had it set up by Sunday.

Mr. Downing said the Board endorsed the incentive plan program because they felt it would help; they didn't implement it. A couple of things he wanted to make clear: he wanted to know if the membership bought into it. He said what they created by doing this was a shift differential because they were addressing a critical need. Mr. Downing thought that, by doing this, they were going to be able to bring in the nurses, for example, who possibly had time during the day. He asked where do they go from here? What is the next step? How do they improve or correct?

Mrs. Tingley suggested a straight-across-the-board incentive. Mrs. Rozanski said she thought the incentive was to increase daytime coverage. Mrs. Tingley said there can only be low coverage at Midnight or 2 a.m.; there are peaks and lows at different times, and they can also vary. Mrs. Rozanski said she did not want to lose sight of the fact that this was not devised by the Selectmen, but presented to the Selectmen. Mrs. Tingley said they have been working on recruitment and two more are coming on now for days. It sometimes takes 3-4 months for all the classes and the waiting time for finalization.

Chief Vinton stated his recommendation was to end it. Even after five weeks, it  
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**MINUTES OF THE SELECTMEN'S MEETING  
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was not effective and the people have said it doesn't help. Mrs. Rozanski asked what the squad wanted? The Chief stated this came from the EMS Study Committee. The Board of Selectmen said to implement it, and it was one of the first things they recommended. Mr. Downing said if they eliminate it, they don't want to dismantle the program, and then dismantle the services.

The Chief said this would allow us to go back to the people, and then maybe go to the JCRB. Mr. Downing said he could buy into it because it was letting them buy into the deal.

The Chief stated the EMT's were at a different level than the firefighters. Past history has always been that they were on the same level. He said maybe they both should be reviewed by the JCRB; he was trying to keep it as one department. Mr. Downing quipped this was not "apples and oranges", more like "apples and tangerines". He said the Fire Department does not have a critical need at this time; this does, and asked that he come up with a proposal. Mr. Downing noted there were a lot of inactive personnel, and Mrs. Tingley said they were in the process of pulling back. She said she would like the squad to have some input, and put it back to them.

Mr. Brodeur said he felt they should follow through on the stipend for three months as agreed since the money was there. Mr. Downing said the Board wasn't taking it away from them; they were surrendering it. When told the EMT's were having a meeting on Tuesday, Mrs. Rozanski said let them vote at that time for what they want. Mrs. Tingley agreed with that. The Chief said any Selectman was welcome to attend the meeting at Station I at 7:00 p.m. Mrs. Tingley commented that the ones in attendance will be the ones who stick it through thick and thin.

**9:25 p.m.** - With reference to approval of the Fire Department Rules and Regs and the EMS Rules and Regs, Mrs. Allen said they had not been returned to her yet from Town Counsel. Mr. Downing went over some grammatical and spelling changes with the Chief, and noted he liked the signature page of the Department. He added once Town Counsel approves them as to form, he had no problem with approving them.

Mr. Brodeur commented that he felt the two sets were redundant, and some items  
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**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 9, 1998**

could have been tied in together. When noted that the Department was under personnel policies, the Chief asked that the Selectmen's Office provide him with 64 sets of pertinent information, i.e. by-law, sexual harassment policy, etc.

**9:40 p.m. - Committee Reports.**

- Mr. Brodeur said the Planning Board had completed the site plan review process and revisions, and he would check with them in a couple of weeks to see if they were done.
- Mr. Downing reminded the Board of the joint meeting with the Planning Board on February 17th at 7:00 p.m.
- Mrs. Rozanski said there was an IDC meeting on Wednesday. Details and concerns were still being ironed out by those involved.
- Mr. Downing said he met with Lee Henry and Town Counsel on a number of issues. With regard to the memo from Apollo, Town Counsel will draft a letter to the owner so they can have a joint meeting with the owner and the operator of Apollo. Mrs. Rozanski said the plan and time line should be known ahead of time by everyone. When Mr. Brodeur asked if there were any alternatives, Mr. Downing said the State could build this problem into the contract; everyone has been aware of the situation for a while. Mrs. Allen noted there was a public hearing being held on February 23rd on the easements on Route 109.
- Mr. Downing said the Zoning Board was having public hearings on February 18th, and one person returning was Willie Stevens on the building across from Town Hall that burned. He said Mr. Stevens was going to bring architectural renderings of what he wants to do to the building, including a replication of the turrets if the ZBA grants his having 12 units. Mr. Brodeur noted some of the other public hearings being held.
- Mr. Downing said he went to a portion of the Conservation Commission hearing where they were discussing Alder Street. Mrs. Rozanski said the law has changed and abutters now get certified copies of notices of intent.

**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 9, 1998**

- Mr. Downing suggested discussing the issue of special employees on the Master Plan Committee with Town Counsel when they meet on February 17th.
  - Mr. Downing asked if Patrick Mason had resigned yet from the ZBA, and Mrs. Allen said no letter had been received but she would check with the Town Clerk. Mr. Downing asked that a reminder letter be sent to Chairman David Cole.
  - Mr. Downing asked that an update be received by the Board on snow removal costs.
  - Mr. Downing asked about Officer Watson's request for turning lanes at the lights? Mrs. Allen said she would see where it stands.
  - Mr. Downing asked about the possibility of moving the mailbox and installing a phone booth outside of Town Hall that had been discussed at an earlier time? The Secretary said she would check.
  - Mr. Downing said he was holding on to the executive session minutes of January 17th with the Town Administrator Search Committee, and asked the Board if they could be released? Mrs. Rozanski moved that the minutes be approved and released; Mr. Brodeur seconded; all aye.
  - Mr. Brodeur said when they discussed the Route 109 project years ago, a center turning lane was suggested, and wondered how many accidents could have prevented with the lanes in place? He said before we repaint the lines in the Spring, why not see if the lanes can be put in? He felt this was a solution. Mr. Downing asked Mr. Brodeur to put his suggestion in a diagram so that it could be considered for implementation.
  - Mr. Downing acknowledged receipt of a dividend check from MIIA for \$3,587.00. He also noted that the Town of Medway received a certificate of achievement from MIIA for 15 years of continuous membership.
  - Mrs. Rozanski acknowledged receipt of an extension of the block grant from the Mass. Community Development Block Grant Program for the senior center through September 30th as authorized by Mary Greendale.
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*MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 9, 1998*

- The Board discussed the recommendation of Interim DPS Administrator Lee Henry to have Vanasse Hangen Brustin be the engineering firm for Village and Summer Streets. Mr. Brodeur moved approval of Mr. Henry's recommendation to enter into negotiations with Vanasse Hangen Brustin for the Village and Summer Street projects; Mrs. Rozanski seconded; all aye.

- Mrs. Allen acknowledged receipt of the as-builts for Cottage and Evergreen Streets.

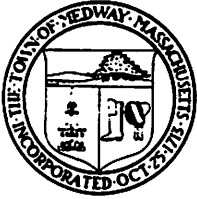
- Mrs. Allen mentioned to the Board that the Master Plan Committee will be requesting some money for a secretary. Mr. Brodeur wondered if it should be an emergency transfer to our budget? Mrs. Rozanski said she would speak to the Town Accountant about this. Mr. Downing recalled the Committee was given some money to print the survey as a service, and if additional funds are given, some of it should be given back to us to replenish our account.

*10:15 p.m.* - Mrs. Rozanski moved to adjourn to executive session for contract strategy as it relates to 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

*attested  
2/23/98*



## BOARD OF SELECTMEN

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

### AGENDA

February 2, 1998

- 7:00 Open meeting, sign warrants and approve minutes of 1/5, 1/12 and 1/26 meetings.
- 7:05 Open RFP's for Payroll Services.
- 7:15 Lee Henry regarding Assistant Mechanic position.
- Committee Reports
- Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 2, 1998.

1. Approve Change Order #11 for the Library renovations.
2. Sign Chapter 90 Reimbursement Requests for Center St. paving - \$3,789.71 and Village and Granite St. paving \$180,531.86.
3. Discuss request from Mark Racicot (MAPC) for meeting.
4. Discuss engineering firm for Summer Street and Village Street projects.
5. Decision on IDC letter of 12/22/97 concerning meeting on footbridge with Acting Highway Supt., Bldg. Insp., Interim DPS Adm., developer and Planning Board.
6. Acknowledge letter from Franklin Building Co., Inc.
7. Discuss MMA Action notice regarding Special Ed Reform Bill.
8. Discuss memo from Interim DPS Adm., Lee Henry, regarding ice/snow removal at Red Gate Estates.
9. Joint meeting request from Planning Board regarding plowing of unaccepted roadways.
10. Sign questionnaire for Auditor's
11. Approve MJ's evaluation.
12. Approve classification of Planning Board Administrative Assistant position.
13. Discuss letter received from Mayor Ford of Northampton and Selectman Cross of Southampton regarding resolution on Ed Reform.
14. Discuss letter from Town Counsel dated January 20, 1998 regarding Apollo building.
15. Approve Martha Wingate's evaluation.

**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 2, 1998**

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

**7:02 p.m.** - Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. He stated they had met earlier for a grievance hearing and strategy for negotiations.

- Warrant #32 totalling \$551,478.86 was signed by the Board.

- **Committee Reports.**

- Mr. Downing noted the Special Town Meeting held last week and thanked everyone who attended.

- Mrs. Rozanski said the Board had attended the MMA Conference. She said she was elected secretary of the Mass. Selectmen's Association.

- Mr. Downing noted he had tried to attend the Master Plan Committee meeting.

**7:05 p.m.** - The Board had set aside time on the agenda for opening RFP's for payroll services, but the Treasurer/Collector was not present to indicate if any had been received.

**7:06 p.m.** - Interim DPS Administrator Lee Henry came to speak to the Board concerning the position of an Assistant Mechanic. He noted the need for such a position in his memo to the Board of January 5th attaching a job description. He explained the demands being placed on the Mechanic were increasing with one person being responsible for 64 vehicles. When needed, they have had to re-assign others or put the Mechanic on overtime to keep the vehicles in service. Mr. Henry stated that, at last year's annual town meeting, part-time salary of \$9,000-\$10,000 was included in his budget for clerical help so there were funds available to utilize this fiscal year. He felt the need was greater for the Assistant Mechanic than for clerical help.

Mr. Downing said this has been discussed in the past and he supports it and understands the need for the position. He said he and Mr. Henry know how the

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**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 2, 1998**

department operates and he couldn't say enough about performance. He was concerned about tools and wondered if this person would be bringing his own tools as the job description does not say anything specifically, and he did not think it was unusual for someone to bring his own tools to the job. If this is done, it should so be stated in the job description. Mr. Downing said he would like an inventory of Town tools anyway, as the secured, locked area for tools would now be accessible to another individual. He further thought it would be good to identify each tool as belonging to the Town as part of the inventory, with possibly a serial number, unless all the tools housed there belong to the Town. He noted the position would have to be posted and advertised, and suggested Mr. Henry get together with Mrs. Allen to go over the classification for grade.

Mr. Henry stated he did not want to go too far on the position until the Board approved the concept, and noted that this would also be a position in the contract as part of the municipal union. He believed a significant amount of the tools are the property of the Town, and that there may already be an inventory. Mr. Downing thought there should be an inventory control sheet recorded somewhere, and was willing to assist in getting it prepared if need be so the Mechanic would not have to take time away from his job to do it.

Mrs. Rozanski asked how much had been spent on overtime, and Mr. Henry said he had to check, but reiterated the work was accomplished with the assistance of others or overtime. Mrs. Rozanski asked again about the number of vehicles being 64, and Mr. Henry said that figure included heavy equipment for all departments including Park, Water/Sewer, Fire, Ambulance, Highway. He noted that the Mechanic also repairs small engines and generators because that piece of equipment needs to be operational, and he's the only one who can be called upon.

Mr. Henry further stated that many vehicles are electronic and require diagnostic testing these days; however, if a specific job would take 16 hours to complete, it is easier to send that vehicle out for repair by someone else and let the Mechanic handle the other vehicles that require less time for maintenance. He felt that the principal function of the Assistant Mechanic would be to assist the Mechanic in these areas so that productivity could be increased.

Mrs. Rozanski asked if this position had been passed on to the Association yet for approval? Mr. Downing did not know as this was the first position they have

page 2.

***MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 2, 1998***

considered adding on. Mrs. Rozanski said it looked as if the consensus of the Board was for Mr. Henry to continue research for this position further, and to come back to the Board. Mr. Downing agreed and suggested Mr. Henry get back to the Board at his earliest convenience for further consideration. Mr. Henry noted that the Mechanic and Acting Highway Superintendent still do administrative work and would try to have information the Board was requesting in their weekend packet.

***7:35 p.m. - Action Items.***

- At this time, Mr. Downing said he would like to make a statement on the Town Administrator position. He stated the Board of Selectmen met with the candidate, and would be meeting with him again next Saturday. They are nowhere near an agreement. It is still in the preliminary stages with on-going discussions. They are hopeful for implementation of a final contract.
- The Board had received additional comments from Library Director Philip McNulty as requested concerning change order #11. Mr. Brodeur said he appreciated those comments and moved to approve change order #11 for \$3,514 for library renovations; Mrs. Rozanski seconded; all aye.
- The Board took an action item out of order which was approval of a contract for movers for the library. Mrs. Rozanski moved to approve and sign the contract of Personal Movers of N. Billerica for the library for \$8,450; Mr. Brodeur seconded; all aye.
- Interim DPS Administrator Lee Henry had submitted Chapter 90 reimbursement requests to the Board for signing. These included \$3,789.71 for the completion of the Center Street paving; and \$180,531.86 for Village and Granite Street paving, which is a final report.
- The Board discussed a letter from Mark Racicot of MAPC, and Mr. Downing asked Mrs. Allen to post a meeting for Friday morning, February 6th, at 7:30 a.m. in Room 2 to meet with Mr. Racicot. The meeting was to discuss the transportation bond issue and the Route 109 traffic calming situation.

**MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 2, 1998**

At this time, Mr. Downing asked Mrs. Allen to also post a meeting for Saturday morning, February 7th, at 10:00 a.m. at Fire Station II concerning contract negotiations with the candidate for Town Administrator.

Going back to the meeting with Mr. Racicot, Mrs. Rozanski said Mary Ellen Lavenberg was handling the details of the meeting. Mr. Downing said that Mr. Yorkis and Mrs. Rozanski had asked MAPC for their assistance in doing a study for traffic calming, and it was a possibility that the study could encompass all of Route 109 from Route 128 in Dedham to Route 16 in Milford.

- The Board discussed the engineering projects for Summer and Village Streets, and since Mr. Henry was not available, Mr. Brodeur suggested this topic be postponed as an action item until next week. Mr. Henry had asked the Board to review and consider the top firms to do the engineering work, as he was prepared to give them his recommendation. Mr. Brodeur felt the Board should review the proposals as submitted. He had already reviewed the Village Street proposal, but wanted to look over the Summer Street proposal.

The IDC's letter of December 22, 1997 concerning a suggested joint meeting on the footbridge for Alder Street/Trotter Drive was brought up. Mrs. Allen thought the meeting was to be held, but was unaware if it had occurred. Mr. Downing asked Mr. Brodeur if he had spoken to the Planning Board, but he did not know if there were any funds coming from the developer for the footbridge.

Mrs. Rozanski mentioned that the IDC was having a meeting on Wednesday, February 4th at Fire Station II at 7:00 p.m.

Mrs. Allen said that the property where the footbridge was to be located does not belong to the Town, and noted the certified letter received from Kiewit Construction Company this day, which said that the proposed intersection design showing an alteration to a portion of Trotter Drive was owned by Kiewit.

Mr. Downing stated that they need to get together with the IDC and Mr. Henry from a town management position. He felt that Paul White had raised some concerns. He asked that a copy of the letter be given to Mr. Henry and to ask that he and Bob Power attend the IDC meeting. Mr. Downing said he would also attend.

***MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 2, 1998***

Mr. Downing said he would call Don Springer, Chairman of the Planning Board, to see if they can make room on their agenda of February 17th for the Selectmen, and to ask him if he could go to the IDC meeting on Wednesday as well.

Mr. Downing asked Mrs. Allen to remind him about his discussion with Town Counsel at the end of the week. He would also ask him if he could make the meeting on the 17th as well, and possibly this could be the joint meeting the Planning Board wanted to discuss the plowing of unaccepted roadways.

- Mr. Henry's letter of January 27th concerning ice/snow removal with Red Gate Estates Realty Trust was held over until after the meeting of the 17th.
- The Board acknowledged a letter from Franklin Building Company as well as a letter from the Building Inspector on the same subject. Both letters were taken under advisement for now, and Mr. Downing asked Mrs. Allen to so notify Franklin Building.
- The Board noted receipt of the MMA Action bulletin on the special education reform bill asking the Board to request the legislators to support adoption of the federal standard for services of free and appropriate education, as well as a higher level of state reimbursements for high cost special education students. The bulletin also asked the Board to request the legislators to oppose two provisions that would put local budgets in jeopardy. Mrs. Rozanski moved to ask Mrs. Allen send those letters to the legislative leadership, with a copy to the House and Senate leadership, and the MMA as well; Mr. Brodeur seconded; all aye.
- Mr. Downing signed the questionnaire for the Auditors a second time.
- Mr. Downing noted the town had received a check from MIIA for health insurance at the MMA convention, and he would bring it in to Mrs. Allen.
- M. J. Fredette's evaluation as prepared by Mrs. Allen was brought up for approval. Mrs. Rozanski asked Mrs. Allen for an example of something she felt was really outstanding. Mrs. Allen said she was especially proud of the way M.J. handled residents' complaints and problems and calmed them down or helped them out.



*MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 2, 1998*

Mr. Brodeur thought it would be helpful to have dates of what and when has happened in this particular year, i.e. assisting with the copier, as these are annual performance evaluations that are done with the employees, and dollar amounts can be related to downtime, etc. Each year should have new information, and references should not be to past or future years.

Mrs. Rozanski moved to approve the evaluation of M. J. Fredette for a merit increase with 42 points effective February 5th; Mr. Brodeur seconded; all aye.

- Mr. Downing told Mrs. Allen that the Board took a vote earlier to award a merit increase for Pat Sampson effective on her anniversary date of 11/12/97.

- The Board took an action item out of order to discuss the evaluation done by Chief Lambirth for Martha Wingate. Mr. Brodeur noted he had some alterations and came up with 42.5. Mrs. Rozanski thought the supervisor was to be present so Mrs. Allen will contact the Chief to meet with the Board.

- The Board noted receipt of the completed classification of the Planning Board Administrative Assistant as compiled by Don Springer and Mrs. Allen. Mrs. Rozanski said she still had some problems with it. Mr. Downing agreed saying the Board needs to know where the Planning Board was going with this. He was aware of the initiative to bring on professional planning services, but they have utilized additional services to help with the rules and regs. If they brought in a planner, they wouldn't have anything for that person to do. He felt they wanted to utilize the night board secretary to do some of the leg work. Mr. Downing also said he did not see the working conditions indicated, i.e. 10 hours a week, 30?

Mrs. Rozanski also wondered <sup>h</sup>were this job was going to be performed? Mr. Downing suggested discussing all this with the full board on the 17th, and to let them be aware of employee contract obligations. Mrs. Rozanski said maybe they were thinking of a full-time clerical position as part of a planning department, and possibly there could also be administrative assistants to other departments such as Conservation and Zoning Board with 40 hours instead of 20. Mr. Downing stated the Planning Board needs have moved beyond a night board secretary, and maybe the position would not be a casual employee anymore. Mrs. Rozanski was also concerned about this position indoctrinating the new Planning Board members, but Mr. Downing said he went to Mrs. Allen when he came on board for information.

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**MINUTES OF THE SELECTMEN'S MEETING**  
**FEBRUARY 2, 1998**

Mrs. Rozanski asked if this position could be by itself; maybe Conservation and Zoning would have the same needs? Mr. Brodeur agreed saying they should leave the door open to other boards that may have the same needs. Mr. Downing asked the Board members to look the classification over and be prepared to discuss it again on the 17th. Mrs. Allen told the Board that 20 hours a week makes the employee a part of the Association agreement. However, Mrs. Rozanski said management has control of the nature of the hours, *for example, management has the right to schedule the hours.*

- The Board noted receipt of a letter from Mayor Ford of Northampton and Selectmen Cross of Southampton regarding resolution on ed reform. This was previously discussed.

- The letter from Town Counsel dated January 20, 1998 regarding the Apollo building was brought up. Mr. Downing said he would talk to Town Counsel about this and a couple of other issues, and asked Mrs. Allen to get some options of when they could meet.

- The Board acknowledged a letter from the Police Chief asking that the Board appoint an Emergency Special Crossing Guard. Mrs. Rozanski moved to appoint Penny Kelly as Emergency Special Crossing Guard on the recommendation of the Chief as submitted effective immediately at a grade 2, step 1; Mr. Brodeur seconded; all aye.

- Mrs. Allen said that the Town Accountant asked that the Board vote for over-expenditure of snow and ice removal. Mrs. Rozanski moved to authorize to over-expend beyond the snow and ice appropriation; Mr. Brodeur seconded; all aye. Mrs. Rozanski asked that the Board get an update periodically.

- Mr. Brodeur moved approval of the minutes of January 5th, January 12th, January 26th as submitted; Mrs. Rozanski seconded; all aye.

- The Board looked over the preliminary of the Cedar Farms Road Extension plan.

- The Board also noted that the Planning Board was having a public hearing for work being done on a scenic road - Holliston Street to Ellis Street. Mr. Downing asked Mrs. Allen to make sure Tree Warden Ron Dolloff was aware of page 7.

*MINUTES OF THE SELECTMEN'S MEETING  
FEBRUARY 2, 1998*

the hearing.

*9:05 p.m.* - Mr. Brodeur moved the meeting be adjourned; Mrs. Rozanski seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary  
mj

*Approved  
and  
8/9/98*



copy for Sandy B.  
# Mr. Nau  
MINUTES OF THE SELECTMEN'S MEETING - February 2, 1998

revised 3/2/98 by JVB  
not yet voted JVB  
3/2/98

Present: Douglas Downing, James Brodeur, Raphaela Rozanski, Sandra Bennett, Maryjane White, Daniel Nau (President - Local 1156).

GRIEVANCE HEARING - PATRICIA SAMPSON

5:56 p.m. Mr. Downing opened the grievance hearing for Patricia Sampson and Mrs. Bennett introduced Daniel Nau.

Mr. Downing moved, Mr. Brodeur seconded, to enter into executive session for the purpose of possible discussion of an employee's reputation: Mr. Brodeur, aye; Mr. Downing, aye; Mrs Rozanski was not yet present.

Mr. Downing explained the evaluation form submitted to the Board of Selectmen by Town Clerk Maryjane White and the fact that the Board was not satisfied with the lack of examples to justify a "perfect" score of 56 and in turn requested in writing further clarification of Mrs. White to respond to questions posed about the examples given. The Board was awaiting those clarifications.

6:00 p.m. Mrs. White arrived and submitted her responses to the Board letter. The Board spent some time at this point to review these responses.

6:06 p.m. Mrs. Rozanski arrived to the meeting and joined in the review of Mrs. White's responses.

6:14 p.m. Mr. Nau discussed the chain of command, stewards elected by the Union, and trust in elected officials to perform their day-to day business. In this case it appears that for whatever reason, the Board of Selectmen does not trust the judgement of the Town Official..

Mr. Downing admitted that, in this case, the procedure of evaluation review, the request for examples and the request for clarification of those examples did exceed normal time restraints.

6:22 p.m. The Board of Selectmen requested of those present that they be allowed to caucus, which they did.

6:31 p.m. The hearing was continued after caucus, at which time Mrs. Rozanski stated her opinion that, even if some of the scores changed because of faulty examples, that the score would probably still in excess of the merit increase level of 42 for Pat Sampson. She stated that even if Mrs. White was not in agreement to change the evaluation downward from 56, that the Board may be agreeable to grant the merit raise.

6:36 p.m. Mrs. Rozanski moved, Mr. Brodeur seconded, to award a merit increase to Patricia Sampson, and that the perfect score evaluation received on November 11, 1997 is not acceptable to the Board of Selectmen, all voted aye.

6:38 p.m. Mrs. Rozanski moved, Mr. Downing seconded, to close the grievance hearing, all aye.

6:40 p.m. The Board continued with their meeting.

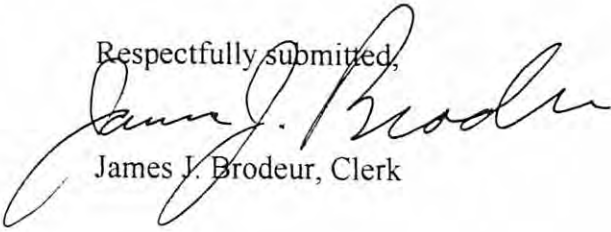
MINUTES OF THE SELECTMEN'S MEETING - February 2, 1998

February 2, 1998

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6:41 p.m. Mrs. Rozanski moved, Mr. Brodeur seconded, to enter into executive session for the purpose of discussing strategy for negotiations with union or non-union personnel, to return to public session at the regularly scheduled weekly Board of Selectmen's meeting at 7:00 p.m.: Mrs. Rozanski, aye; Mr. Brodeur, aye; Mr. Downing, aye.

Respectfully submitted,

A handwritten signature in cursive script, reading "James J. Brodeur".

James J. Brodeur, Clerk

Approved  
as amended  
3/9/98

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY <sup>26</sup>~~22~~, 1998.

1. Approve Change Order #11 for the Library renovations.
2. Planning Board request for use of Town Counsel regarding Wingate Farms.
3. Sign Blue Cross/Blue Shield Agreement for FY'98.
4. Sign Chapter 90 Reimbursement Requests for Cottage/  
Evergreen Street in the amount of \$2,399.50 and  
\$62,903.73.

5. Approve minutes of 1-5-98 & 1-12-98.

6. Do you want to schedule hearings for FY'99  
budgets? or how do you want to handle them?

## MINUTES OF THE SELECTMEN'S MEETING - JANUARY 26, 1998

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

6:20 p.m. - Mr. Downing called the meeting to order in Room 111 of Medway High School.

- Having already agreed to enter into an agreement with Blue Cross/Blue Shield for FY'98, Mr. Downing signed the agreement.
- The Board reviewed Change Order #11 for the Library renovations. The Board had a problem with some of the items listed comprising the \$3,514 change order. Mr. Brodeur recommended sending a memo to the Library asking for more explanation of the items, i.e. why the popcorn ceiling, and why was it not shown on the electrical drawings to wire the water heater.
- Mr. Brodeur moved that it was the consensus of the Board to support the statement to be read by the Chairman prior to the vote on Article 1 at the Special Town Meeting at 7:00 p.m.; Mrs. Rozanski seconded; all aye.
- Mrs. Rozanski moved to grant permission to the Planning Board for the use of Town Counsel regarding Wingate Farms; Mr. Brodeur seconded; all aye.
- The Board signed the Chapter 90 reimbursement requests for Cottage/Evergreen Streets in the amounts of \$2,399.50 and \$62,903.73.
- The Board acknowledged a letter from Union Steward Sandra Bennett asking the Board to postpone the grievance hearing for Patricia Sampson scheduled for January 27th until after the appeal of the arbitrator's decision was completed. Mr. Downing asked if there was a motion to waive the notification period and accept the memo as written? Mr. Brodeur felt they should have the hearing as scheduled. He felt they should go on so they could complete their requirements on this issue, which had nothing to do with the arbitrator's decision. He thought they could always do something at the hearing if they feel they have to. Mr. Brodeur moved to not waive the time limitations, and to go forward with the hearing of Patricia Sampson as scheduled on January 27th; Mrs. Rozanski seconded; all aye.



- The Board agreed to hold off approval of the minutes of January 5th and January 12th.

- With reference to budget hearings, Mr. Downing said they should proceed with the schedules.

6:45 p.m. - The meeting was recessed until after the Special Town Meeting.

9:02 p.m. - The meeting was continued.

- Warrants were signed totalling \$338,493.42.

- Mrs. Rozanski moved to adjourn the meeting 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*  
*2/2/98*



January 17, 1998

SELECTMEN MINUTES

MEETING CALLED TO ORDER AT 2:10 P.M.

R.ROZANSKI, D.DOWNING, AND P. WILSON, C. LORENZEN, M. O'LEARY  
AND F. ALCONADA.

CHAIR ADVISED RAPHAELA OF THE NEED TO SIGN THE AGREEMENT WITH  
PIONEER CONSULTING GROUP, INC. AT THE REQUEST OF THE MUNICIPAL  
TECHNOLOGY COMMITTEE WHICH HAD BEEN REVIEWED BY TOWN COUNSEL,  
AS WELL AS THE NEED TO SIGN AT THE REQUEST OF THE BOARD OF  
HEALTH A GRANT AGREEMENT FOR A MUNICIPAL RECYCLING INCENTIVE  
GRANT WHICH THE CHAIR HAD PREVIOUSLY DISCUSSED WITH MRS.  
CHENARD.

2:25 P.M.

THE CHAIR THANKED THE MEMBERS OF THE FORMER T/A SEARCH  
COMMITTEE FOR JOINING THE SELECTMEN AT THIS MEETING AND AFTER  
SOME GOOD NATURED RIBBING FROM THOSE MEMBERS WITH RESPECT TO  
THE STATUS OF THEIR COMMITTEE IT WAS THE CONSENSUS OF THOSE  
IN ATTENDANCE THAT THE B OF S MAY WANT TO ENTER INTO  
EXECUTIVE SESSION TO DISCUSS THE POSITION OF T/A AND TO  
DETERMINE CONTRACT STRATEGY. MRS ROZANSKI SO MOVED AND MR.  
DOWNING SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN AND  
BOTH MR D. AND MRS.R VOICED AN AFFIRMATIVE VOTE WITH THE  
UNDERSTANDING THAT WE WOULD NOT RETURN TO PUBLIC SESSION.

AT THIS TIME THE CHAIR OFFICIALLY ADVISED ALL THOSE IN  
ATTENDANCE THAT MS. CASHMAN HAD CHOSEN TO BREAK OFF  
NEGOTIATIONS WITH THE TOWN OF MEDWAY FOR THE T/A POSITION.  
HAVING OUT OF TOWN COMMITMENTS MR. DOWNING ASKED MRS.ROZANSKI  
TO FOLLOW UP OUR LAST FAX OF PROPOSALS TO MS. CASHMAN AND TRY  
TO SET UP A MEETING FOR JAN. 16TH OR JAN. 17TH TO MOVE THE  
PROPOSALS FROM THE DRAFT STAGE TO A FORMAL OFFERING OF  
PROPOSALS FOR FINAL REVIEW BY COUNSEL AND EXECUTION. DURING  
THIS PHONE DISCUSSION WAS WHEN THE BOARD WAS ADVISED THAT MS.  
CASHMAN HAD CHANGED HER MIND AND WOULD BE REMAINING IN THE  
TOWN OF WESTON AS THEIR T/A. MRS. ROZANSKI SHARED WITH THOSE  
IN ATTENDANCE THAT THE SALARY AND BENEFITS OFFERED BY THE  
TOWN OF WESTON WAS WELL IN EXCESS OF TWENTY THOUSAND DOLLARS  
(\$20,000) ABOVE WHAT WE CONSIDERED TO BE MEDWAYS' BEST OFFER  
AND MEANS OF APPROPRIATIONS. THE CHAIRMAN CHOSE TO SHARE WITH  
THOSE IN ATTENDANCE THE SALARY STRUCTURE AND AN OVERVIEW OF  
THE CONTRACT PROPOSALS; AS A SHOW OF GOOD FAITH; TO ASSURE  
THEM THAT MEDWAYS OFFER WAS CERTAINLY WELL ABOVE THE MINIMUM  
PARAMETERS ESTABLISHED DURING THE DRAFTING OF THE POSITION  
AND ANY PERCEIVED CONDITIONS DURING THE ADVERTISING AND  
INTERVIEWING PROCESS.

A LENGTHY DISCUSSION FOLLOWED WITH ALL PARTIES SHARING THEIR  
AMAZEMENT AND DISAPPOINTMENT WITH THE SITUATION AND ALSO THE  
WORDING OF THE LETTER OF NOTICE WHICH WOULD IMPLY THAT THE  
DECISION WAS MADE AT OR DURING THE START OF THE PROCESS AS  
OPPOSED TO THE POTENTIAL FOR COMPLETION. HAVING FIRST HAND  
KNOWLEDGE OF THE INDIVIDUAL AND SOME EXISTING CONDITIONS  
WHICH MAY HAVE FACTORED INTO THE DECISION IT WAS THE SENSE OF  
ALL TO MOVE ON.

AT THIS TIME MR. WILSON REMINDED THE GROUP THAT MR. HARTMAN WAS ALSO A VIABLE CANDIDATE AND HE ASKED IF THE B OF S WOULD STILL CONSIDER HIM AS SUCH. A DISCUSSION ENSUED.

3:40 P.M.

MR. BRODEUR JOINED THE MEETING AND WAS QUICKLY BROUGHT UP TO SPEED WITH RESPECT TO THE PREVIOUS DISCUSSIONS.

ALL MEMBERS OF THE SEARCH COMMITTEE SHARED THEIR RECOLLECTION OF MR. HARTMAN AND HOW WELL HE PRESENTED HIMSELF DURING BOTH THE CONFERENCE TELEPHONE INTERVIEW AND THE PERSONAL INTERVIEWS THAT FOLLOWED. MR. WILSON MADE SPECIAL MENTION OF THE FACT THAT MR. HARTMAN WAS INDEED ONE OF THE TOP EIGHTEEN (18) FINALISTS AND AFTER PRELIMINARY SCREENING HE FINISHED SOMEWHERE BETWEEN NO. 6 AND NO. 9 ON THE CANDIDATES LIST. IT WAS DURING THE TELEPHONE INTERVIEWS THAT SOME CANDIDATES WERE ELIMINATED OR WERE REWARDED FOR THEIR RESPONSES AND PERHAPS THE MANNER IN WHICH THEY CONDUCTED THEMSELVES. AFTER THIS PROCESS MR. HARTMAN MOVED UP TO NO. 4 ON THE LIST AND SUBSEQUENTLY MOVED TO NO. 2 DURING THE PERSONAL INTERVIEWS. MR. DOWNING REMINDED ALL THAT THE B OF S WERE IMPRESSED AS WELL AND CHOSE TO ENDORSE HIS CANDIDACY FOR FUTURE POSITIONS BY MEANS OF THE LETTER FORWARDED UNDER THE SIGNATURE OF BOTH MR. DOWNING AND MR. WILSON.

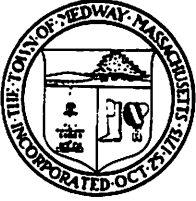
IT WAS THE CONSENSUS OF ALL PRESENT THAT MR. DOWNING SHOULD CONTACT MR. HARTMAN TO ESTABLISH HIS REMAINING INTEREST IN THE T/A POSITION IN MEDWAY AND TO MOVE INTO NEGOTIATIONS WITH THE BOARD IF THERE IS STILL AN OPPORTUNITY. IF MR. HARTMAN WAS NOT AVAILABLE IT WAS AGREED BY ALL THAT MEDWAY SHOULD CONDUCT A NEW SEARCH BECAUSE OF THE DISPARITY BETWEEN THE 2ND AND THE 3RD PLACE CANDIDATES.

THE MEETING WAS ADJOURNED AT 4:05 P.M. AND WAS ACCOMPANIED BY A REQUEST FROM THE CHAIRMAN TO MR. BRODEUR TO SIGN THE DOCUMENTS PREVIOUSLY DISCUSSED.

RESPECTFULLY SUBMITTED

D.M.D. - ACTING CLERK

*Approved  
2/9/98*



## BOARD OF SELECTMEN

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

### REVISED AGENDA

January 12, 1998

- 6:00 p.m.      Evaluation of Arti Mehta
- 7:00            Open meeting, sign warrants and approve  
                 minutes of 12/29/97 meeting.
- 7:05            Continuation of the Public Hearing,  
                 Medway Mart for Wine and  
                 Malt beverage liquor license.
- 7:15            Paul Yorkis, SWAP Representative  
                 regarding traffic study for route 109

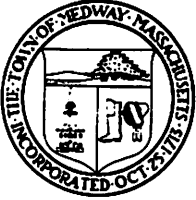
Committee Reports

Action Items

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 12, 1998.

1. Request from Town Clerk for Selectmen meeting minutes for December 1, 1997.
2. Sign notification of promotion and new employees for the Fire Department.
3. Sign MunEnergy Letter of Intent?????
4. Discuss letter from Lee Henry on Automatic Gate information.
5. Discuss letter from IDC regarding foot bridge on Trotter Road extension.
6. Discuss and vote on change order #10 in the amount of \$1,757.00 for the Library renovations.
7. Discuss position of Assistant Mechanic.
8. Discuss and vote on letter from Chief Lambirth regarding vehicle disposition.
9. Discuss letter from Town of Millis regarding the sale of M&M sweeper.
10. Attendance at Norfolk County Selectmen's Association meeting on February 12, 1998.
11. Sign letter for DHCD for a grant extension on the Senior Center building.
12. Grievance date for Pat Sampson.



## **BOARD OF SELECTMEN**

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

### **AGENDA**

January 12, 1998

- |           |  |
|-----------|--|
| 6:00 p.m. | Evaluation of Arti Mehta   |
| 7:00      | Open meeting, sign warrants and approve minutes of 12/29/97 meeting.                             |
| 7:05      | Continuation of the Public Hearing,<br>Medway Mart for Wine and<br>Malt beverage liquor license. |

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 12, 1998.

1. Request from Town Clerk for Selectmen meeting minutes for December 1, 1997.
2. Sign notification of promotion and new employees for the Fire Department.
3. Sign MunEnergy Letter of Intent?????
4. Discuss letter from Lee Henry on Automatic Gate information.
5. Discuss letter from IDC regarding foot bridge on Trotter Road extension.
6. Discuss and vote on change order #10 in the amount of \$1,757.00 for the Library renovations.
7. Discuss position of Assistant Mechanic.
8. Discuss and vote on letter from Chief Lambirth regarding vehicle disposition.
9. Discuss letter from Town of Millis regarding the sale of M&M sweeper.
10. Attendance at Norfolk County Selectmen's Association meeting on February 12, 1998.

*Minutes of the Selectmen's Meeting - January 12, 1998*

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

**7:02 p.m.** - Mr. Downing called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Warrants were signed totalling \$1,082,048.18.

- Mrs. Rozanski moved approval of the minutes of December 29th; Mr. Brodeur seconded; all aye.

**7:05 p.m.** - Mr. Downing continued the public hearing from last week on the petition of Medway Mart for a wine and malt license. Mr. Downing said one of the main reasons for continuing the hearing was to give Board members the opportunity to view the site, which they all said they did. Mr. Downing gave Mr. Patel the opportunity to also state any additional comments he had.

Mr. Patel noted again that he was before the Board to request a wine and malt license for the following reasons: convenience of the customers and at their request; the package store is not open enough hours; video cameras will be installed; the beer and wine will be covered up on Sundays and holidays and locks installed if needed; they are not trying to take business away from anyone.

Mr. Brodeur read two communications received: one from the Board of Health, citing some old violations but nothing recent; and one from the Police Department, noting no concerns. He also read a communication sent to him at home from a business owner in the neighborhood, Mr. and Mrs. Kewriga asking that the license be denied.

When asked if he was seeking new customers, he replied he was trying to assist his regular customers, in particular. Mr. Brodeur said that one of the Board's concerns and requirement for the hearing is to determine the detriment, if any, by being close to churches and schools. Mr. Patel said he could control the number of kids in the store and monitor them. Mr. Downing felt the statute has been relaxed or changed insofar as churches were concerned.

Mrs. Rozanski was concerned if some patrons did not get served at the Elm Club,  
page 1.

*Minutes of the Selectmen's Meeting - January 12, 1998*

they would run across the street to their store, and asked how he would handle it? Mr. Patel said he would make a judgment when he looked the patron over to determine if he would sell him anything. Mr. Patel knew he could not sell alcohol before 8 a.m., even though his store hours would be 6 a.m. to 9 p.m.

Mr. Downing asked if anyone from the public had any comments? Bob Heavey of Sanford Street gave the Board some petitions against granting the license with over 70 names, stating their concern with safety of the public, parking, accidents, and their feeling that it would be difficult to monitor.

Ed Reardon, Vice-President of the Medway Village Association, said he had respect for the owners, but did not believe the license should be granted.

Maria Roberts of Mansion Street felt the store was a good store, but did not feel the necessity for beer and wine, and that it would not be good for the neighborhood.

Paul Mitchell of Village Street was not against the owners, but the location, the kids, and possible drinking near the premises as being problems.

John Maguire of John Street said there was a problem there already with parking, and the number of kids who frequent the store.

Mr. Downing said he had asked for the continuance so the Board members could look the area over, but he could not support the granting of the license at this time. Mrs. Rozanski said her concerns were still the same. Mr. Brodeur said he did not realize there were so many people opposed to the license until tonight, but traffic concerned him the most. Mr. Downing felt that the people who signed the petition already frequent the store as they are in the neighborhood, and thought should be given that they are opposed to the license.

Mrs. Rozanski moved to deny the granting of the beer and malt license to Medway Mart; Mr. Brodeur seconded; all aye. Mrs. Rozanski asked Mrs. Allen if there was a possible appeal process, and she said it was to the ABCC. Mr. Downing said he would send a formal letter of denial. Mrs. Rozanski moved the hearing be closed; Mr. Brodeur seconded; all aye.



## *Minutes of the Selectmen's Meeting - January 12, 1998*

**7:40 p.m.** - Paul Yorkis, as SWAP representative, asked to be placed on the agenda as he had prepared a resolution that he assumed Mrs. Rozanski was familiar with. The resolution, which he read, was to have the Selectmen request that the 1997 Congestion Management System Annual Report be amended to include Route 109 in Medway from the intersection of Coffee Street to Summer Street, and that a comprehensive study be initiated by the Mass. Highway Department. He said that the JRTC has substantial influence on expenditure of capital dollars, and they are hoping to look for long-term and short-term solutions. Mr. Yorkis further stated that professionals need to look at this issue, and would like the Selectmen to take a pro-active stand by issuing the resolution so he could take it to the SWAP meeting on Thursday. In discussing this with the President of the Medway Business Council and the Interim DPS Administrator, he noted they have voiced their support.

Mr. Brodeur moved to have the Chairman sign the resolution requesting the report be changed to include Route 109 from Coffee Street to Summer Street and that Mass. Highway do a comprehensive study; Mrs. Rozanski seconded; all aye. Mr. Downing also suggested that Mr. Henry be involved in this whole resolution since he had already been working on it. Mr. Yorkis said he would be done with this after this evening, and hoped Mr. Henry could continue in his endeavors using the resolution to pursue it further. Mrs. Rozanski reworded the motion to issue the resolution and request the report to JRTC be amended, and to request MAPC initiate a comprehensive report, and to authorize the Chairman to sign it; Mr. Brodeur seconded; all aye.

### **8:00 p.m. - Committee Reports.**

- Mrs. Rozanski said the Senior Center was moving along, the slab had been poured Saturday, and they were having a management meeting on Wednesday.
- Mrs. Rozanski said she and Mr. Downing were at the Technology Committee kick-off on Thursday.
- Mr. Downing said he went to the School Committee meeting and the Master Plan Committee meeting. He received copies of the capital improvement master plan from the School for FY '99-'03, which he shared with the Board.

## *Minutes of the Selectmen's Meeting - January 12, 1998*

Mr. Downing noted that the School Department had said that, at the request of the Highway Department, they had put in a request for a pickup truck for snow removal. He said he wanted to speak to Mr. Henry about this further, but he was concerned about other vehicles coming to Town, and the reoccurring maintenance cost to the Town. Mr. Downing said if our people requested the School do this, the Selectmen should know. Mr. Brodeur noted Highway takes care of plowing the parking lots. Mrs. Rozanski felt this was fragmented; where would it be garaged? Mr. Brodeur felt it was similar to creating another service into someone's contract. Mrs. Rozanski thought the Schools should be directly related to education, not property management.

On the Master Plan Committee, Mr. Downing said the questionnaires went out, or were being done with the census, and it was important that people looked it over and responded to the questions.

### *- Action Items.*

- With reference to the request from the Town Clerk for the Selectmen's meeting minutes of December 1st, he gave the Board his prepared minutes. Mrs. Rozanski moved approval of the minutes of December 1st as written; Mr. Brodeur seconded; all aye. An extra copy was given to the Secretary to pass on to the Town Clerk. Mr. Downing also asked that Mr. Brodeur submit his questions to the Town Clerk for Pat Sampson.

- The Board received notification of promotion and new employees for the Fire Department. Mrs. Rozanski said this was another example of full time people getting another job; same problem. In wondering how they would get paid, Mr. Brodeur thought the first hour was emergency pay; if beyond, it was time off. Mrs. Allen noted they were already appointed by the Fire Chief; the Board was to just sign the notification. Mrs. Rozanski was still interested in finding out how they were paid. Mr. Brodeur added they wanted to encourage Town employees to become firefighters and EMT's since they were already in Town and could respond.

The Board asked that Mrs. Allen inquire as to how it has been handled in the past as there are others under contract already. Mr. Downing said Town Counsel or  
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## *Minutes of the Selectmen's Meeting - January 12, 1998*

Labor Counsel could be consulted. Mr. Brodeur suggested they first find out what has been done in the past. Mr. Brodeur moved to endorse and sign the notifications to the Town Accountant of the appointments made by the Fire Chief; Mr. Downing seconded saying he knew we needed daytime coverage and that both Board members had valid comments, but they have to move to make appointments and maybe down the line there can be a letter of agreement; Mrs. Rozanski opposed; vote: 2-1-0. Mrs. Allen will check with the Chief on how Town workers are paid during work hours and after hours. Mrs. Rozanski signed all notification slips except for George Cole.

- The Board noted the MunEnergy Letter of Intent, and all felt it was O.K. to sign as it was agreeing to a gathering of information at no cost unless the Town chooses to jointly go in with other communities on energy services. Mrs. Rozanski felt Mrs. Allen could be the contact person for now, and moved to authorize the Chairman to sign the MunEnergy Letter of Intent dated January 7, 1998 and to make Mrs. Allen the contact person; Mr. Brodeur seconded; all aye.

- The Board noted Interim DPS Administrator Lee Henry's memo concerning the automatic gate information he had gathered, and decided to review it again when it was more appropriate.

- The Board acknowledged receipt of the letter from the IDC concerning the footbridge on Trotter Road. Mr. Downing suggested a joint meeting with Bob Power, Bob Speroni, a rep from the IDC, the developer, Lee Henry, Mike Perrault at a time when all principals are available reporting back to the Board of their findings. He further stated that he and Mr. Brodeur spoke to Mr. Henry and a sum of money has been allocated by the contractor, and the footbridge is a condition of the development. Mr. Downing said we should find out how much money has been set aside and what the Town has to do. He felt it should be determined what the set-aside funds are from the developer and also what funds Paul White was discussing in the IDC letter. Mr. Downing did not feel the PWED funds should be used entirely for what the contractor should be paying for. He asked what does the stamped plan say? How does it meet our specs? Mrs. Rozanski noted the ConCom said it was O.K. per the 75% plan. Mr. Brodeur noted that DPS would rather have concrete than wood, and said he would coordinate this; it was not a difficult solution. Mrs. Rozanski noted time was of the essence; the grant time was running out.

## *Minutes of the Selectmen's Meeting - January 12, 1998*

- With reference to change order #10 from the Medway Public Library, Mr. Brodeur moved approval of the change order for \$1,757 for the library addition; Mrs. Rozanski seconded; all aye.

- The memo from the Interim DPS Administrator Lee Henry concerning the addition of the position of Assistant Mechanic was brought up. Mrs. Rozanski felt it should be deferred to the Town Administrator, and asked if there was someone in mind for the position? Mrs. Allen indicated that the job has to be advertised. Mr. Brodeur felt it was a budget thing; this was not a mid-year budget crisis item. Mr. Downing said this has been discussed for a while, and they recognize the need, but nothing was done about it before now. He asked if they should defer action, but he did not want to table it forever, but for a future agenda item with Mr. Henry and the Town Administrator.

Mrs. Rozanski said there should be some flexibility in the position, and cross-training as they were establishing a new position. Mr. Downing noted that a request had gone to the FinCom without prior approval or knowledge of the Selectmen for a clerical position which did not exist. Mr. Brodeur asked if there was a way to incorporate the position temporarily until the end of the fiscal year? Mr. Downing said there is the six-month probationary period for new employees. He noted they should acknowledge the memo and decide where they were going to go from here. He said they could utilize the position for other things so George could concentrate on more important matters. He asked if they should table this to a February agenda and invite Mr. Henry in, and February 16th was set up.

- The Board noted receipt of a memo from Chief Lambirth concerning the old 1991 K-9 vehicle, which is of no use as is, but can be used for parts. Mrs. Rozanski moved to use the old K-9 for parts; Mr. Brodeur seconded; all aye.

- The Board acknowledged receipt of the letter from the Town of Millis concerning our share of the sweeper. Mrs. Rozanski felt we had to accept their figures unless we had different numbers. Mr. Brodeur moved to accept the amount of \$332.13 as being Medway's share of the M&M sweeper per their explanation in their letter dated December 30, 1997; Mrs. Rozanski seconded; all aye.

- With reference to the Norfolk County Selectmen's Association meeting being held on February 12th, all three Board members will attend.

## *Minutes of the Selectmen's Meeting - January 12, 1998*

- The Board was requested to write a letter to DHCD asking for an extension of available funds for the Senior Center through the grant since the project would not be completed by the end of February. Mrs. Rozanski moved to authorize the Chairman to sign the letter to DHCD requesting an extension; Mr. Brodeur seconded; all aye.
  - A grievance date for Pat Sampson needed to be set up. It was agreed to do it on January 27th at 6:00 p.m. in Room 2.
  - With reference to the contract from Pioneer as the consultant for the Technology Committee, Mrs. Allen said Town Counsel had approved it as to form, but the funds were contingent on getting the money approved by FinCom. She noted that the Town Accountant had not signed the contract yet either.
  - Mrs. Allen said that the School Department today brought over change order #10, and asked the Board if they wanted to sign it or just put copies in their weekend packet? Mr. Downing said he was aware of certain items in the change order, but not all of them. Mr. Brodeur asked if they should vote to approve the change order without certain items being included, or just wait for further discussion? Mr. Downing said they should not hold the contractor responsible for the time that it took the change order to get here. Mr. Brodeur moved to approve the change order dated December 22nd without items 10-2, 10-5 and 10-7, which would be included in a future discussion for errors and omissions; and that a memo be sent to the Chairman of the School Building Committee letting him know that those three items would be discussed further with the Selectmen Chairman; Mrs. Rozanski seconded; all aye.
  - The Board acknowledged a memo from Barry MacDougall.
  - The Board acknowledged receipt of a signed Time-Warner contract.
  - Mr. Brodeur acknowledged two letters of thanks sent to EMS and the Police.
- 9:40 p.m.** - Barry MacDougall stopped in to say he thought it was ridiculous that the School Department wanted to spend \$30,000 for a pickup truck for three months. He also did not understand why the School Department wanted to hire someone for software maintenance and support. He thought it would be better and
- page 7.



*Minutes of the Selectmen's Meeting - January 12, 1998*

useful if such an individual was employed by the Town. He agreed that the School Department should educate the children and let the Town take care of grounds and buildings.

*9:45 p.m.*- Reporter Shawn Smith from the Middlesex News asked the Board if he could bring up a couple of things. He brought up the request of the Town Clerk for the minutes of December 1st, and he was provided a copy of the minutes as well. He said if Mr. Brodeur is the Clerk of the Board, are the minutes recorded at the time or later in terms of accuracy? Mr. Brodeur said they were accurate.

Mr. Smith asked about the merit raises and had the Board appealed the decision? Mr. Downing said they had and it was in the hands of Counsel. They were just waiting to hear when and where. He said they have appealed the prior year's funding, not the arbitrator's decision. Can a neutral arbitrator tell the Board of Selectmen to provide funding for a prior year?

Mr. Smith asked why the hesitation on the approval of Pat Sampson? Mr. Downing said there had been no comments with the questions, and now there is a grievance hearing scheduled. Mr. Smith asked about the formality of the hearing, and Mr. Downing felt it was a union issue.

*10:00 p.m.* - Mrs. Rozanski moved to 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  
2/2/98*



## BOARD OF SELECTMEN

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

### AGENDA

January 5, 1998

- 7:00 Open meeting, sign warrants and approve minutes of 12/22/97 meeting.
- 7:05 Public Hearing, Medway Mart for Wine and Malt beverage liquor license.

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 5, 1998.

1. Articles for January 26th STM.
2. Discuss Quitclaim Deed for R Fairway Lane.
3. Approve and sign Class II license for Richard S. Bruce
4. Vote and Sign Chapter 90 Project Request for takings for  
Route 109 Corridor Project.
5. Re-appointment of Town Accountant.



put with  
minutes



## DEPARTMENT OF PUBLIC SERVICES

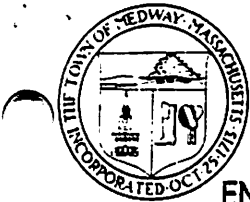
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### ENGINEERING SERVICES

#### Requests for Qualifications

#### Specification Requests/Submissions

<u>NAME</u>	<u>DATE SENT</u>	<u>RTE 126</u>		<u>VILLAGE ST</u>	
		<u>Request</u>	<u>Return</u>	<u>Request</u>	<u>Return</u>
Guertin & Assoc., Inc. Paul Guertin, P.E. 91 Montvale Ave. Stoneham, MA 02180 (781) 279-2288	11/20/97	X	X	X	X
G.C.G. Associates Joseph Giavannazo, P.E. 113 Terrace Hall Ave. Burlington, MA 01803 (617) 272-3322	11/24/97	X		X	
Anderson-Nichols & Co. Francis W. O'Brien 31 St James Ave. Boston, MA 02116 (617) 695-3400	11/25/97	X	X	X	X
DeLeuw, Cather & Co. Peter Donoghue, P.E. Prudential Center Boston, MA 02199 (617) 859-2347	11/25/97	X	X	X	X
Atlantic Design, Inc. P.O. Box 1051 Sandwich, MA 02563	11/28/97	X		X	
Tibbetts Engineering Attn: Pauline 716 County St. Taunton, MA 02780	11/28/97	X	X	X	X



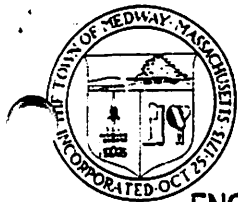
## DEPARTMENT OF PUBLIC SERVICES

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### ENGINEERING SERVICES - Requests for Qualifications

Page 2

ASEC Corp. Attn: Marketing 300 Congress St. Quincy, MA 02169	12/03/97	X	X	X	X
Design Consultants, Inc. 265 Medford St. Somerville, MA 02143	12/03/97	X	X	X	X
SEA Consultants Attn: Judy Kavanaugh 485 Massachusetts Ave. Cambridge, MA 02139 (617) 498-4710	12/05/97	X		X	
GEOD Consulting Chris Emilius, P.E. 129 South St. Boston, MA 02111	12/05/97	X	X	X	X
Hayden-Wegman Inc. Jerry Emde 214 Lincoln St. Boston, MA 02134	12/05/97	X	X	X	X
Tibbetts Engineering Corp. Manuel Silva, C.E. 3090 Acushnet Ave. New Bedford, MA 02745 (508) 998-3700	12/09/97	X		X	
Vannasse Hangen Brustlin John Bechard, P.E. 101 Walnut St., P.O. Box 9151 Watertown, MA 02272 (617) 924-1770	12/10/97	X	X	X	X



## DEPARTMENT OF PUBLIC SERVICES

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### ENGINEERING SERVICES - Reuests for Qualifications

Page 3

Louis Berger & Assoc., Inc. 12/11/97	X	X	X	X
William Rogg, P.E.				
75 Second Ave., Suite 700				
Needham, MA 02194				
(781) 444-3330				

## *Minutes of the Selectmen's Meeting - January 5, 1998*

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.

Mrs. Rozanski stated that the Technology Committee was having a kick-off meeting at 11 a.m. on January 8th with all departments. She did advise them that the contract is yet to be executed and the FinCom has not yet officially met to approve the funding.

**7:05 p.m.** - Mr. Brodeur read the advertisement for the public hearing to be held concerning the request of Medway Mart for a beer and malt license. Attorney Steve Kenney was present representing the Patels but felt they could speak for themselves.

Mr. Patel said the reason he was seeking the license was because people kept coming in the store requesting beer and wine. For their convenience, he thought he would ask for the license. Mr. Downing assured Mr. Patel the hearing was a necessity and to protect all concerned. Mrs. Rozanski asked how they would handle holidays and Sundays, and Mr. Patel said they would be covered up. When asked if they had any underage employees, Mr. Patel replied in the negative. He stated that they also have a wine and beer license at a store in Millis.

Mr. Brodeur asked if there had been any problem with the Elm Club, and Mr. Patel said there had been none in the three years they were there. Mr. Brodeur noted that all certified receipts had been turned in. Mrs. Rozanski asked if any letters had been received, and Mrs. Allen said one letter was received from a business, the Fruci's of Liquid Assets. Mr. Brodeur read that letter which stated they had been in business two years and since they were a block away, were opposed to another license being issued. Dominick Fruci, the Clerk of that business, was present to reaffirm the letter and to note they had no hard feelings against the Patels, but felt they had worked hard to build up their clientele.

Mr. Downing wanted to determine, from a logistical standpoint, how they would lay out the store and have control. Mr. Patel said they would install video cameras and be recorded 24 hours a day. Mr. Downing asked about their financial burden,  
page 1.

## *Minutes of the Selectmen's Meeting - January 5, 1998*

but Mr. Patel felt it was not a problem. He noted they would be installing cameras regardless of the outcome of the hearing.

Mrs. Rozanski said her major concern was access by minors, and therefore, had reservations.

Mr. Downing said he would like to continue the public hearing and spend some time on site to see how it can be governed better. He agreed they need to look out for the children in the community, but he would like to go over the physical planning of the store. Mrs. Rozanski asked if they wanted to continue the hearing for any specific purpose, and Mr. Downing and Mr. Brodeur said they would like to do the site plan review. Mr. Downing also asked if there had been any input from the Safety Officer, but Mrs. Allen said she only heard from the Fire Chief and the Building Inspector.

Mrs. Rozanski moved to continue the public hearing to allow time for a site visit, and to request a floor plan of the interior of the store showing restrictions to minors, and to obtain information from the Safety Officer on the exterior of the store and any problems with traffic congestion; Mr. Brodeur seconded; all aye. Mrs. Rozanski then amended the motion to include the continuation of the hearing to January 12th at 7:05 p.m.; Mr. Brodeur seconded; all aye.

- The Board brought up the minutes of December 22nd. Mrs. Rozanski had some corrections to make to several of the sentences; with this done, Mr. Brodeur moved approval of the minutes of December 22nd as amended; Mrs. Rozanski seconded; all aye.

- The Board signed warrant #28 in the amount of \$510,833.32.

### **7:37 p.m. - Action Items.**

- The Board discussed the articles for the upcoming Special Town Meeting on January 26th. Mr. Downing noted it was just a draft and had not been approved by Town Counsel yet. He had wanted to insert a special note detailing the first three articles more clearly and Mrs. Allen said she would check that with Town Counsel as well. Mr. Downing noted if these articles passed, then they also have to be on the ballot in May.

## *Minutes of the Selectmen's Meeting - January 5, 1998*

Mr. Downing went over the articles, the first being changing the Park Commissioners to Recreation Commissioners, with staggered appointed terms. He was supportive of the additional two members indicating Ellen Gove has said they don't have time to devote to the recreational needs of the Town.

On the second article of appointing the Treasurer/Collector, Marge Sanford was present and noted she was in favor of making the position an appointed one because the position is based on skills and qualifications.

On the third article of appointing the Town Clerk, Maryjane White was present and asked where this came from, and what prompted this article appearing on the warrant? Mr. Downing said the subject originated in 1991, and he had been aware of it for three years. Mrs. White asked why this position, why not all the other elected positions? Mr. Downing stated the consensus he had received was that people were supportive of the change. Mrs. White said he spoke to Ellen Gove and Marge Sanford about their positions, but no one spoke to her; why was she not given the same courtesy? Mr. Downing brought up her letter to the Town Administrator Review Committee and asked if her opinion had changed since she wrote the letter? Mrs. White stated the letter was sent before the Town Administrator was hired. She asked when was this issue discussed, and Mr. Downing replied this evening. She further queried doesn't the Board discuss an issue prior to putting in on the rough draft warrant? What was the rush? Mr. Downing said this was part of organizing the everyday management team, and suggested she convince the Board why this article should not be on the warrant.

Mrs. White stated that 91% of the Town Clerks are elected in Massachusetts. The Town Clerk was the first one people come to when they come to Town Hall. They should be accountable to the people; not the Selectmen; not the Town Administrator. One of the important things she is concerned with is the open meeting law; how could she enforce this if her bosses were the Selectmen? Most all of the elected Town Clerks are in charge of all elections. If she had known before today that the article would be on the warrant, she would have gotten more information for them.

Mrs. Rozanski said she felt it should go to the voters, and that two positions are really employees, and they are the two compensated elected officials. Mrs. White said she was requesting that the article be taken off the warrant, but she would go page 3.

## *Minutes of the Selectmen's Meeting - January 5, 1998*

to Town Meeting if that's what they wanted. She said you learn by experience once you are elected and you go to classes. Those she works with know if she does her job or not. Again, Mrs. Rozanski said the issue is the two compensated elected officials, but the same voters will be making the decision. Mrs. White said she still had two years in her term; this did not have to be done now.

Mr. Downing said this established a chain of command; a link; it introduces a transition; a process in place. Mrs. White stated this gives her two weeks to pull it all together. There are valid reasons why 91% of the town clerks are elected. At this point, Mr. Brodeur said he had no recommendation, but Mr. Downing asked the Board members if they felt the article should stay on the warrant or not? Mr. Brodeur said Mrs. White does a great job and knows she would succeed at whatever she does. He did not think it was a great risk, and felt they should see through the changes they were trying to do in management. Mr. Downing said he would not support the article again, if elected, and if it failed in May. Mrs. Rozanski and Mr. Downing felt this issue would not be able to be revisited again for a while.

The Board went on to the other articles involving Alder Street, and Mrs. Rozanski said it was just a swap so the Alder Street project could proceed and a small piece of the road moved. It was noted some information was needed for the articles so Mrs. Rozanski said she would get that info to the Office.

With reference to the article for Cottage Street, it was noted this was phase II of the easements and acquisition, and no money was involved. This was just giving the Board the authority to enter into agreements or negotiations for the detention pond to prevent flooding on Main Street.

Mrs. Rozanski asked that an article be placed on the warrant to clarify the language in the by-law concerning animal control. She said the Park Department was concerned about animals being leashed on park and town land. Mr. Downing asked that Mrs. Allen get a copy of Millis' by-law to see how the two towns are similar and different. Mrs. Rozanski said the will of the people will prevail.

- The Board discussed the quitclaim deed for R Fairway Lane. Mrs. Allen said that she had spoken to the Assessors and they cannot pinpoint that land so Town Counsel was going to research this further with the Registry of Deeds, and page 4.

## *Minutes of the Selectmen's Meeting - January 5, 1998*

once they have that, then they have something to discuss with the Planning Board. Marge Sanford, who was present, said she believed they wanted to give that land to the Town in lieu of paying taxes. Mr. Downing asked that this be revisited next week.

- The Board noted receipt of the Class II application of Richard Bruce. Mr. Brodeur moved approval of the Class II license for Richard Bruce of Barber Street; Mrs. Rozanski seconded; all aye.

- The Board noted receipt of the request from Sabina Doyle's for a live entertainment license. Mrs. Rozanski moved approval of the live entertainment license for Sabina Doyle's for Thursdays, Fridays and Saturdays; Mr. Brodeur seconded; all aye.

- Mrs. Allen asked the Board to vote to sign the Chapter 90 project request for takings for the Route 109 corridor project. She noted that they can use Chapter 90 for those takings in the amount of \$33,010, and this request is to use those funds. Mr. Brodeur moved to endorse the Chapter 90 project request for \$33,010 for the temporary and permanent construction easements for the Route 109 Corridor Project; Mrs. Rozanski seconded; all aye. Mr. Downing said they still owed Rep. Gardner a response on this issue. He requested when Town Counsel sends the Board a suggested letter to send to Millis, that we send a copy of that letter to Rep. Gardner, along with a copy of the letter sent to the Attorney.

- The Board brought up the re-appointment of the Town Accountant. Mrs. Rozanski noted there was recent legislation passed concerning the terms of Town Accountants. Mrs. Allen said the legislation stated that the person may be appointed for a term of not more than five years, but prior to this new law, Town Counsel had stated the term was three years. Mrs. Rozanski moved to appoint Arti Mehta Town Accountant/Computer Systems Manager through December 19, 2000; Mr. Brodeur seconded; Mr. Downing opposed; aye. Vote: 2-1-0.

- Mrs. Allen brought up the letter sent by Larry Bain concerning a request for a copy of the Animal Control Officer's job description, which she said she sent to him and gave a copy to the Board as well. Also, with reference to Debbie Bain's letter, a copy of the Clerk Magistrate's decision was sent to her. A letter from the ACO was also acknowledged.



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- On a follow-up on the transportation enhancement workshop, Mrs. Allen told him Mr. Henry would try to go.

- With reference to the RFQ for Summer and Village Street engineering, Mrs. Rozanski was provided with the names of those who responded, as well as the vote of the Board to proceed with the advertising and a copy of that ad. She passed that info on to the press.

**8:50 p.m.** - Marge Sanford submitted a letter to the Board on payroll services noting that the present contract expires at the end of March, and her intent to soon go out for an RFP, with the Board opening the bids. Mrs. Allen clarified that with the new by-law, the bids can be opened by the Procurement Officer, which is the Administrative Assistant, so it is not a necessity that the Board opens them. She further added that the intent of 30B is to take some of the burden off of the Selectmen and open bids during the day when businesses are open. Mr. Brodeur said they could request that the ad indicate the bids be opened by the Selectmen.

Mrs. Sanford said she might be ready to advertise in two weeks. Mr. Downing asked Mrs. Rozanski if she was looking for a public opening at a Selectmen's meeting? She said she was and said it can be set as policy. Mrs. Sanford suggested February 2nd at 7:05 p.m. Mr. Downing asked that Mrs. Allen give the Board what is the current process for the Office, all on the same page with 30B. Mrs. Rozanski said the press comes to these meetings, and then it is public and gets in the newspapers.

**9:00 p.m.** - Barry MacDougall stopped in questioning when some changes would be done to Route 109 specifically in the shopping center area? He asked if it was possible to have an access road behind the shopping center so it could alleviate some of the traffic congestion on 109. Mr. Downing noted if that was possible, the Town would have to acquire some land.

Mr. MacDougall also inquired about the excess computers purchased by the School Department, but Mr. Downing said everything went to where it belonged; it had been mis-assigned, and they did not go over the \$10 million appropriated. Mr. MacDougall said, as a taxpayer, he expected managers to exercise good judgment, and he said it makes future bids suspect in his eyes, especially the School Department. Mr. Downing assured him the process had been brought to  
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closure, and Mr. MacDougall hoped they have learned about disclosure through all this.

- Mrs. Rozanski noted she had the contract for the consultant for the Technology Committee, but the Town Accountant did not have the funds yet, and Town Counsel had not signed the contract either.

*9:15 p.m.* - Mrs. Rozanski moved to enter into executive session for the purpose of contract negotiations and potential 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

*approved  
2/2/98*