

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

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

DECEMBER 27, 1999

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes – December 20th.
 - Executive session minutes – December 20th.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
 - Sign remaining licenses.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - January 3rd, 8th, 10th, 18th, 22nd, 24th, 26th, 31st.
12. Executive session.
 - Purpose of discussing strategy with respect to collective bargaining.

cc: Town Clerk for posting.

cc CM - 1/14,
ALB - "

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 27, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
 - 1. Sign warrant.
 - Mr. Johnson moved approval of warrant #27 in the amount of \$369,832.52 as read by Mr. Williams; Mr. Dziczek seconded; all aye. Mr. Johnson noted the audit for the town and school has been paid.
 - 2. Approval of minutes.
 - Mr. Williams moved approval of the regular meeting minutes of December 20th; Mr. Gildea seconded; all aye.
 - Mr. Williams moved to approve but not release the executive session minutes of December 20th as amended; Mr. Dziczek seconded; all aye.
 - 3. Public comments.
 - None.
 - 4. Committee reports.
 - Selectmen Gildea, Dziczek, Williams and Rozanski had none.
 - Mr. Johnson note that the quarterly bills being issued before January 1st are preliminaries for the third quarter, having received approval from the DOR to do so. Betterments and liens will appear on the bill.
 - 5. Administrator's report.
 - Mr. Hartman noted receipt of a preliminary plan from the Planning Board, entitled River Run, which was the Ennis property, for approximately 42 houses. He noted the hearing was scheduled for January 11th at 9:15 p.m. The land is not in 61A, but it seemed as if they would be ½ acre lots with homes at least 200 feet from the river.
- Mr. Hartman also noted the Site public hearing has been continued to an unscheduled date at this time.
- Mr. Hartman asked the Board to authorize the Chairman to sign the Library agreement from the Commonwealth of Massachusetts' Board of Library Commissioners requesting payment of \$797,589 to the Town. Mr. Williams so moved; Mr. Dziczek seconded; all aye.
 - Mr. Hartman stated, per the Board's adopted policy for quarterly ambulance abatements, the Fire Chief was submitting to the Treasurer and Accountant a listing of requested abatements to be approved and signed by the Board. He noted these were abatements of under \$100 fiscal years '98, '99 and '00. The Board requested that, for future information, the abatement form prepared by the Fire Chief, and signed by them, reference the adopted policy indicating which ones were for medicare, medicaid and hardship. Mr. Williams moved that the amount of \$939.58 be abated and forwarded to the Treasurer and the Accountant; Mr. Gildea seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 27, 1999

6. Discussion items.

- Mr. Dziczek requested the Secretary update the working document "Calendar of Events" to reflect any new additions. He felt the Master Plan issues should be on there somewhere so it is not forgotten, as well as local initiative plans.
- Mr. Dziczek also noted watching the Municipal Building Committee meeting and thought some of the questions asked and the answers given were very informative.
- Mr. Dziczek asked if all the budgets had been submitted to him yet? Mr. Hartman believed he had almost all of them except schools.

7 Action items.

- The Board signed the remaining licenses.

8. For your information.

- Mr. Hartman told the Board the public hearings for the liquor license violators was scheduled for January 24th, with two repeat offenders.

Mr. Dziczek suggested the Board discuss their options prior to the hearings.

- Mr. Hartman told the Board they would have budget information in advance of the Board meetings with Finance Committee sub-committee chairs.

9. Communications and correspondence.

- None.

10. Future agenda items.

- Unknown.

11. Upcoming meetings.

- January 3rd, 8th, 10th, 18th, 22nd, 24th, 26th, 31st.

12. Executive session.

7:40 p.m. – Mr. Williams moved the Board adjourn to executive session for the purpose of strategy as it relates to collective bargaining not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Gildea – yes; Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes; Mr. Johnson – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
1/10/00

EXECUTIVE SESSION OF THE SELECTMEN
DECEMBER 27, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:42 p.m. – Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.

- Mr. Hartman explained there was a computer situation in the building which needs to be revisited, and only would pursue it if he had the Board's support. He stated every consultant has indicated we need more expertise on computers and technology. It has been stated that there were budget overruns because of the need of bringing in experts to correct existing problems that could not be handled by present staff. He felt they needed to bring in someone who understands software.

Anticipated cost would be \$75/hour for a consultant who would be utilized for 10-15 hours per month. Mr. Hartman noted that FinCom hopes the technology between the town and school can better be utilized, and would free up the Accountant to do what she knew best, which was municipal accounting.

Mr. Dziczek believed the question was, what is better for the town?

Mr. Johnson felt the consultant can be used on a temporary basis, and on a as-needed basis.

Mrs. Rozanski agreed they need to purchase a higher level of skills.

Mr. Johnson noted the town was now dealing with more sophisticated hardware than Arlington Data.

Mr. Hartman will pursue the issue with the Board's support.

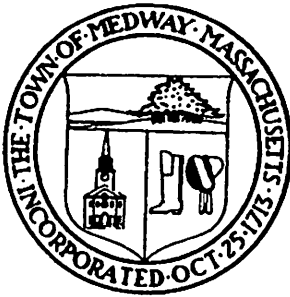
8:00 p.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

1/10/00
a. re. signed 3/13/00



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AGENDA

BOARD OF SELECTMEN

SANFORD HALL

DECEMBER 20, 1999

7:00 p.m. – Open meeting.

1. Sign warrant.

7:05 p.m. – Town Accountant Arti Mehta.

Re: Y2K report.

2. Approval of minutes.
 - Executive session minutes of December 13, 1999.
 - Regular meeting minutes of December 13, 1999.
3. Public comments.
4. Committee reports.

7:15 p.m. – Barbara Junkins, Elm Club.

Re: key card system, and lowering of license fee.

5. Administrator's report.
6. Discussion items.
7. Action items.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - December 27th.
 - January 3rd, 8th, 10th, 18th, 22nd, 24th, 26th, 31st.
12. Executive session.
 - None.

cc: Town Clerk for posting.

cc: CM 1/14/00
ALB "

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 20, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Dziczek moved approval of warrant #26 in the amount of \$1,137,158.12; Mr. Gildea seconded; all aye. It was noted there were no building or infrastructure bills.
- 2. Approval of minutes.
- Mr. Williams moved approval of the regular meeting minutes of December 13th; Mr. Dziczek seconded; Mr. Gildea abstained; aye.
- Mr. Williams moved to approve but not release the executive session minutes of December 13th; Mr. Dziczek seconded; Mr. Gildea abstained; aye.
- 3. Public comments.
- Cheryl Harvey, Chairman of the School Committee, brought up the schedule for the meetings as posted for the Municipal Building Committee. She asked if some of the dates could be reconsidered as they conflict with negotiating meetings with collective bargaining units, and therefore, would be a problem for the Superintendent and Frank Varrichione to attend.

Mr. Hartman said the Committee was aware there would be occasional conflicts but they wanted a regular meeting schedule on the same day of the week, twice a month, and to meet in Sanford Hall so the meetings could be televised.

7:07 p.m. – Town Accountant Arti Mehta.

- Mrs. Mehta came to give the Board a report on the Y2K situation. She said the Town was ready, partly because the Town had hired a consultant to review our hardware and software for compliance. Phones are all set as well. On January 1st Lee Henry will conduct various checks on other systems at Town Hall, with Library, Police and Fire calling in and then he would report back to FEMA. She would be accompanying Mr. Henry to activate the computer system and then she would report back to DOR.

Mrs. Mehta noted for Mr. Williams, that she had printed the vendor file for FY'99, approximately 600 pages, as requested and had it available in her office for his perusal. The file included all names, whether paid or not. She also said she prepares one expenditure report monthly which she provides to the Office. Mrs. Rozanski asked that Mr. Hartman inform the Board when the report is available.

Insofar as the Arlington Data equipment, she believed it would no longer be useful to the Town at the end of the month.

Mrs. Rozanski asked about the schools? Mr. Hartman noted, in speaking with Mr. Verdolino, that they are Y2K compliant. Mrs. Rozanski said she was looking for coordination and asked Mrs. Harvey to check into it.

Mrs. Mehta said she would have a checklist to go by, assuring readiness on everyone's part. Mrs. Rozanski asked for a copy of that checklist.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 20, 1999

7:22 p.m. -- Barbara Junkins, Manager of the Elm Club.

- Joe Hoban, who was in the audience, had to leave the meeting but wanted to speak in support of the Elm Club indicating he was a member and enjoyed frequenting the club.

Ms. Junkins came to meet with the Board at their request since the letter she sent to the Board referencing the public hearing held on November 15th did not indicate a key card system was going to be installed as the attorney representing her had stated. She indicated that was an expensive procedure, and instead is installing a new door with two locks, one of which would be the lock for members with that specific key. Mr. Gildea feared the key could be copied for others, but would be just as effective. When asked by Mr. Williams when this would be done, Ms. Junkins indicated one month. He felt that was too long a time since the hearing was on November 15th, and moved that member locks be installed no later than January 15th or their license will be revoked; Mr. Dziczek seconded; all aye. Mrs. Rozanski asked that she report back to the Board through the Office by January 15th.

Ms. Junkins then asked that her club licensee fee be reconsidered since she pays more than anyone else. Mr. Hartman noted apparently the fee is as high as it is because of past complaints and problems. Mrs. Rozanski asked that the history be documented before the Board considers her request.

She then asked about the process for determining fees. The Secretary noted the fees were raised in 1997 after it appeared a survey indicated Medway's fees were lower than surrounding towns. Mr. Johnson believed the ABCC sets standards, but a latitude was allowed. Mr. Dziczek agreed this should be tabled until research was completed. Mr. Hartman agreed to provide backup at the January 10th meeting.

4. Committee reports.

- Messrs. Gildea, Dziczek and Williams had none.
- Mr. Johnson noted two Medway High School volleyball players made the All State Scholastic Team: Kelly Dziczek and Heather Comtois. Congratulations to both were extended by the Board.
- Mrs. Rozanski noted attending the 495-Initiative meeting where the Community Preservation Act was discussed. She indicated the House and Senate have now passed it over to the Conference Committee, but at this point, the Act designates a minimum of 10% as open space, 10% for historic preservation, 10% for affordable housing, and 70% remaining to be spread out. The funding would be either a transfer of tax or 1% surcharge on taxes.

Mrs. Rozanski said she had attended a SWAP meeting, and learned Holliston was working on water reclamation looking at environmental zoning.

Mrs. Rozanski then brought up the recent Special Town Meeting, and asked for further clarification from Mr. Hartman on health benefits.

She asked if the Town was not self-insured, would we be paying premiums? He indicated they had sought bids for buying insurance, but discovered the cost would be in excess of \$5,500 per contract. He noted it was not cost-effective. Mr. Johnson indicated the cost of 357 contracts @ \$5,500 per contract was \$1,963,500, and the cost would have been far higher if we were paying premiums. He noted another option was to join a different consortium, but it seemed as if there were only three.

Mrs. Rozanski asked if there was a systematic review of options? Mr. Hartman said there was a section 3 committee as per chapter 32B, which are advisory reps of management, school, town and each bargaining unit. He said they were charged with the responsibility to advise the Town on

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 20, 1999

health coverage, and have looked at other options three times. We are also advised by our Consultant, who is Group Benefit Strategies.

However, Mr. Hartman stated while reviewing the budget, he will review other options, and intends to submit a plan to the insurance committee within 60 days. He should know more around mid-March, but was planning on putting health insurance at \$2.1 million. Mr. Johnson assumed the consultant will take actual figures and come up with what each contract should cost.

Mr. Hartman provided some backup on the last four years. He stated, had we funded at \$5,500 per contract, we would have gone into this fiscal year with \$3 million. Mrs. Rozanski commented she did now see how they could plan a budget without the health insurance figures as they were important to the overall picture.

5. Administrator's report.

- Mr. Hartman just noted to the Board that they had advertised for the position of Equipment Operator for the Water/Sewer Department and would be interviewing this week.

6. Discussion items.

- Mr. Dzikczek just asked about Lovering Street and the trees that were cut down and the remaining stumps. Mr. Hartman stated they would not be opening up the road for a gas line until April 1st, however, through the winter, they would remove some stumps and work in the area whenever they can, with the sidewalk now planned for next year. Mrs. Rozanski suggested some "caution" signs. Mr. Williams recalled that a meeting of the neighborhood had been called and residents were advised what would be done and the proposed schedule. Mr. Hartman noted quotations were requested from contractors and two had said they would be available after April 1st.

7. Action items.

- None.

8. For your information.

- Mr. Hartman stated the union contract allows for flex time, so Town Hall would close at 1:00 p.m. on Thursday, December 23rd and Thursday, December 30th, and not re-open until the following Mondays in observance of the upcoming holidays. He noted that employees continue to work through 7:30 p.m. Monday nights.

9. Communications and correspondence.

- None.

10. Future agenda items.

- None.

11. Upcoming meetings.

- December 27th, January 3rd, 8th, 10th, 18th, 22nd, 24th, 26th, 31st.

12. Executive session.

8:20 p.m. – Mr. Williams moved the Board adjourn to executive session for the purpose of discussing strategy with respect to contract negotiations for both union and non-union personnel, not to return to open

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 20, 1999

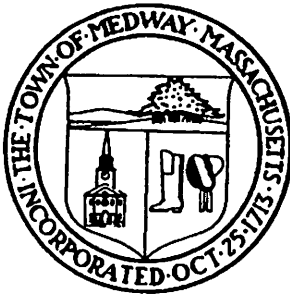
session; Mr. Gildea seconded; all aye. The vote: Mr. Gildea – yes; Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes; Mr. Johnson – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

12/27/99



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AGENDA

BOARD OF SELECTMEN

DECEMBER 13, 1999 .

- 6:00 p.m. - Open meeting in Town Administrator's conference room.
- Adjourn to executive session, to return to public session.
- 6:30 p.m. - Re-open meeting in Room 111 of Medway High School.
1. Sign warrant.
 2. Approval of minutes.
 - Regular meeting minutes of November 29, 1999.
 - Executive session minutes of November 29, 1999.
 - Regular meeting minutes of December 6, 1999.
 3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 7. Action items.
 - Approve and sign all licenses.
 - Approve and sign Council on Aging's contract amendment.
 - Approve extension of liquor license for New Year's Eve to 2:00 a.m. for Main Street Café.
 8. For your information.
 9. Communications and correspondence.
 10. Future agenda items.
 11. Upcoming meetings.
 - December 20th, 27th.
 12. Executive session.
 - None.

7:00 p.m. – Adjourn to Special Town Meeting in High School Aditorium.

Note: Selectman Gildea will not be in attendance

cc: Town Clerk for posting.

cc: ALB 12/23/99
cm

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 13, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Richard Gildea was not in attendance.

6:10 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in the Town Administrator's conference room.
- Mr. Johnson moved to adjourn to executive session for the purpose of potential litigation, to return to open session; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Johnson – yes; Mr. Williams – yes; Mrs. Rozanski – yes.

6:35 p.m. – Mrs. Rozanski reconvened the meeting at the high school in one of the classrooms.

1. Sign warrant.

- Since warrant #25 was not available this evening, it will be signed by a majority of the Board the next day.

2. Approval of minutes.

- Mr. Dziczek moved approval of the regular meeting minutes of November 29th with an amendment; Mr. Williams seconded; all aye.
- Mr. Williams moved approval of the executive session minutes of November 29th but not to be released; Mr. Dziczek seconded. Mr. Johnson amended the motion that they be released; Mr. Dziczek seconded the amendment; all aye.
- Mr. Williams moved approval of the regular meeting minutes of December 6th; Mr. Dziczek seconded.

With reference to a portion of the meeting relative to Site negotiations, Mr. Johnson said he would like to revisit this on the next agenda to amend the vote taken, as he believed the DOR had to authorize to negotiate an agreement per Ch. 59.

Since the minutes cannot be changed, it was agreed the minutes would be approved with the request to review the issue at the next Selectmen's meeting. All aye.

3. Public comments.

- None.

4. Committee reports.

- Mr. Dziczek noted that the youth groups were not invited to the Idylbrook groundbreaking ceremony. Mr. Hartman clarified that the Park Commissioners were invited, and they, in turn, would invite the youth groups as they fall directly under their jurisdiction and with whom they have that direct contact. Mrs. Rozanski noted the incorrect picture with the attendees at the ceremony. The Secretary said she would contact the paper.

5. Administrator's report.

- None.

6. Discussion items.

- None.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 13, 1999

7. Action items.

- The agreement for the outreach worker for the Council on Aging needed to be approved and signed by the Chairman. Mr. Williams moved to authorize the Chairman to sign the grant contract as amended in the amount of \$10,545; Mr. Johnson seconded; all aye.
- Mr. Hartman asked the Board to sign the joint letter to the DOR for issuance of preliminary tax bills, with the Board of Assessors executing same the next evening.
- Main Street Café had requested an extension of their liquor license from 1 a.m. to 2 a.m. on New Years Eve. Mr. Dziczek moved approval of this request with last call at 1:00 a.m. for consumption until 2 a.m.; Mr. Williams seconded; all aye.
- The Board began to sign all licenses, but since it was close to the time of the Special Town Meeting, agreed to come into the Office the next morning to complete the process.

8. For your information.

- None.

9. Communications and correspondence.

- None.

10. Future agenda items.

- Mr. Dziczek asked Mr. Hartman to remember grounds and building maintenance being lumped together in the overall budget.
- Mr. Hartman noted he had been invited to the School Committee executive sessions on collective bargaining, although a letter had not been sent to him directly from the Superintendent with a response to his memo on the subject.
- Mr. Johnson asked how the school audit was going? Mr. Hartman was aware that it was still underway.
- Mrs. Rozanski asked how the submittal of budgets was going? Mr. Hartman said that most had come in, but there were a few outstanding. He noted he had written departments a memo asking for three budgets: one of a budget with 2-1/2%; one with level services; and one of a wish list. The Secretary will provide Board members with a copy of that memo.
- When asked about the final count of benefit-eligible employees, Mr. Hartman said it was 357, with 277 being school and 80 being town. He said the figures from the Treasurer in March were not accurate, but the figures for November were correct.

11. Upcoming meetings.

- December 20th and 27th.

12. Executive session.

- None.

7:03 p.m. – Mr. Dziczek moved to adjourn to the Special Town Meeting in the auditorium; Mr. Williams seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 13, 1999

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
12/20/99



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
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AGENDA

BOARD OF SELECTMEN

DECEMBER 6, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Sign warrant.
 2. Approval of minutes.
 - Regular meeting minutes of November 22, 1999.
 3. Public comments.
- 7:15 p.m. - Jay Leader.
re: applicant for recommendation to Town Administrator for vacancy on FinCom.
- 7:30 p.m. - Barry Heller.
re: applicant for recommendation to Town Administrator for vacancy on FinCom.
- 7:45 p.m. - James Ferry, Blue Chip Advertising.
re: solicitor's permit for Primavera Restaurant.
- 8:00 p.m. - Ted Seager, "Village Books".
re: denial of sign permit from Building Inspector.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 7. Action items.
 - Approve and sign alcohol license renewal applications.
 - Sign order for location of conduit for Boston Edison.
 - Sign FM Generator maintenance contract for Fire Department.
 8. For your information.
 - Groundbreaking ceremony at Idylbrook December 10th 11:00 a.m.
 - Speaker Finneran at Senior Center December 8th 9:45 a.m.
 9. Communications and correspondence.
 - Letters received from license holders.
 10. Future agenda items.
 - Sign and approve all licenses for year 2000.

cc: ALB
cm

Page 2.
Selectmen's Meeting
December 6, 1999

11. Upcoming meetings.
 - December 13th (STM), 20th, 27th.
12. Executive session.
 - None.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 6, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall. She, first of all, wished a Happy Hannuka to the Jewish members of the viewing audience on behalf of the Board. Secondly, she asked that everyone remember the six firefighters who died in Worcester. Mrs. Rozanski noted a Medway contingency of firefighters went to Worcester today to man a station, and also today, prepared a letter to be sent to the Mayor of Worcester which the Board signed. She then asked for a moment of silence.
- 1. Sign warrant.
- Mr. Johnson moved to approve and sign warrant #24 in the amount of \$716,064.95 as read by the Clerk; Mr. Gildea seconded; all aye. It was noted there were no capital or school building items.
- 2. Approval of minutes.
- Mr. Williams moved approval of the regular meeting minutes of November 22nd after an amendment by Mr. Dziczek; Mr. Gildea seconded; Mrs. Rozanski abstained; aye.
- 3. Public comments.
- Charlie Myers asked if the Board was going to discuss the health insurance issue on the warrant for the Special Town Meeting? Mr. Hartman noted he would be talking about it under his Administrator's report.
- 4. Committee reports.
- Mr. Gildea had none.
- Mr. Dziczek had none.
- Mr. Williams reported being asked to speak at a History class on town government and thoroughly enjoyed it. He read two letters sent to him by students.
- Mr. Johnson had none.
- Mrs. Rozanski said, as part of the Census 2000 process, she was to appoint members to a Census 2000 Committee. She announced she was appointing Maryjane White, Missy Dziczek and Frank Varrichione. She noted they have accepted through the term of June 30, 2000, and asked the Secretary to make up appointment slips for her to sign.

7:15 p.m. – Jay Leader came to speak to the Board to request appointment to the Finance Committee.

Mr. Leader said he had been involved with the Master Plan Committee and was interested in serving the Town. He brought up managerial and budgetary experience. He knew several members of the FinCom and believed he could help. Mrs. Rozanski noted she had received a letter of recommendation from Carla Cataldo. Mr. Johnson read a paragraph out of the Selectmen's Handbook dealing with Finance Committee responsibilities. Mr. Dziczek felt he would be a valuable asset, and asked that he remain open-minded. Mr. Williams recalled him from Town Meeting participation and was pleased he was stepping forward. Mr. Williams moved to recommend Jay Leader to the Town Administrator for appointment on the Finance Committee through June 30, 2000; Mr. Gildea seconded; all aye.

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DECEMBER 6, 1999

7:25 p.m. – Barry Heller also came to speak to the Board to request appointment on the Finance Committee.

Mr. Heller noted employment with EMC where he is a manager with technical and leadership responsibilities. He also expressed the desire to be involved with the Town, and had already spoken to John Collett about the commitment that would be necessary. Mr. Gildea felt he was qualified. Mr. Johnson thanked him as well for stepping forward. Mr. Williams moved to recommend Barry Heller to the Town Administrator for appointment on the Finance Committee through June 30, 2001; Mr. Gildea seconded; all aye.

7:30 p.m. – Chris of Blue Chip Advertising came to speak to the Board on behalf of James Ferry to request a solicitors permit.

Chris explained they were a national promotions company who have solicited the Town before on behalf of the Primavera Restaurant, and were again requesting same. He noted his timeline would be the month of December. Board members had no questions. Mr. Johnson moved approval of the solicitors permit for Blue Chip Advertising for the month of December during daylight hours; Mr. Williams seconded; all aye. Chris was reminded to have his staff check in with the Police Department each day.

5. Administrator's report.

- Mr. Hartman first referred to his letter to the Board dated November 22nd requesting the Board designate a negotiating committee for Sithe. He noted the committee would come back to the Board for their recommendation and recommended the committee consist of one member from the Board of Selectmen, one member from the Board of Assessors and himself, with the caveat that he would be able to appoint Special Counsel if needed.

Mr. Johnson noted the Board of Assessors has to value each piece of property and taxes were done in one of three ways: through income, cost less depreciation, and comparative sales. With Sithe coming in, they don't have a regulating agency; it's a free agency. He stated recent plants used the PILOT program, whereby they agree on a formula and a price, and it did not mean lower taxes. If the value of the plant was \$290 million, the Town could receive \$3 – 5 million.

Mrs. Rozanski recommended Mr. Hartman, Mr. Johnson and herself be on the committee. Mr. Johnson did not feel the Board could recommend someone for the Board of Assessors. Mr. Hartman agreed the Assessors should be allowed to designate someone, and that could be done at their meeting Tuesday night. The Board agreed. Mr. Hartman said, when he heard who the Assessors will designate, he will set up a meeting. He asked for the leeway to be able to search for Special Counsel if needed, which would be his appointment. Mrs. Rozanski suggested researching people who are experienced in the field and then come back to the Board for their approval. Mr. Williams did not have a problem with Mr. Hartman appointing Special Counsel believing what was in the best interest among the committee. Mr. Johnson said some committees use Town Counsel, but this committee can discuss the issues and then send out for a legal opinion so you weren't paying Counsel to sit in on the discussion. He noted he was opposed to the PILOT program, and would rather see negotiation for the full difference, especially since we are a host Town. Mr. Hartman said he would request the committee to deal with both issues as outlined in his memo. It was noted the hearing for site plan with the Planning Board was scheduled for December 14th.

- Mr. Hartman stated the Idylbrook groundbreaking ceremony was scheduled for December 10th at 11:00 a.m. on site. The State rep from EOEA, Joan Robes, would be in attendance. He said work will be occurring most of the winter, with two fields laid out already, even though it will still be two years before the fields can be used. Mr. Diczek suggested contacting members of the old Idylbrook Acquisition Committee and telling them about the ceremony.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 6, 1999

- With reference to health insurance, Mr. Hartman said he has been meeting with John Collett, the Treasurer and the Town Accountant so they can come up with an amount and the sources for Town Meeting; they are still talking. Mrs. Rozanski referred to a sentence in Mr. Hartman's memo to the Board dated December 2nd where it is stated projections indicate a depletion of the fund by mid-January, so they must act quickly. Mr. Hartman said a minimum of \$770,000 is needed. He explained recent budgets have underfunded the program. He noted the idea behind self-funding is to appropriate \$5,500 for each employee contract, but that much has not been funded. He said the first five months of year have used up much of the budget, and with nothing in reserve, the fund is rapidly disappearing. He stated in April 1, 1999, there were 303 contracts, which includes active Town employees and active School employees and retirees; 75 of the 303 are Town and 228 are School. As of November 1, 1999, there were 363 contracts, with 75 of the 363 being Town and 288 School.

With regard to where the extra people came from, Mr. Hartman believed people have shifted during open enrollment. It was the only possible explanation he could find as the School did not put on all those people. He stated, as of 6:30 p.m. tonight, they were within \$200,000 of finding the \$770,000 needed. He feared the fund would be zeroed out by the end of the year, and again recommended three months, or 90-day, operating capital to be solvent, or about \$400,000. Mrs. Rozanski agreed, for a safety zone, insurance must increase as employees are added.

Mr. Hartman noted that last year they looked at indemnity coverage and found out it would cost more than the \$5,500. If they had appropriated the \$5,500 per contract, they would be O.K. now. He stated the Town's private consultant has been consistently recommending the 90-day reserve and the \$5,500 per contract, but the Town has chosen not to go along with the recommendation. The Town has been flat-funding insurance where neighboring Town have been increasing 8 – 15%.

At this point, this discussion was held off pending the next appointment with the Board.

8:05 p.m. – Ted Seager of Village Books, 168 Main Street, came to speak to the Board with reference to denial of a sign permit by the Building Inspector.

Mr. Seager explained he was requesting to re-use a sign that was already there but since he was a new applicant, and the existing sign was 18 square feet in size rather than 6 square feet as allowed by the by-law, the Building Inspector had to deny his request. He noted Carousel Crafts used to be at his location, but he had been occupying the store since March. Mr. Johnson moved to approve a sign for Village Books for Mr. Seager to be 18 square feet in size utilizing the sign that presently exists; Mr. Gildea seconded; all aye.

- Back to the Administrator's report on health insurance.

Mr. Hartman said they have to remember there is open enrollment every year and you don't know who is going to end up switching insurances. He felt he and the School Superintendent should look at the appropriate funding of insurance for budget purposes by determining the number of people who are benefit eligible under 32B. If someone works 20 hours a week, that person is benefit eligible. He noted 80% of the employees are on the less expensive plan, of which the Town funds 90%. The Town funds at least 50% on the more expensive plan. Mr. Hartman again said they should be focusing on appropriately funding health insurance if they are to continue to be self-funded.

Charlie Myers said he had contacted the Superintendent and asked him some questions. He noted they looked at the period of 2/98 to 2/99 and saw an additional 9 contracts; from 6/99 to 11/99, there were 0 contract changes. He suggested a meeting between the Superintendent and Mr. Hartman before the FinCom meeting and the Special Town Meeting to see why there is a difference in numbers. He felt the difference between 228 and 288 was a 28% increase in the number of people covered, and a dramatic difference.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 6, 1999

Mr. Johnson recalled discussing this issue with Mr. Hartman last year and said there are older numbers available in the Treasurer's office that could be reviewed. Mr. Hartman noted he spoke to David Verdolino determining there were 203 active employees, but the numbers also include about 70 – 75 school retirees – that appears to be where the discrepancy is. He could send the April list of employees and last week's to the School Department. He went over some of the figures associated with two individuals at the stop loss amount of \$60,000, and six more closing in on that figure. He will continue to research the figures with the Treasurer and the Superintendent.

Mr. Hartman reminded the Board that our focus should be on adequate funding not discrepancies in the numbers of participants.

- Mrs. Rozanski noted two upcoming meetings – the FinCom on Wednesday, the 9th, and the Municipal Building Committee on Thursday, the 10th.

6. Discussion items.

None.

7. Action items.

- The Board signed the liquor license renewal applications for the Town's 15 license holders.
- The Board was requested to sign the order for location of conduit for Boston Edison on Lovering Street. It was noted the petition had been properly advertised and a public hearing had been held with the representative from Boston Edison. No one from the public was present to speak in favor or against. Mr. Hartman recommended the Board approve the petition. Mr. Johnson moved the Board sign and approve the order; Mr. Gildea seconded; all aye.
- The Board was requested to sign the emergency generator maintenance contract with FM Generator for the Fire Department. Mr. Hartman explained it was a yearly maintenance agreement that had to be renewed and recommended the Board approve and sign it. Mr. Williams moved the Board sign and approve the agreement; Mr. Dziczek seconded but amended the motion to be the Chairman be authorized to sign; all aye.

8. For your information.

- The Idylbrook groundbreaking ceremony was already noted.
- The audience was invited to meet with Speaker Finneran at the Senior Center on December 8th at 9:45 a.m.

9. Communications and correspondence.

- Mr. Hartman noted receipt of three of the four license holders concerning violations. He did point out that the Elm Club had not indicated in their letter that they would be having a key club system put in place as the attorney had indicated they would. Mr. Johnson moved the Board request the owner to meet with the Board before that license is approved; Mr. Gildea seconded; all aye.

Mr. Hartman also indicated trying to contact the attorney for Szechaun Garden, but our phone call had not been returned. Possibly, he was away on vacation. Mrs. Rozanski asked that the Office continue to follow up.

10. Future agenda items.

- Sign and approve all licenses.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 6, 1999

11. Upcoming meetings.

- December 13th (Special Town Meeting), 20th, 27th. Mr. Gildea said he would not be in attendance at the meeting of December 13th.

12. Executive session.

- None required.

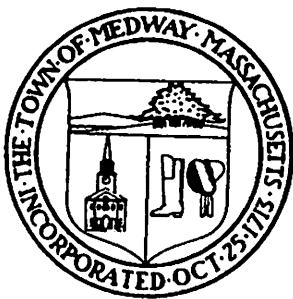
8:40 p.m. – Mr. Johnson moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

12/13/99



BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

NOVEMBER 29, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Sign warrant.
 2. Approval of minutes.
 - none.
 3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 - none.
 6. Discussion items.
 - Do you wish to adopt a resolution to reject DEP mercury emission standard?
 7. Action items.
 8. For your information.
 9. Communications and correspondence.
 - Receipt of Framingham State College's study on economy in the region.
 - Media One's notice on price and programming adjustments.
 - Receipt of cherry sheet.
 - Receipt of DOR notice on free cash.
 - Receipt of Dept. of Education's FY'00 Chapter 70 Aid & Spending Requirements.
 10. Future agenda items.
 - Approval of alcohol license renewal applications for year 2000.
 - Sign and approve for renewal all licenses for year 2000.
 - Interview two candidates for remaining FinCom vacancy.
 11. Upcoming meetings.
 - December 6th, 13th (STM), 20th, 27th.
 12. Executive session.
 - None required.

Note: Town Administrator Michael Hartman will not be in attendance.

cc: Town Clerk for posting.

cc: ALB
CM

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 29, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Secretary M. J. Fredette. Town Administrator Michael Hartman was not in attendance.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Johnson moved approval of warrant #23 in the amount of \$805,785.82 as read by Mr. Williams; Mr. Dziczek seconded; all aye. It was noted there were no capital or school building items.

7:05 p.m. – Public comments.

- Charlie Myers was present and inquired relative to concerns on the budget process and new hires. He indicated the School department does a budget crosswalk annually which is sent to the FinCom and Selectmen, some of the pages of which show staff allocation, FTE changes, "uptics", salary differentials associated with these changes, who will retire, etc. He felt any questions could be answered by reviewing the crosswalk, but felt the budget was still underfunded, and they did not hire enough people to contribute to this loss in health insurance.

Mrs. Rozanski explained, for the first time, they will do counts and budget it that way, and has asked the Treasurer to give her actuals. She said they want to plan for new hires and health benefits, whether 20 or 40 hours, each individual would have to have dollars budgeted.

- Mike Narducci was also present, and came to speak to the Board about November 15th being the cut-off date for issuing of roadway access permits. He apologized he did not know the by-law, and wanted to give excuses for what occurred. He stated, on November 12th, DEP did a ruling that the stream in his development was intermittent. Mr. Narducci stated he was still looking for two water taps in the right of way on Summer Street.

When asked by Mrs. Rozanski if he had been denied, Mr. Narducci said he had. Mrs. Rozanski read the letter from Mr. Hartman to Mr. Narducci. She noted listening to applicants is what the Selectmen used to do if the time had expired. She stated she was in favor of the Town Administrator doing the day-to-day things, but not denying the citizens. She asked if they were taking away someone's rights and experiencing losses?

The Secretary explained Mr. Hartman had first spoken to the DPS Director and the Water/Sewer Superintendent before reaching his decision to deny the roadway access permit.

Mr. Johnson said this was the first year and they were still working out the bugs. They don't want to deny citizens from speaking to the Board of Selectmen, and wanted to be fair.

Again, Mr. Narducci did not feel he would be in the roadway. The Secretary passed on a letter from DPS Director Lee Henry to Mr. Hartman noting it was his opinion one tap would go three feet into the paved area and the other would go five feet, and upheld his opinion of denying the permit. Mr. Narducci said the water line is in the grass, and could not see why it would go in the road.

Mrs. Rozanski said they were gathering information, which is a reason for a hearing.

Mr. Gildea felt there may have been some misunderstanding and suggested getting all the people together.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 29, 1999

Again, Mrs. Rozanski said she did not want to deny the right of the individual. They have heard others in the past. They were talking about procedure here, and she did not really see an appeal or hearing took place. Mrs. Rozanski asked Mr. Narducci if he had an emergency? Were people living there? The answer was "no" to the last two questions.

Mr. Williams felt, where Mr. Hartman was made the designee, that was to where his re-dress was. He would not want to overrule the Town Administrator.

Mr. Johnson felt the cut-off date was arbitrary. He also felt laws are to benefit the citizens, but their rights must be protected. It seemed to be much of the Town's fault and procedures that did not allow him to open the street. He felt the case of hardship was on the citizens as their dollars were on the line, and merits special recognition. They can't ignore the November 15th date, but have to use some discretion.

Mr. Narducci said each tap would take four hours, or a one-day job. He could come in on Wednesday morning and be done by 5:00 p.m. Mrs. Rozanski said she believed they had the authority to give an extension because it was a hardship.

Mr. Williams agreed with everything everyone said, and the idea of re-dress and the by-law, however, it was unfair to do this in absentia and all communications not being documented.

Mr. Narducci agreed he started the process on November 15th, but he thought if he didn't have to cross the street, it wouldn't be a problem. Mrs. Rozanski agreed if it was in the right-of-way, but the pavement could not be touched; this has been done before.

Mr. Williams asked Mr. Narducci why he didn't start the process sooner hoping everything would work out with DEP, and then the permit would have been in place? Mr. Johnson answered for him indicating because DEP did not give Mr. Narducci permission to go ahead, he did not want to apply for the permit. Mr. Narducci said the first person he spoke to was Mark Flaherty.

Mrs. Rozanski felt a hearing should be face-to-face. All agreed.

Mrs. Rozanski said this was not saying the Board of Selectmen lose their right, and they could have a hearing next Monday night when Mr. Hartman would be here.

Mr. Narducci said he would take the granting of one water tap now if he had to, and the other in the Spring. Again, Mrs. Rozanski said she believed in was their authority to do this, and they could grant an extension with a number of days.

Mr. Gildea asked if they could call a special meeting for later on in the week?

Mr. Dzcizek suggested another potential option. He wanted to protect the Town Administrator's rights and he was the professional in that area. He had no problem with leaving in Mrs. Rozanski's hands to discuss with Mr. Hartman. If they want a special meeting, fine. Mrs. Rozanski felt it should still be a Board decision, and within the Board's authority. Mr. Williams believed that authority was designed to the Town Administrator. Mrs. Rozanski did not recall formally doing that.

Mr. Williams thought Mr. Hartman might have something to add, and suggested waiting until Monday night. Mrs. Rozanski said they could grant an extension through Wednesday, put it on for a hearing on Monday night, or set a special meeting. Mr. Dzcizek recalled Mr. Hartman said last week Mr. Narducci would be going into the pavement. It is on tape, and now they have a letter. Mrs. Rozanski said Mr. Narducci differs.

Mr. Williams said he fully supported Mr. Hartman's rights to deny an appeal. Then Mrs. Rozanski stated they can have them all come in on Monday night.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 29, 1999

Mr. Johnson moved to hear Mr. Narducci for an extension of a roadway access permit, in accordance with all by-laws, with the DPS Director and Water/Sewer Superintendent, in the best interest of all concerned; Mr. Dziczek seconded; all aye. Mr. Johnson asked Mr. Narducci to clarify at that time what his hardship was. Mr. Williams added, in writing. Mrs. Rozanski asked for a sketch of the area in question.

- Ed Reardon stopped in, stating he had a similar problem as Mr. Narducci. He said he went and spoke to Mark Flaherty on October 8th. At that time, he told him he did not have workers compensation and liability. On October 18th, he was granted a water line from the Water Board. On October 20th, Lee Henry notified the Water Board they were closing everything on November 1st. He has the minutes from the Water Board. He spoke to Mr. Hartman in person for a few minutes and then later on the phone. He felt everyone deserves better treatment, and he didn't have a hearing. He served the Town for 15 years as the insurance agent. He found out he could cross the street if he did the repairs correctly, which he would do.

Mrs. Rozanski said it appeared Mr. Henry's objection to granting the permit was because the street could not be opened for five years. She read Mr. Henry's letter in part, "effective immediately, roads repaired in the last five years will not be opened." She did not know if he could do this. Mr. Reardon noted the permit says the last date is November 15th.

Mr. Johnson moved to place Mr. Reardon on Monday night's agenda; Mr. Dziczek seconded; all aye. Mrs. Rozanski referred to Mr. Henry's letter of November 1st, and said she did not know where it was coming from, but they will have him here next Monday and can inquire. Mr. Reardon stated there should be an open hearing, and it should be told it is open.

- Mr. Dziczek, in thinking of what had just transpired, said he would like the Town Administrator to work on clarifying everything. He said they can't have people getting denied by the Town Administrator and then coming to the Board of Selectmen. The Board is the one who set down that date of November 15th originally when the permits were under the Selectmen.

4. Committee reports.

- Mr. Johnson spoke to Charlie Myers and Cheryl Harvey, who were present. He said he heard an event took place, meaning spray painting in Millis done by Medway people? Mr. Myers agreed blue paint appeared in Millis, and they were all embarrassed and disappointed. They were trying to have a joint breakfast with the football players and cheerleaders of both schools, almost 110 kids. There were some who spoke at the event. He indicated it was still under investigation.

Mr. Johnson asked about damage to a van? The Secretary said it had been reported this morning of a broken windshield and driver's side window on the van.

Mr. Johnson hoped this was the end of it, but had heard that funds from both classes would be taken to cover the cost. Mrs. Harvey said they don't respond to rumors, but the situation was being addressed.

- Mr. Williams said he had received a letter from Senator Magnani congratulating him on being elected.

Mr. Williams spoke with high praise of the holiday parade, and special thanks to Highway, Water and Fire Departments.

Mr. Williams brought up state aid figures netting \$6.8 million. He noted FinCom used \$6.2 million, so roughly, we got more than we thought we would, and he hoped the percentage could be used instead of an override.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 29, 1999

- Mr. Dzikczek brought up a letter the Board received indicating a tour of the schools on January 15th, and asked why it was sent? Mr. Myers stated CIPC asked for a tour of the buildings that the School Department has targeted for funds, so felt they should invite anyone that was interested. Mr. Dzikczek suggested asking the Inspectors, if they were available, to join along with their expertise. Mr. Myers said that was not necessary.
- Mr. Gildea had nothing to report.
- Mr. Johnson agreed parade was great, and it was great to have employees who don't want overtime for doing it.
- 5. Administrator's report.
None.
- 6. Discussion items.
 - Resolution to reject DEP mercury emission standard was not discussed.
- 7. Action items.
None.
- 8. For your information.
None.
- 9. Communications and correspondence.
 - Mrs. Rozanski brought up the report that the Selectmen received a copy of, relative to the growth research from Framingham State College. She felt it was good data and asked the Secretary to send a copy to the Medway Business Council and the Library. It would be helpful to anyone who applies for grants.
 - Mrs. Rozanski noted receipt of Media One's notice on price and programming adjustments, indicating the Selectmen have no rights in that regard. The one question Mr. Dzikczek had was, why was Medway the highest?
 - Mrs. Rozanski noted receipt of the cherry sheet.
 - Mrs. Rozanski noted receipt of the notice from DOR on negative free cash to the amount of \$83,475. It was felt the Town Accountant should explain to the Board what the number represents and what the breakdown is in writing.
 - The Department of Education's FY'00 Chapter 70 Aid and Spending Requirements would be discussed more fully shortly.
- 10. Future agenda items.
 - With reference to approval of license renewal applications, Mrs. Rozanski asked the Secretary if the licensing procedure was in place? She indicated it was, but a few of the licensees were bothered by the process in preparation for issuance of licenses.
 - With reference to the remaining FinCom vacancy, it was noted there will be two applicants.
 - Mrs. Rozanski asked Mr. Johnson if there was a proforma yet? He said "no".

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 29, 1999

11. Upcoming meetings.

- It was noted the Special Town Meeting warrant for December 13th had been posted. Other Selectmen's meetings are scheduled for the 20th and the 27th.
- The Board went back to the issue on the STM. Mr. Williams again said there was a difference of \$544,000 more than expected. This has impact on the \$900,000 they are looking for since he felt some of the \$900,000 they were looking for was to go into the reserve for the next fiscal year, not may not necessarily be needed right away.

Mr. Johnson said he did not know how they've operated, and how they kept up. Some of the money comes from the individuals and helps our reserves, but there are now 72 new employees to insurance. Mrs. Rozanski referred to the figures provided by the Treasurer which indicated 334 employees are participants and have contracts. They have to budget \$5,500 for those 334 contracts which equals \$1.8 million. Mr. Johnson said, added to that, should be the \$600,000 they ought to have in reserve.

Mr. Williams hoped they could transfer for the shortfall in premiums and claims, instead of a 2-1/2. Mrs. Rozanski said it looked like they had \$500,000 they could appropriate and \$126,000 in lottery money they could appropriate. She did not think they could borrow. Mr. Johnson agreed indicating the shortfall was part of the operating budget, and you can't borrow for that. He also felt this was just the tip of the iceberg; there was still social security, medicare, etc. There are problems in all areas.

Mr. Dziczek thought it might be hard to leave a surplus, but Mrs. Rozanski said it was not a surplus; it was a requirement. Mr. Williams agreed it may be good practice, but they may not be able to do it. Mr. Dziczek agreed it ~~could~~ ^{could} be done over 2-3 years, and they could also reduce those 334 policies. Mrs. Rozanski stated if they were to keep the 334 employees, they must raise and appropriate \$1.8 million; this is an expense. Mr. Dziczek suggested telling the retirees they could switch to another insurance. Mr. Johnson felt there was a lack of understanding of benefits for new hires.

Mrs. Harvey suggested the Town Administrator meet with the Superintendent to discuss those 72 people. Again, she referred to last year's figures where there were 288.1 people, and 292.94 this year; an increase of 5 people, with a total of 44 paraprofessionals. Mrs. Rozanski said she could ask for actuals from last year similar to the ones she received for this year; however, the breakdown indicated 259 for school and 75 for town, totalling 334.

Mr. Myers asked how many were new contracts on a yearly basis, or annual contracts? Mrs. Rozanski said she could look at a spread sheet with Mr. Hartman, and look at the history. They would then have to look at the ed reform financing. She had the February and November figures, and noted there was an increase in Chapter 70, but she was not sure about the minimum contribution. There may not be a requirement to increase for school spending.

Mr. Johnson asked if they should be discussing that question on an election? Mrs. Rozanski stated the Board of Selectmen are authorized to put that question on an election. He suggested they announce it and do it now. They need 60 days, and at least it would keep options open. He noted he was not in favor of an override, but he was in favor of good sound practice.

Mr. Williams said the end of the fiscal year was still six months away. Mrs. Rozanski noted if the STM does not pass, they will have to cut back. Mr. Johnson again suggested starting the clock now. There was no second to his suggestion.

Mrs. Rozanski reiterated the Board will be working on budgets.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 29, 1999

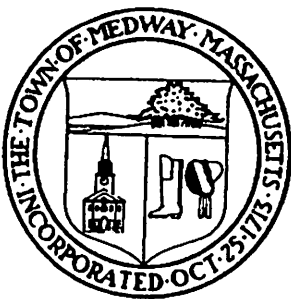
9:10 p.m. – Mr. Johnson moved to adjourn to executive session for the purpose of on-going pending litigation and contract negotiations, not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Gildea – yes; Mr. Dziczek – yes; Mr. Williams – yes; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

as amended
12/17/99



BOARD OF SELECTMEN

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

AGENDA

BOARD OF SELECTMEN

NOVEMBER 22, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Sign warrant.
- 7:05 p.m. - Treasurer-Collector Marjorie Sanford.
re: signing of notes.
2. Approval of minutes.
 - executive session minutes of October 4, 1999.
 - joint all boards meeting minutes of October 16, 1999.
 - regular meeting minutes of November 15, 1999.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
 - Discussion of funding health insurance fund.
7. Action items.
 - Authorize Vice-Chair to sign PWED agreement extension.
 - Sign proclamation for Bible Week.
 - Sign proclamation for World AIDS Day.
 - Sign letters to four license holders of action taken at meeting of 11/15/99.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
 - Approve alcohol license renewal applications for year 2000 (12/6).
 - Sign and approve for renewal all licenses for year 2000.
11. Upcoming meetings.
 - December 6th, 13th, 20th, 27th.
12. Executive session.
 - None required.

Please note: Selectman Raphaela Rozanski will not be in attendance.

cc: Town Clerk for posting.

cc: cm
AUB
12/1/99

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 22, 1999

Present: Selectmen Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Raphaela Rozanski was not in attendance.

7:00 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Dziczek moved to approve and sign warrant #22 in the amount of \$711,172.56; Mr. Gildea seconded; all aye. It was noted there were no capital items or school building bills.
- 2. Approval of minutes.
- Mr. Williams moved to approve and release the executive session minutes of October 4th; Mr. Gildea seconded; all aye.
- Mr. Gildea moved to approve the joint all boards meeting minutes of October 16th; Mr. Williams seconded; all aye.
- Mr. Williams moved to approve the regular meeting minutes of November 15th; Mr. Dziczek seconded; Mr. Gildea abstained; aye.

7:05 p.m. – Assistant Treasurer/Collector Barbara Walls.

- Ms. Walls came to ask the Board to sign a note that had received Annual Town Meeting approval in the amount of \$857,400. This sum covered \$411,000 from Article 19 CIPC highway; \$371,400 from Article 19 CIPC computers; \$45,000 from Article 18 Choate Park dam; \$30,000 from Article 12 Main Street engineering for one lump sum at 3.97% for short-term borrowing until 3/15/00. Mr. Dziczek moved that the Board sign the note; Mr. Gildea seconded; all aye. Town Clerk Maryjane White was present as witness and to counter-sign.

Mr. Dziczek commented, if the Town was running in the red, can we look at not spending what was appropriated? Mr. Hartman explained we can't use bond funds for operational expenses, but we could take an item to a Town Meeting vote if the Board of Selectmen and FinCom agree. Mr. Johnson noted they would be going to Town Meeting to postpone the spending of an item. Town Accountant Arti Mehta, who was present, stated until the money comes in, you cannot spend it anyway. Then they can rescind authorization, because it is carried on the books until it is rescinded. If you are borrowing, you must use those funds for that specific purpose.

- 3. Public comments.
- None.
- 4. Committee reports.
- Mr. Gildea had none.
- Mr. Dziczek stated the Medway High School Girls Volleyball team had won the Division II State Championship. Mr. Johnson voiced sincere congratulations to them on behalf of the Board.
- Mr. Williams reminded everyone of the 7th holiday parade to be held on Saturday, November 27th starting at 4 p.m. from the high school proceeding down to Choate Park for the tree lighting ceremony.
- Mr. Johnson just noted they were working on the health insurance issue to be discussed later.

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5. Administrator's report.

- Mr. Hartman said he had nothing to report except what would be discussed under "discussion items".
- Mr. Johnson reported receiving two phone calls on street openings. He stated he knew the policy but that he might come back to visit the issue later on. Mr. Hartman explained that the appeal process on roadway access permits was delegated to him since he first came on board, and he has denied both appeals. With reference to Deerview Meadows, he noted Mr. Narducci has been told verbally that the opening would not be allowed. Mr. Hartman explained that after November 15th, roads are not opened unless it is an emergency, which is constituted as a loss of service to an existing residence. Since this is for new construction and wouldn't be hooked up until next Spring.

On the other, Mr. Reardon was first denied by Water/Sewer and then DPS. Mr. Johnson said he heard it was granted prior to November 1st. Mr. Hartman clarified it went to Water/Sewer on October 7th, and the appeal came in to him on November 15th. Mr. Johnson noted the applicant felt he was not informed by Water/Sewer. Mr. Hartman stated he was denied by the Water/Sewer Superintendent, and added the by-law exempts Water/Sewer from having a permit. The difference was, when it became clear to the applicant that Mark Flaherty could not do the work, he went to find an individual to do the work, and then came in on November 16th. It's a gray area that the citizen did not know what was going on.

Mr. Hartman further explained that, on Deerview, Mr. Narducci would be going five feet at least into the traffic lane in two directions, and there is no way to go under the road without going above. Mr. Johnson said he was told it was in the shoulder. Mr. Hartman said if it was in the shoulder, he wouldn't need a permit.

6. Discussion items.

- Mr. Johnson voiced his concern that the health insurance fund needs additional monies. He noted we are self-insured, but we have been negligent in maintaining a reserve/surplus for insurance to meet any disaster. He believed the monies in the account can be invested by the Treasurer but would be inaccessible. Mr. Hartman explained there usually should be maintained a three-month reserve, basically \$400,000 in deposit at all times. He stated that on June 30th, following an advance payment to the schools, we had \$86,000 left. Mr. Johnson noted this was the operating fund we were talking about; there was nothing in reserve.

Mr. Hartman said if we were a private company and self-insured, we would be in trouble with the State's Insurance Commission. FinCom understands somewhat that we have had an unusual year. We have 377 employees participating; last year we had 305. The majority of employees are school employees, with very little growth on the Town side. He noted that two have already exceeded the \$60,000 stop loss since July 1st, and there are six others totalling claims of \$233,000 since July 1st.

Mr. Hartman stated, in his opinion, the problem is that we do not have a reserve, and if we had a bad year, that reserve could have been utilized; however, as the employer, we have chosen not to fund it.

Mr. Johnson felt that 70 more new employees is significant and flat-funded. Mr. Hartman noted that they had requested \$1,540,000, but \$1,200,000 was appropriated at Town Meeting. Mr. Johnson picked up on that realizing we were underfunded by \$300,000, then employing 72 more people on top of it compounded the situation.

Mr. Hartman said there should have been \$5,500 added to the \$1,540,000 for each new employee that is hired.

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At this point, Mr. Johnson feared that Mr. Hartman and the Town Accountant would be operating at a deficit and not paying premiums in December. Mrs. Mehta agreed there were not sufficient funds. She noted there was \$200,000-\$300,000 left unused of the \$1,200,000, which means December and January were covered. Additionally, Mr. Hartman noted, there was \$35,000 coming in from the employees each month.

Mr. Johnson went back to the reserve fund and said there should be sufficient reserve so this doesn't happen again, roughly \$900,000.

Mr. Williams moved to call a special town meeting for December 13th; Mr. Dziczek seconded; all aye. Mr. Williams then moved to open the warrant for a special town meeting for December 13th and insert the following article, "To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$900,000 to the Health Insurance Fund, or to act in any manner thereto", and to close the warrant; Mr. Dziczek seconded; all aye.

Mr. Hartman noted that the \$900,000 will carry us through this year and somewhat close to the level we should have. If we are to be self-insured, and we do save money by doing this, we need to do the responsible thing. When we add staff, and they are benefit-eligible, we need to account for them in the fund. Mr. Johnson clarified Mr. Hartman was only talking about health insurance, and not pensions, FICA, etc. Mr. Hartman agreed those items were not in the budget either.

Mr. Dziczek agreed there is only so much money, and stated that Town Hall can't go out and hire extra people. He asked Mr. Hartman, are you telling me we've hired 72 people and there is no money there? Mr. Hartman explained Town Meeting gave the schools \$1,000,000 over last year and they are free to do whatever they want with the money.

Mr. Hartman further explained, when someone retires that is on insurance, that person stays on the rolls. Then someone else is hired in that individual's place who is also on insurance; now you are carrying both people. Mr. Dziczek felt it should be clear to everyone what is coming down the road just to operate, with all areas covered. Mr. Hartman said forecasting is not happening. The Town side of the budget funds the schools' benefits; not the school side.

Mr. Johnson felt people were not leaving the system and joining medicare. Mr. Hartman noted that the Town has to accept Section 18 of Chapter 30B, but it would be very unpopular if we vote to do it. Mr. Hartman had one more point to make. As an outsider, he has seen as the schools respond to crisis in enrollment, assets are shifted from the Town budget; however, there are direct costs in this building due to that shift, and this is leading to disaster. Mr. Johnson agreed that Mr. Hartman, the Treasurer and the Accountant need to analyze the situation.

Mr. Dziczek asked if this whole issue was going to be addressed in the future? Mr. Hartman said he would try and address it again this year, but FinCom is ~~thinking~~ *reviewing the situation.*

Mr. Johnson felt there may be a need for an override. He believed we needed at least 45 days to call for an election, and may have to vote on that for the next meeting. If we found the funds, then they could cancel the election.

7. Action items.

- Mr. Hartman explained we had asked for an extension on the PWED agreement to December 31, 1999 but instead we were being allowed extra time to resolve all outstanding issues with an extension to May 31, 2000. Mr. Williams moved to authorize the Vice-Chairman to sign the agreement; Mr. Gildea seconded; all aye.
- Mr. Williams moved that the Board sign the proclamation and proclaim December 1, 1999 as World AIDS Day; Mr. Dziczek seconded; all aye. Mr. Williams read the proclamation.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 22, 1999

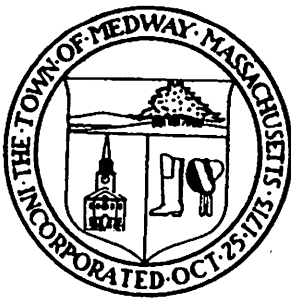
- The Board signed the proclamation for Bible Week, and the letters to the four license holders of action taken at the meeting of November 15th.
- 8. For your information.
- None.
- 9. Communications and correspondence.
- None.
- 10. Future agenda items.
- Approve alcohol license renewal applications for year 2000.
- Sign and approve for renewal all licenses for year 2000.
- Mr. Johnson felt we would know on December 6th if there would be a Town election.
- 11. Upcoming meetings.
- December 6th, 13th, 20th, 27th.
- Mr. Hartman noted there was nothing on the agenda so far for the November 29th meeting, and with the holiday coming up, possibly the Board might want to consider cancelling that meeting.
- 12. Executive session.
- None.

7:50 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
as amended
12/6/99



BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

NOVEMBER 15, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Sign warrant.
- 7:05 p.m. - Board of Assessors
re: Pro-forma – to request authority to issue third quarter preliminary bills.
- 7:15 p.m. - Public Hearing.
re: Medway Veterans Building Association.
- 7:30 p.m. - Public Hearing.
re: Medway Szechaun Garden, Inc.
- 7:45 p.m. - Public Hearing.
re: Trustees Medway Legion Building Committee.
- 8:00 p.m. - Public Hearing.
re: Elm Social Club of Medway, Inc.
2. Approval of minutes.
- Executive session – October 18th.
 - Regular meeting – November 1st.
 - Executive session – November 1st.
 - Regular meeting – November 8th.
 - Executive session – November 8th.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
- Do you wish to re-interview Diane Coulter in order to recommend appointment to the Town Administrator to the Finance Committee.
7. Action items.
- Does Board wish to send a resolution on the MBTA?
 - Acknowledge receipt of site plan for Sithe West Medway Development.
 - Proclaim November 27th "James Smith Sr. Day" for holiday parade.
 - Approve additional scope of services for SMMA at Memorial School.
8. For your information.
9. Communications and correspondence.

cc: ALB
C.M.
11/24/99

Agenda
Board of Selectmen
November 15, 1999

10. Future agenda items.
 - Approve alcohol license renewal applications for year 2000.
11. Upcoming meetings.
 - November 22nd, 29th.
12. Executive session.
 - None required.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 15, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Richard Gildea was not in attendance.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.

1. Sign warrant.

- Mr. Johnson moved warrant #21 in the amount of \$363,924.29 as read by Mr. Williams be approved; Mr. Dziczek seconded; all aye. Mrs. Rozanski noted there were school building expenses included in the total.

7:05 p.m. – Board of Assessors member John Creighton and Administrative Assessor Paul Keefe came to speak to the Board to request authority to issue third quarter preliminary bills, commonly called a pro - forma.

- When asked by Mrs. Rozanski why this was necessary, Mr. Keefe explained there was some staffing problems with with DOR, and the town-wide reval going on. He noted that the first two installments have gone out, and then the third and fourth would be actuals, however, right now, the third would have to be preliminary. This was reviewed at the beginning of November and realized they would miss the December 31st deadline. A third preliminary means all of the recap work would be done less values, which would be plugged in after January 1st. Any changes would appear in the fourth quarter actual. He noted they do not have the actual cherry sheet figures from the State yet, but increase in tax levy has been 5-6%. He also stated certification of the tax rate would not happen until January-February. Mr. Johnson noted they would have until the fourth quarter to then set the tax rate. At this point, Mr. Keefe felt they can have a February 1st deadline on preliminary billing for the third quarter. Mrs. Rozanski noted an increase in assessment does not necessarily mean an increase in taxes. Mr. Johnson explained the Board will need to sign-off when the Board of Assessors sends in the pro-forma bill. The Board accepted the explanation as presented by the Assessors, and will sign-off when required.

7:15 p.m. – Mr. Williams read the ad that appeared in the local paper on the public hearing for the Medway Veterans Building Association.

- Present in attendance were Officers David McRoberts and Joseph MacDougall who conducted the "sting" operation, accompanied by Police Chief David Lambirth.

Mrs. Rozanski asked Manager Larry Landry and President Bob Goode if they knew the reason for the violation? They understood it to be that alcohol was sold to a minor, but at this time, did not know the bartender since they did not know the date of the "sting" operation. The Officers told both gentlemen that it was October 8th, around 5:10 p.m.

Mr. Dziczek stated the policy is there – no alcohol to be served to anyone under 21 – and so the violation is there. He said he trusted that the Officers had conducted a proper operation and that what had occurred were the actual facts.

Mr. Williams asked if they contested the violation? They did not and notified their bartenders of what had occurred. They said they would take steps to ensure this does not happen again, and they also wanted to know which bartender it was before proceeding.

Mr. Johnson asked what has been done in the past insofar as action by the Board was concerned? Mrs. Rozanski recalled the last incident was in 1994 and the restaurant's license had been suspended for ten days.

MINUTES OF THE SELECTMEN'S MEETING
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Mrs. Rozanski stated she felt they should adopt zero tolerance, and more will be heard on this as they develop a policy. She asked Mr. Hartman for any further information he had, but noted that there could be a hardship for these people with the holiday season coming up.

Mr. Hartman said he had contacted other Towns in their role as local licensing authority. Some have adopted certain actions in their penal laws. He said the Board has the right to revoke or suspend a license, unless a local by-law has certain stipulations. He did feel the Board should consider adopting a policy in the future, i.e. for a first-time offender, they could suspend but hold the suspension, and they should have a policy in place for such an instance. Mr. Hartman said, in contacting the ABCC, they would normally suspend for six days for every minor on the premises. He noted the Board's actions are appealable to the ABCC. He, personally, felt six days was harsh, and would recommend no more than a three day suspension, if that much, and possibly hold that suspension for a first-time violator.

Mrs. Rozanski suggested suspending for the six days, but holding it for six months, and if it happened again in the six months, to double it. She felt public safety was involved, and understood the business dimensions, but also wants to give the Board time to work on the policy. She asked Chief Lambirth if he had any comments.

The Chief said the "sting" operation was fairly and impartially conducted and commended the two officers involved and the others involved. He noted the VFW has a good reputation and there was no previous violation. He agreed that zero tolerance was a good policy to uphold as well as educating the bartenders. He agreed with Mr. Hartman that a six day suspension seemed too harsh.

Mr. Williams said he was leaning to holding the suspension, but would suggest nine months holding, not six.

Mr. Johnson commended those involved in the "sting" operation for going to all fifteen establishments in one night. It was also commendable that there were only two violations of serving to minors. Mr. Johnson agreed with holding the suspension, but recommended one year instead of nine months. If it occurred again, then they could suspend the license without further notice.

Mr. Hartman agreed that the aggrieved party may appeal the Board's decision, but noted that there was more here to interpret that an attorney would better comprehend.

Mr. Williams felt the publicity in this was significant, but would agree with Mr. Johnson's one-year suspension.

Mrs. Rozanski reiterated the goal here was compliance.

Mr. Johnson moved to suspend the liquor license of the VFW for six days, and to hold the suspension for one year, but if the violation occurs again in the year's time, then they can suspend the license without further notice; Mr. Dziczek seconded.

Mr. Williams amended Mr. Johnson's motion to be that the suspension not be automatic, and that there would still be a notice and public hearing if the incident occurs again; Mr. Dziczek seconded.

Mr. Hartman asked for clarification since the Board was saying, "if the incident occurred again". Did the Board mean, "any violation", or the "same violation" against Chapter 138, Section 34 again, serving to minors? He felt the Board needed to be more explicit. The Board agreed it should be the same violation. The vote: Mr. Williams, Mr. Dziczek, Mrs. Rozanski in favor; Mr. Johnson opposed; motion carries 3-1-0.

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Mrs. Rozanski went back to the main amended motion, which was to consider that there be a notice and public hearing to reconsider the suspension of a license if the same incident occurs within one-year's time; all aye.

Mr. Dzikczek asked that the VFW get back to the Board by December 1st with a letter to let them know how they have handled the situation and what steps they have now instituted to correct what occurred. The Board agreed with this.

Mr. Williams again expressed the general attitude that this was a great operation, and he was very supportive of the whole thing. He did feel, however, that next time letters are sent out to violators, that the date of the "sting" operation be indicated.

Mrs. Rozanski again said the Board would be working on a policy and procedure, which will make remedial action clearer.

7:45 p.m. – Mr. Williams stated that the next public hearing was with Medway Szechaun Garden, Inc.

- The same officers and the Chief were present at this hearing. Representing Szechaun Garden were Attorney Tucker Reynolds, along with Susan Chang, President.

Attorney Reynolds stated they had gotten a copy of the police report and concurred with Mr. Williams that it was a well-conducted operation. He also would have liked to have seen the date of the "sting" in the letter so they were aware of who the violator was. He was not here to offer any excuses, and commended the Police Department for a highly professional operation. He was upset that it happened, but noted that only 5% of the business of Szechaun Garden was selling alcohol. There was no emphasis on that part of the business. He stated they now know who served the minor, and they plan to post certain stipulations in various parts of the restaurant which will state:

- notice to employees: reminding of the law, and any violation would result in immediate termination;
- notice to customers: no tolerance rule, which would dissuade underage patrons.
- they would have an employees meeting so he could explain the law and the new policy.
- no one under 21 can sit at the bar.

Mrs. Rozanski agreed zero tolerance was the way to go. She asked if they contested the violation? They did not. She also asked that they send a written report to the Board by December 1st as requested of the VFW stating what actions they are now taking to ensure this does not happen again.

Mr. Dzikczek felt Szechaun was similar to the VFW, and that the same motion should apply to them.

Mrs. Rozanski suggested the same motion: that the liquor license of Szechaun Garden be suspended for six days, but that the suspension be held for one year, and if the same violation occurs again in the year's time, that there be a notice and a public hearing to consider enacting the suspension; Mr. Williams seconded the suggested motion.

Attorney Reynolds asked for clarification. He said, first there six days, and then there is the possibility of another penalty if it happens again. Would the six days be concurrent, or possibly six Mondays, for example?

Mrs. Rozanski said how those days would be applied would be the subject of the hearing.

Attorney Reynolds suggested, when the Board was considering a policy, that such an issue be considered.

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Mr. Johnson said his suggestion would be six consecutive business days. He said the violation is minor in that it was one person involved, but it was major in that trust has been broken. He wouldn't be lenient.

Attorney Reynolds just noted that some of the other Towns allow the days of suspension to be days that are not the busiest on minor violations, and that it can be done in a thirty-day period.

All aye on the motion.

8:00 p.m. – Mr. Williams stated that the next public hearing was with the Trustees Medway Legion Building Committee.

- The same Officers and the Chief were present at this hearing. Representing the Legion were Manager Carol Munroe and Commander Bruce Munroe.

When asked if they knew why they were there, Mr. Munroe thought it had to do with the "football pool" or "dice". Mr. Hartman explained they had a club license which restricts admittance and serving to club members only and their guests. He stated, in checking with Town Counsel, non members are not allowed entry to the bar or allowed services. A club license is lower in cost than a regular all alcoholic license to the licensee, and is a convenience to the members. Mr. Johnson also explained that the Board of Assessors don't tax them as the Vets and Legion get a special stipulation. Mr. Munroe showed the Board the book he had which showed guests sign in.

Mrs. Rozanski read club information according to the statute, and that the club is restricted to members and guests. The Officers being allowed entrance and would have been served, even though not to a minor, was the violation. She asked if they accepted the violation? Mr. Munroe said he could only assume they should, but asked if they could have banquets. Mr. Hartman said noted they could have a one-day license. Mr. Dziczek noted the Officers were allowed entrance without a key card. They should not be allowed in the door, in fact, the door should be locked. Mrs. Munroe said they could put in the key card system.

Mr. Hartman stated the statute leaves it up to the local licensing authority whether they have the right to serve guests. It is not required that a sign be posted "club members only", but the Board could request it as part of the condition of license. In referring to Mr. Munroe's guest book, Mr. Hartman said it seemed they have a policy in place, but this time, it did not work. He suggested a minor suspension since it appeared to be a first violation, and that they would be willing to put in the key card system with the "club members only" sign which will make enforcement easier. Mr. Munroe said they have started procedures to make sure this does not happen again. Mr. Johnson asked them to understand, this was more than "harassment", this was called "prevention".

Mr. Williams moved that the liquor license of the American Legion be suspended for two days, but that the suspension be held for one year, and if the same violation occurs again in the year's time until December 15, 2000, that there be a notice and public hearing to consider enacting the suspension against Chapter 138, Section 12; Mr. Dziczek seconded; all aye. Mrs. Rozanski noted this was the only violation they were being cited for.

Neil Simoni, attorney for the Elm Club, was concerned about the Board's procedure saying he understood the violation against the first two heard already, but on the club license, felt it was easier to seize someone under 21 than it was to break a rule unintentionally. He was told to defer his comments until the next public hearing; however, Mr. Williams disagreed with Mr. Simoni saying he felt a club would know a non-member more than a person's age.

Mrs. Rozanski also asked that they send a letter to the Board by December 1st outlining what procedures will be in place from now on. Mr. Munroe said, verbally, they would place a "club members only" sign on the door and install a key card system, and until then, the doors will remain locked.

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8:20 p.m. – Mr. Williams stated that the next public hearing was with the Elm Social Club of Medway, Inc.

- The same Officers and the Chief were present at this hearing. Representing the Elm Club, in the absence of Manager Barbara Junkins, was Attorney Neil Simoni.

Mr. Johnson asked if he had a letter indicating he was Ms. Junkins' attorney? Mr. Simoni said he would said a letter to the Office.

Again, Officer McRoberts outlined the procedure they followed indicating they were admitted into the Club without being asked for a club I.D.

Mr. Simoni noted they do have club membership cards and put up signs. He provided the Board with a xeroxed copy of a blank membership card for our files. Mr. Williams provided the Board with a picture of the front entrance, taken on November 8th, which indicated the hours but no other sign, except for a "ring bell" on the side.

Mrs. Rozanski asked for a roster of members. Mr. Simoni was unaware of a list. She asked about Articles of Incorporation? He did not have that available at this time.

Attorney Simoni said Ms. Junkins has accepted the violation, they had access to the bar area, but felt it was very encompassing and easy to be tripped up on.

Mr. Johnson asked for the Chief's comments. The Chief stated they have operated as a club for many years. He said problems have been brought to management in the past, and they have been advised many times to lock the door and get a key card system. The Chief was told repeatedly the key card system was in process. He understood that this was a difficult area to manage but the doors are usually open. When the Police have responded in the past to filed complaints, bartenders could not tell who the offenders were because they had already left. He again reiterated the importance of the key card as a club.

Mr. Johnson moved that the liquor license of the Elm Club be suspended for two days, but that the suspension be held for one year, and if the same violation occurs again in the year's time until December 15, 2000, that there be a notice and public hearing to consider enacting the suspension against Chapter 138, Section 12, and added that they are to be fully compliant with the Law by December 1st by having the key card system in place or that someone is standing at the door to check for club membership, and that the doors are locked. Mr. Johnson then amended his own motion to change the date from December 1st to December 15th for being compliant; Mr. Williams seconded the amended motion. The Chief added that his Officers have suggested innumerable times that entrance should only be by means of a key card. All aye on Mr. Johnson's motion.

Mr. Dzikczek reminded Attorney Simoni that the Board wants a letter anyway by December 1st outlining what procedures will be put in place. He noted the Board may not issue the Elm Club a license if they are not in compliance with all the requests made by the Board this evening, and this held true for the other three violators as well.

Attorney Simoni asked for some discretion from the Board for the next couple of days while they try to get things in place. Mrs. Rozanski agreed realizing it would take some time.

For the record, Mr. Hartman stated that three out four violators contacted the Office for more information.

2. Approval of minutes.

- Mr. Dzikczek moved approval of the executive session minutes of October 18th, the regular meeting minutes of November 1st, the executive session minutes of November 1st, the regular meeting

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 15, 1999

minutes of November 8th, and the executive session minutes of November 8th; Mr. Williams seconded but amended the motion not to release the executive session minutes of November 1st and 8th; Mr. Johnson seconded; Mr. Dziczek abstained; aye.

3. Public comments.

- Charlie Myers asked if the Board was going to discuss the Sithe site plan tonight? Mrs. Rozanski indicated it was later on in the agenda.

4. Committee reports.

- Mr. Dziczek noted that the boys and girls high school teams had done well, but were eliminated at the finals. The girls volleyball team was moving on in the finals.
- Mr. Dziczek reminded residents that the "pay as you throw" trash removal system would be coming up, being put in place by the Board of Health.
- Mr. Williams said he had done a site visit with Mr. Hartman and Lee Henry at the Oakland Cemetery filling project. As laymen, they looked at the fill and noted nothing that seemed to be illegal or improper. Mr. Johnson felt they were only looking at the surface, and really did not know anything more.
- Mr. Williams said, on Tuesday, he went out to the helicopter landing zone near Fire Station I, where a demonstration was held inaugurating the site. He added over 50 people were there, mostly those participating in the monthly training session even though they are volunteers.
- Mrs. Rozanski stated she and Town Clerk Maryjane White attended the Census 2000 meeting held in Worcester. She clarified this was the federal census, not to be mistaken with the residential census done in the Town of Medway every year. She stated the Chairman has been asked to appoint an "Everybody Counts Committee" promoting the actual count of the census of everybody.
- Mr. Johnson said, through Mr. Simons of the Executive Office of Administration and Finance, he has found out that Sithe's purchase price appears to be more than it was listed for. He noted, through Mr. Hartman, we tried to have a firm come in and give us the value of the plant, but no one responded. He was told, however, that what was paid was 10-20% above book value. Mr. Johnson said there is a law that does not allow them to change what the value was in fiscal 1998. Mr. Johnson stated we should be getting a 10-15% savings in electricity, but he still does not see it.

When Mr. Hartman was asked about the Environmental Engineer's report, he said the report has not been submitted yet, but hopes to receive a preliminary report around November 18th. He said Keith Kennedy of Tech Environmental is also looking for additional information as well at this time. He noted they may have to ask Sithe to extend the site plan review time if not enough information is obtained.

Mrs. Rozanski stated there is no proposal or agreement yet. Mr. Johnson proposed the team be the Board of Selectmen. He also noted he still wanted to discuss host town benefits. Mrs. Rozanski felt that should be a subject for negotiations.

- Mr. Johnson said he was not giving up on the Cemetery issue yet. If nothing else, he wants to see a by-law developed for bringing in fill since there is nothing there now. Mrs. Rozanski asked who the permitting authority would be? Mr. Hartman said it was the Board of Selectmen for removing, so it should be the Board of Selectmen for filling. He said he would work on some standards, but felt it should be the same authority with some regulations in place. Mr. Williams felt, however, if any toxics were involved, the Board of Health should get in on it. Mr. Hartman disagreed

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indicating with the power under the Selectmen, the Town Administrator has authority under the by-law to pull other departments in.

5. Administrator's report.

- Mr. Hartman referenced his memo on the Oakland Cemetery fill, noting there was a contract between the Trustees of Oakland Cemetery and Sam White, to restore the area for burials. He noted they were supervising his work since the August 1995. Again, he agreed there should be a by-law and the authority should be with the Board of Selectmen. He noted DEP would be willing to come if a hazard was indicated, but four people have visited the site, and he did not feel it warranted a visit from DEP.
- Mr. Hartman said a groundbreaking ceremony at Idylbrook has been set up for Friday, December 10th at 11:00 a.m.
- Mr. Hartman added further to Mr. Dziczek's report on high school sports. He noted the Medway Varsity Cheerleaders had placed first in a local competition, then two third-place finishes in regional competitions, and were now going on to a State competition Sunday at Franklin High School.
- With regard to motor vehicle excise, Mr. Hartman referred to his memo on the subject. Since the letter had been placed on the table tonight, he asked that the Board review it and could discuss it later if need be.
- On another matter involving insurance, Mr. Hartman said he met with the insurance consultant from Group Benefits Strategies. It appears we have spent more than was budgeted in the first five months of the fiscal year, and they are looking at a one-half million dollar deficit. At a recent FinCom meeting, the Town Accountant reported this to them. At this point, it was not known if there was a real problem or not since they have to look at stop-loss where there is \$60,000. He stated what drives the cost is the number of employees. With the increase in staffing in school employees, their budget has gone up, but health insurance has stayed down and needs to go up as the ratio of employees goes up. Every time you add another employee, it adds another \$5500. Right now, we are funding at \$1.2 million, even though the Board of Selectmen recommended \$1.5 million. For a few years, it just stayed at \$800-\$900 thousand. At this rate, we were spending \$53,000 more a month than has been budgeted.

Mr. Johnson agreed there was a surplus at one time; now it is gone. He needed to know if the services are costing more, or is it just the number of employees. Mr. Hartman agreed it was not a responsible move if the increase does not grow on both sides. He felt there should be percentage, maybe ¼ of the funds, in reserve. Mr. Johnson was not sure this could be met without an override. Or a cut in staff, said Mr. Dziczek.

- Mrs. Rozanski reminded departments about the November 30th budget deadline to the Town Administrator.
- With reference to junk vehicles in the area of the Highway garage, Mr. Hartman said he had nothing in writing, but they would be disposing of them and taking whatever parts they can from them. Mrs. Rozanski asked about an inventory? Mr. Hartman said we have an inventory of everything that is insured, and are developing one on all items..
- About Sithe and host town benefits, Mr. Hartman said he would be coming back to the Board with a recommendation to establish a committee consisting of himself, the Board of Assessors and the Board of Selectmen.
- Mrs. Rozanski brought up traffic patterns and crosswalks, noting people have asked her what was going on with improvements. She felt there should still be more crosswalks, and asked Mr.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 15, 1999

Hartman to work it out with Safety Officer Jeff Watson, as well as the placement of additional signs. Mr. Hartman felt our insurance company should also take a look at them.

- Mrs. Rozanski brought up leaves, and asked if we were planning a yard clean-up day? Mr. Hartman said they usually sweep the town twice a year, but don't pick up leaves. Residents are welcome to bring them to the recycling center.

6. Discussion items.

- With reference to Diane Coulter being appointed to the FinCom, Mr. Johnson moved to recommend to the Town Administrator the appointment of Diane Coulter to the Finance Committee without a further interview; Mr. Dzikczek seconded; all aye.

7. Action items.

- On the Board sending a resolution on the MBTA, Mr. Dzikczek said yes, Mr. Williams said no since residents were receiving benefits from the MBTA. Mr. Johnson moved that the Board send the resolution on to the Governor and other cities and towns; Mr. Dzikczek seconded; Mr. Williams opposed; aye.
- The Board acknowledged receipt of the site plan for Site West Medway Development.
- Mr. Williams proclaimed that November 27th would be "Jimmy Smith Sr. Day" in the Town of Medway; Mr. Johnson seconded; all aye. Mr. Williams added that Mr. Smith was also Grand Marshall in the parade, and that any organization is welcome to march, and to call Town Clerk Mayjane White for further information.
- The additional scope of services for the SMMA at the Memorial School was brought up. Mr. Hartman explained this had been tentatively placed on the Board's agenda a couple of months ago. He said he had spoken to the Building Committee back then to find out, is this it? They didn't know for sure, so he told them to come back when they were sure. The amount has changed from \$39,000 to \$59,500 and now finally to \$73,000. Approving this and getting the work done by December 31st will get the audit underway with the State. His recommendation was to approve the additional scope of services, although most of the work is done. He noted they have only collected \$39,000 so far and have been under pressure to get the work done. With this, we will have expended the additional appropriation of \$749,000.

Mrs. Rozanski asked if they were outside of the two-year limit, that some costs may not be reimbursable? Mr. Hartman felt the amount of the reimbursement should go up, but he was not sure.

Mr. Williams questioned that they voted, and then submit it to the Board of Selectmen, feeling there should be a cover letter, and would like to see that in the future. He asked if David Verdolino was doing the RFP? Mr. Hartman said that, under the by-law, the school can do their own RFP for just a school, and reports to the Town as a whole. Mrs. Rozanski clarified the authority was given to Mr. Verdolino at that time. Mr. Hartman noted Mr. Verdolino is a member of the building committee.

Mr. Williams moved to authorize the additional scope of services not to exceed \$73,000; Mr. Johnson seconded; all aye. Mr. Hartman said he would give them a copy of the minutes; there was nothing for them to sign.

- Mr. Hartman said he needed to add one item to the agenda that came in today, which was the agreement letter from the Commonwealth of Massachusetts, Board of Library Commissioners and the Medway Public Library for the construction grant. Mr. Dzikczek moved the Chairman be

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 15, 1999

authorized to sign the agreement; Mr. Williams seconded; all aye. Mr. Hartman noted it was a standard form.

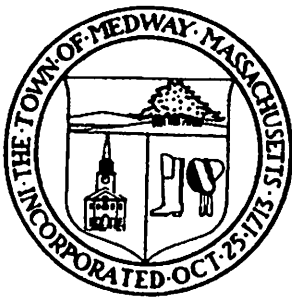
- Mr. Williams read a draft proclamation for Bible Week, November 21st to the 28th, that he had prepared, and moved that the Board accept the proclamation; Mr. Dziczek seconded; all aye.
 - Mr. Johnson asked about the audit for roof repair to the High School. He thought it had to be turned in before we got paid. He said the Treasurer sent it in about 3-5 months ago and was curious if they accepted it and is payment coming? Mr. Hartman said he would check.
 - Mrs. Rozanski said she would not be in attendance next week, and Mr. Johnson will take over.
8. For your information.
- Nothing to report.
9. Communications and correspondence.
- Nothing to report.
10. Future agenda items.
- Approve alcohol license renewal applications for year 2000.
11. Upcoming meetings.
- November 22nd and 29th.
12. Executive session.
- None required.

9:35 p.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
11/22/99



BOARD OF SELECTMEN

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

BOARD OF SELECTMEN

NOVEMBER 8, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Sign warrants.
 2. Approval of minutes.
 - none.
 3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Does Board wish to send a resolution on the MBTA?
 7. Action items.
 - Grant permission to Medway Lions for annual Christmas Tree sale at Medway Shopping Center.
 - Approve one-day live entertainment license for Speroni's, and extension of hours on New Years Eve.
 8. For your information.
 9. Communications and correspondence.
 - Extension of PWED Alder St./Trotter Dr. project granted.
 - Preliminary approval received on Ready Resource Fund by DHCD.
 10. Future agenda items.
 - Liquor license violations.
 11. Upcoming meetings.
 - November 15th, 22nd, 29th.
 12. Executive session.
 - Potential litigation.

cc: ALB
CM

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 8, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Joe Dzikczek was not in attendance.

7:00 p.m. – Mrs. Rozanski reconvened the meeting in Sanford Hall of Town Hall after an executive session held in the Town Administrator's conference room.

1. Sign warrant.
Mr. Johnson moved approval of warrant #20 in the amount of \$826,899.31 as read by Mr. Williams; Mr. Gildea seconded; all aye. It was noted there were no capital items included, nor school building, or library items.
2. Approval of minutes.
There were none.
3. Public comments.
There were none.
4. Committee reports.
 - Mr. Gildea had none.
 - Mr. Williams had none.
 - Mr. Johnson stated that the Board of Assessors were made aware last week that they would probably have to do a Pro-forma. This involves asking the DOR permission to issue a third quarter preliminary tax billing instead of an actual. He stated, usually, the tax bill goes out by December 31st and payable in 30 days. If it goes out after the 31st, it is not due until May. If the tax billing goes out as a Pro-forma, they will be able to do everything except establish the tax rate. Mrs. Rozanski clarified that they don't know the Town's valuation so they can't come up with the tax rate. Mr. Johnson agreed that a public hearing cannot be held since no tax rate has been established. Mrs. Rozanski asked if the Board of Assessors can meet with the Selectmen next week with a recommendation to the Board? Mr. Johnson was confident they could.
 - Mrs. Rozanski said she attended the MMA Board of Directors meeting where proposed changes to chapter 70 funding were discussed. She passed on general information she picked up to Board members.

Mrs. Rozanski reminded Board members of the MMA meeting in January, and if they wanted to attend, should get their reservations in soon.

Mrs. Rozanski gave Mr. Hartman information on local contributions she received.

Mrs. Rozanski told the Board about the training session being held the next day on the helicopter landing zone use at Fire Station I from 7-10 p.m. All were invited to observe.

Mrs. Rozanski reminded all boards that budgets were due to the Town Administrator by November 30th.
5. Administrator's report.
 - Mr. Hartman spoke about Mr. Johnson's concerns relative to Oakland Cemetery. He stated he went there on Friday and observed no violation of the Town's by-laws. They were not removing anything, just bringing in, what appeared to be, clean fill including some screened loam. The Cemetery Trustees had received from the Board of Selectmen, a permit to operate a gravel and sand operation, which Sam White had done. The permit to remove gravel was given to the Oakland Cemetery Trustees. Mr. Hartman went on to say that DEP agrees there should be a by-law for bringing in fill and its inspections, and

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 8, 1999

suggested this be worked on by the Town. At this point, it appeared Sam White was reclaiming the area excavated for the permit. Mr. Johnson asked how they could be fined? Mr. Hartman indicated they could be fined for dumping illegal material, but at this time, it looked clean. Mr. Williams asked about the asphalt and stumps he saw? Mr. Hartman said that was permitted as part of clean fill, and again recommended they pursue a by-law for the issuance of a permit and an inspection process. Mr. Johnson voiced his concern that they were filling in too close to where the well head is operating. Mr. Hartman stated the Zoning Enforcement Officer has been out there and saw no violations. However, the Water/Sewer Superintendent can go out to check on the drinking water. Mrs. Rozanski suggested they move on promulgating the by-law, but also suggested some Board members make a site visit. Mr. Johnson agreed that it be done as soon as possible. Mr. Williams said he would go with Mr. Hartman. Mr. Hartman did acknowledge that Sam White did pose many concerns at this very location a number of years ago. Mrs. Rozanski asked if there was an agreement between ConCom and Sam White since they appeared to be close to the drinking water? Mr. Hartman said it might be a private transaction if it is out of our area. Mr. Johnson still felt it was more like dumping than filling, and said there was a by-law against dumping stumps. Again, Mr. Hartman did not feel they had a reason to believe the law was being broken. Mr. Johnson said if he was dumping hazardous stuff anywhere, it was a problem. Mr. Hartman indicated he was not yet done with all of his research; he was just giving the Board a progress report.

6. Discussion items.

- The resolution on the MBTA was being held over until next week.

7. Action items.

- The Board discussed the request of the Medway Lions for the annual Christmas tree sale in the Medway Shopping Center. Mrs. Rozanski said she would abstain as she was a Lion. Mr. Williams moved to grant the Medway Lions permission to sell Christmas trees at the Medway Shopping center from November 26th through approximately December 18th, with hours of operation being: weekdays from 2 – 8 p.m.; Saturdays from 9 a.m. – 8 p.m.; and Sundays from 9 a.m. to 7 p.m.; Mr. Gildea seconded; Mrs. Rozanski abstained; aye.
- The Board discussed the one-day entertainment license for Speroni's on December 31st, as well as the request to stay open until 2 a.m. that same morning. Mr. Williams moved to grant the one-day entertainment license for Speroni's; Mr. Johnson seconded; all aye. Mr. Johnson moved to grant the extension from 1 a.m. to 2 a.m. for hours of operation on December 31st; Mr. Williams seconded. Mr. Hartman suggested amending the closing time to say no more alcohol would be served after 1 a.m. Mr. Williams amended the motion to no more liquor being served after 1 a.m. with the closing time of 2 a.m.; Mr. Gildea seconded; all aye.

8. For your information.

- None to report.

9. Communications and correspondence.

- The extension of the PWED grant on Alder Street/Trotter Drive to May 2000 was noted.
- The receipt of preliminary approval on the Ready Resource Fund by DHCD was noted.

10. Future agenda items.

- It was noted the liquor license violations hearings would be held on the 15th.

11. Upcoming meetings.

- November 15th, 22nd, and 29th.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 8, 1999

12. Executive session.

7:45 p.m. – Mr. Johnson moved to adjourn to executive session, not to return to public session, for the purpose of potential litigation; Mr. Gildea seconded; all aye. The vote: Mr. Gildea – yes; Mr. Williams – yet; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
11/15/99

MINUTES OF THE SELECTMEN'S EXECUTIVE SESSION
NOVEMBER 8, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, Richard Gildea, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Joe Dzikczek was not in attendance.

7:45 p.m. – Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

Mrs. Rozanski briefly noted she wrote a letter to Town Counsel asking the specific questions brought up at the previous week's executive session. What the Board was reviewing tonight was Town Counsel's response. Mrs. Rozanski agreed that sending a letter to Mr. Gregory advising him the Board would take his concerns under advisement was the appropriate handling of the situation, especially in light of Town Counsel's response. Mrs. Rozanski did note if the Board wished to have an official web site, they should do a procedure and follow through. Mr. Williams agreed as well. At this point, Mrs. Rozanski felt this issue was done unless it comes back. Mr. Hartman received the consensus of the Board that he would advise Mr. Gregory the Board met, and decided unanimously that no action was warranted.

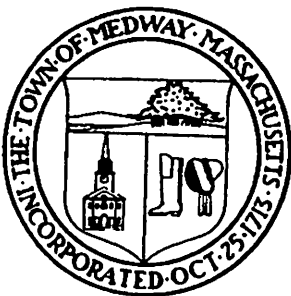
8:00 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

11/15/99
+ resealed 3/12/00



BOARD OF SELECTMEN

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AGENDA

BOARD OF SELECTMEN

NOVEMBER 1, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Sign warrants.
 2. Approval of minutes.
 - Regular meeting minutes of 10/18/99.
 3. Public comments.
- 7:15 p.m. - Public hearing.
re: Sunday openings for package stores (Thanksgiving-New Year).
- 7:30 p.m. - Frank Foss of MediaOne.
re: Approve and sign letter for change of control.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 7. Action items.
 - Sign change order #2 for Idylbrook.
 - Recommend appointment of Medway Pride Day candidates to Town Administrator.
 - Abate an amount on ambulance billing and approve a policy on abatements.
 - Approve permit for selling of Christmas trees at Brooke's Long Shot.
 - Accept gift from Medway Youth Baseball for an additional \$2,000 for the Idylbrook Park Project playfield improvements.
 8. For your information.
 9. Communications and correspondence.
 - Attendance at Veterans Day ceremony and luncheon.
 10. Future agenda items.
 - Liquor license violations.
 11. Upcoming meetings.
 - November 8th, 15th, 22nd, 29th.
 12. Executive session.
 - Potential litigation.

cc: ALB
CM

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 1, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Joe Dzikczek came at 8:30 p.m.

7:03 p.m. – Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

1. Sign warrant.
Mr. Johnson moved approval of warrant #19 in the amount of \$642,056.92 as read by Mr. Williams; Mr. Gildea seconded; all aye.
2. Approval of minutes.
Mr. Johnson moved approval of the regular meeting minutes of October 18th; Mr. Williams seconded; all aye.
3. Public comments.
There were none.
4. Committee reports.
 - Mr. Williams said he had attended the dinner for Walter Sampson who received the Richard Gildea senior lifetime achievement award . He also noted participating in the reading day recently held. Insofar as meetings were concerned, Mr. Williams said he was in the audience for the Municipal Building Committee meeting which was televised.
 - Mr. Gildea had no report.
 - Mr. Johnson said he had received a letter from Rep. Gardner on dams in Medway, which included the Choate Park dam and the West Medway dam. He noted that the Sanford Mill dam was not rated or even mentioned. He asked Mr. Hartman to call Franklin and see if they received a letter on that dam and what the rating was.

Mr. Johnson asked Mr. Hartman to check on a company, Sam White & Company, dumping debris and taking out gravel near Oakland Cemetery. He knew that we had removed the gas tanks because they were near the aquifer, so why was he being allowed to dump debris near there? Mrs. Rozanski recalled a strike force had been directed back in 1994 against the same company and could be called out again.

Mr. Johnson's report will continue after the scheduled public hearing.

7:15 p.m. – Mr. Williams read the ad that appeared in the paper concerning package store openings on Sundays during the holiday season from Thanksgiving until New Years.

There was no one present to speak in favor or against the openings. Mr. Gildea moved the hearing be closed; Mr. Johnson seconded; all aye. Mr. Gildea moved to approve that package stores be allowed to open on Sundays from the Sunday before Thanksgiving (November 21st) through the Sunday before New Years (December 26th) from 12 Noon to 9 p.m.; Mr. Johnson seconded; all aye.

Mr. Johnson continued with his report.

He said he noticed there were many junk vehicles just sitting on Town property behind the Town garage, including an International truck, ambulance, and a fire sedan. He moved holding a public auction, or getting an inventory and a plan of disposal; Mr. Williams seconded; all aye. Mrs. Rozanski asked for a report in two weeks from the Town Administrator.

Mr. Johnson suggested the start of a plan for a July 4, 2000 celebration, also noting that on October 25, 2013, the Town would have been incorporated 300 years and calls for another celebration. He noted that there used to be an amphitheater at the bottom of the

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 1, 1999

hill on Village Street, and suggested trying to resurrect it. He suggested looking for citizens interested in helping out with this project, noting there is just a park bench and table there now. Mrs. Rozanski asked residents to call the Office so a committee can be formed.

Mr. Hartman said the land is owned by the Conservation Commission, but we could let them know we would like to use the land for this event. Mr. Johnson asked how it could be turned over to the ConCom and the Board of Selectmen don't know about it? Mr. Hartman explained they were waiting for Norfolk County to survey the land for us. We have access from Village Street to the land, but there is a dispute on where the Town land begins and ends. Once this is determined, the Greenways grant will be completed. Mr. Johnson reiterated the services available through Norfolk County, including counts and surveys. Mr. Hartman was aware of that, and six projects referred to them have received their approval.

7:30 p.m. – Frank Foss of MediaOne came to speak to the Board concerning receiving their approval for change of control from MediaOne to AT&T.

Mr. Foss reminded the Board he had been to see them back in March when a transfer in license from Time Warner to Media One occurred. Now, MediaOne was looking for change of control from them to AT&T. He acknowledged receipt of a letter from the Selectmen with specific questions, which he had answered in a letter to them dated October 29th.

Mr. Foss explained one of the benefit features that will be offered to subscribers is that they will be able to choose from various packages without having to purchase channels they did not want. The option will be there for subscribers to purchase tiers, i.e. all sports, all news, etc. He stated the Commonwealth of Mass. regulates the cost of tiers, but he hoped there would not be more than a 5% increase in rates.

Charlie Myers, who was in the audience, felt Mr. Foss' answers were consistent with negotiations. He did ask what the cost is not including head-in? Mr. Foss said the cost upgrade was 1/17th to each town. Mr. Johnson said it would help to know the additional and total cost. Mrs. Rozanski asked Mr. Foss to advise the Board of Assessors of the amount for head-in.

Mr. Williams moved approval of the change of control from MediaOne to AT&T; Mr. Johnson seconded; all aye.

5. Administrator's report.
Nothing to report.

6. Discussion items.
There were none.

7. Action items.

- Mr. Hartman explained his requesting the Board sign change order #2 for Idylbrook came after the Board's support of his going to FinCom for the additional funding. In conversation with FinCom chairman John Collett and the contractor Ron Marini, it was decided a change order reducing the cost of the contract would allow construction to begin, and then they can ask for an appropriation at the next town meeting for the amount of the reduction. He noted the items deleted were not items that needed to be done within the next couple of months. Mr. Hartman also advised the Board that the Park Commissioners were aware of what was going on, and the Idylbrook Committee no longer exists. He said, with the signing of this change order, they should see activity very soon. Mr. Johnson moved approval of the change order; Mr. Williams seconded; all aye.

- Mr. Hartman asked for the Board's recommendation to him of several new applicants to the Medway Pride Day Committee. He noted that they came with the recommendation of

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 1, 1999

the only person thus far appointed to the Committee, Nancy Honey-Lundy. The people being recommended for appointment included: Diane Kaeli, Linda Alico, David Corbett, Adelaide Hawkins, Tom McAuliffe, Leanne Reardon. Mr. Johnson moved that the above-named individuals be recommended to the Town Administrator for appointment to the Medway Pride Day Committee through June 30, 2000; Mr. Williams seconded; all aye. Mr. Williams clarified this eliminates others who have not been re-appointed.

- Mr. Williams read the proposed policy Mr. Hartman was recommending for abatement. The Board suggested certain grammatical changes which Mr. Hartman will incorporate. He noted that a bill is sent out three times before it is considered for abatement. Some concern over the word "abatement", but Mr. Hartman explained the auditors recommended that word. He also stated that abating a bill does not prevent the Town from continuing to try to collect, but it was a budgetary procedure that allows the Town to present a more realistic picture of receivables. He said, in the future, there will be a breakdown listed by categories of who uses the service. Fire Chief Wayne Vinton, who was in the audience, stated that they collect about 81% of their ambulance bills. Mr. Johnson moved approval of the ambulance abatement policy as amended; Mr. Williams seconded; all aye.

The Board next brought up the amount of ambulance billing to be abated. Mr. Hartman explained that the total amount of \$221,697.40 to be abated agreed with the amount found by the Town Accountant, in agreement with the Treasurer/Collector and the Fire Chief. The memo also indicated what could be abated, and the balance left. Mr. Williams could not understand why the amounts were never abated, even without a policy. Mr. Hartman explained it had been discussed many times over the years since 1968 and the auditors had specifically mentioned it four times in their reports. Mr. Johnson was concerned they were discussing abatements without a commitment to the Collector. Chief Vinton said they do make up a commitment, which is sent to the Treasurer/Collector with a copy to the Town Accountant. The Treasurer/Collector then makes her commitment weekly by case and forwards it to the billing service, with a copy to the Town Accountant. Mr. Hartman said his recommendation, along with the Treasurer/Collector, Town Accountant and Fire Chief, is for the Board to abate \$122,697.40 in accordance with the policy the Board adopted. Mr. Williams moved the Board abate \$122,697.40 on ambulance billing; Mr. Johnson seconded; all aye. Mr. Hartman said he would notify all three of the action taken, and the Treasurer/Collector will then tell the Town Accountant to take that amount off the books per the Board's vote.

- Richard Cassidy presented the Board with a request for permission to sell Christmas trees at Brooke's Long Shot. Mr. Williams moved to approve the permit from November 26th through December 24th, Monday through Sunday, from 9 a.m. to 9 p.m., with a portion of the proceeds being donated to St. Joseph Church; Mr. Johnson seconded; all aye.
- The gift from Medway Youth Baseball was brought up. Mr. Williams moved to accept the additional gift of \$2,000 from Medway Youth Baseball for the Idylbrook Park project playfield improvements; Mr. Johnson seconded; all aye. It was noted the backstop is not part of the project and will be constructed by MYB as an additional contribution to the Town.
- The Veterans Day ceremony and luncheon to follow was brought up. Some confusion as to where and when for the ceremony, which the Secretary will check on. The luncheon was definitely at 11:30 a.m. at the Senior Center.

8. For your information.

- Mrs. Rozanski asked Mr. Hartman about the PWED grant extension? Mr.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 1, 1999

Hartman assumed we would get the extension as ConCom has withdrawn all other objections.

- Mr. Johnson brought up the shortfall on local receipts with excise taxes. He said it was hard to believe it would go down, and had spoken to the Town Accountant about it. A possibility existed that a commitment may be missing, but she wasn't sure where the error was. Mrs. Rozanski asked Mr. Hartman to speak to the Treasurer/Collector and the Town Accountant and bring an update back to the Board in two weeks.
- Mr. Williams said he has seen the Lovering Street sidewalk construction has started, and the tree crew was out there as well. Mrs. Rozanski hoped some trees could be replanted. Mr. Hartman noted most of the trees were diseased and had to be taken down anyway.

9. Communications and correspondence.
- Already discussed.

10. Future agenda items.
- Liquor license violations.

11. Upcoming meetings.
- November 8th, 15th, 22nd, 29th.

12. Executive session.

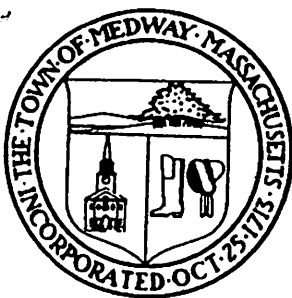
8:35 p.m. – Mr. Johnson moved to adjourn to executive session for the purpose of potential litigation not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Gildea – yes; Mr. Williams – yes; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
11/15/99

file



BOARD OF SELECTMEN
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AGENDA

BOARD OF SELECTMEN

OCTOBER 18, 1999

SANFORD HALL OF TOWN HALL

- 6:30 p.m. - Executive session (conference room).
- Potential litigation.
- 7:00 p.m. - Open meeting.
1. Sign warrants.
 2. Approval of minutes.
 - Release of executive session minutes of 5/24/99.
 - Release of executive session minutes of 7/19/99.
 - Regular meeting minutes of 10/4/99.
 3. Public comments.
- 7:15 p.m. - Cam Afonso of Franklin Sign Company.
re: request for larger sign.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Calendar of events-additions/corrections/deletions.
 - Proclamation for National Bible Week.
 - Attendance at Census workshop; establishment of a Complete Count Committee for Census 2000.
 - Concerns/questions on MediaOne transfer to AT&T prior to approval.
 7. Action items.
 - Sign engineering/construction services contract with VHB.
 - Sign amendment #2 for Horsley & Witten.
 - Sign Cellular One license agreement.
 - Authorize additional scope of services for SMMA.
 8. For your information.
 - Adopted policies to include with Board's policies/procedures.
 9. Communications and correspondence.
 10. Future agenda items.
 11. Upcoming meetings.
 - October 25th.
 - November 1st, 8th, 15th, 22nd, 29th
 12. Executive session.

cc. ALB 11/15/99
cm

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 18, 1999

Present: Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:10 p.m. – Open meeting.

- Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.
- 1. **Sign warrants.**
 - Mr. Johnson moved the Board sign warrant #17 in the amount of \$506,296.38; Mr. Dziczek seconded; all aye. Mr. Johnson voiced his concern with an ongoing problem on withholdings, and Mr. Hartman was working on a solution. He also noted an electric bill for the senior center for \$700 which he felt was quite high. Mr. Gildea said he would pass on Mr. Johnson's concerns to the COA.
- 2. **Approval of minutes.**
 - Mr. Williams moved release of the approved executive session minutes of May 24th; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved release of the approved executive session minutes of July 19th; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved approval of the regular meeting minutes of October 4th; Mr. Gildea seconded. Mr. Dziczek felt there should be an amendment to the reason why a policy change was not made on the Board meeting every other week. Mr. Williams moved to amend the line in the minutes to read that "the motion to go to meetings every other week carried by a majority, but Board policy requires 4 out of 5 votes are needed to change a policy"; Mr. Dziczek seconded; all aye.
- 3. **Public comments.**
 - There were none.

7:15 p.m. – Cam Afonso of Franklin Sign Company came to meet with the Board concerning a denial of a sign by the Building Inspector.

- Mr. Afonso stated they moved into the building on Franklin Street nine months ago, and to advertise their location, were requesting a sign larger than the zoning by-law allows which is 6 sq. ft. He felt the sign they have really does not make the public aware of the location and were requesting a sign 44" x 94", approximately 28 sq. ft. The lighted sign would not be lit later than 9 or 10 p.m. since he realized they were in a residential neighborhood.

Jim Walter, President of the company, said the sign had not been made yet but was designed. When asked by Mr. Dziczek what was the smallest sign they would ask for and yet still be large enough to advertise the business, Mr. Afonso stated 3 ft. x 6 ft. since the building was 16 ft. in height x 30 ft. in length.

Mr. Williams moved to approve a sign for Franklin Sign Company not to exceed 18 sq. ft. illuminated at night; Mr. Johnson seconded for discussion feeling the sign should be lit no later than 8 p.m., and so amended Mr. Williams' motion to that effect. Mr. Dziczek seconded the amended motion for discussion feeling they should not restrict the time. Mr. Walter said 8 p.m. would be fine, but later would be better. At that point, the Board moved to approve a sign 3 ft. x 6 ft. and lit no later than 8 p.m.; all aye.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 18, 1999

4. **Committee reports.**

- Messrs. Gildea, Dziczek and Williams had none.
- Mr. Johnson reported going to a **financial seminar with the DOR** noting that there was new information he picked up he would share with the Board.
- Mrs. Rozanski noted attending the **eagle scout court of honor** for Eric Carlson with Mr. Dziczek.
- Mrs. Rozanski also said she and Mr. Dziczek went to the roast for Allan Osborne.

5. **Town Administrator's report.**

- Mr. Hartman provided the Board with several updates.
- He noted a staff meeting was held on **ambulance abatements**, and he will be giving the Selectmen a figure to abate along with a policy to adopt at the Board's next meeting. Mr. Johnson asked that a commitment be provided on billing with a copy to the Accountant. Mr. Hartman said the Fire Chief does do that. Mrs. Rozanski asked about a procedure, which Mr. Hartman said the policy will be to abate quarterly.
- With reference to **Data National**, Mr. Hartman said it really should not have been brought up by the Accountant as there was a meeting scheduled the next day, and there was no issue. He noted they were shooting for November 1st to get water/sewer and trash billing on line. He said the old system is current but will be defunct on December 31st as it is not Y2K compatible.
- On **Idylbrook**, Mr. Hartman said he has been talking to the Park Commissioners and the FinCom chairman about going to the FinCom for an appropriation of \$21,850. He stated that \$19,000 has been committed by youth groups, and the building of a backstop for \$8,000. Mr. Hartman said he was looking to the Board of Selectmen to, first of all, accept the \$19,000 and create an account; and secondly, to sign on with him by endorsing the additional funds for the project through an emergency transfer. He noted they could potentially lose the \$50,000 grant if this is not done.

Mr. Johnson moved to accept the gift of \$15,000 from Youth Soccer, \$3,000 from Youth Baseball, and \$1,000 from Pop Warner for a total of \$19,000 to be set aside in a special fund for the Idylbrook project for construction and use, with the same account being set aside for any other donations; Mr. Gildea seconded; all aye.

Mrs. Rozanski asked the Board if they would like to vote to recommend an endorsement to the FinCom for an emergency transfer? Mr. Johnson asked Mr. Hartman if there were not any Park funds that could be used? Mrs. Rozanski answered that would require a transfer at a special town meeting. Mr. Hartman added that the Park Commissioners would accompany him to FinCom. Mrs. Rozanski said there was not time for a special town meeting, and would like a consensus of the Board.

Mr. Williams said he would not endorse that move. He did not see this as an emergency, even if they lose the grant, but FinCom can do it if they so choose.

Mr. Dziczek felt they were down to the bare minimum on funds and afraid we would lose the contract as well. If they have to wait until Spring, he felt there would surely be an increase in the costs.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 18, 1999

Mr. Johnson said he would give \$100 of his own money to go into the fund and hoped everyone else would too. He agreed this was not an extraordinary situation, and just on this case, agreed with Mr. Williams.

Mr. Williams asked that the Board accept Mr. Johnson's gift of \$100 to go toward this Idylbrook special account; Mr. Dziczek seconded; all aye.

Mr. Dziczek moved that the Board of Selectmen endorse and support the additional funding for the contract; Mr. Williams seconded; Mr. Johnson felt it was still up to the FinCom. When a vote was taken, Mr. Gildea, Mr. Dziczek and Mrs. Rozanski voted yes; Mr. Williams and Mr. Johnson voted no; motion carried 3-2-0.

- Mr. Hartman noted the upcoming **School Committee meeting** on October 21st.
 - A request had been submitted today by the new pastor of St. Joseph's Church asking for a **one-day liquor license** for November 6th for an Italian night social to be held at the Parish Center from 6 p.m. to midnight. Mr. Dziczek moved that the license be granted; Mr. Williams seconded; all aye.
 - Mr. Hartman stated it was known to him that a Police Department **sting operation** was going to be held to ensure license holders were in compliance with their licenses. He stated all license holders had been contacted advising them the Police Department would be conducting undercover operations. There were two violations of sales to minors, and two violations against restrictions of their licenses. He suggested holding a public hearing. Mr. Johnson moved the hearing be held; Mr. Williams seconded; all aye.
 - Mrs. Rozanski asked Mr. Hartman if the **Municipal Building Committee** had determined any sites yet for the new high school? Briefly, Mr. Hartman stated 14 sites had been identified as potential sites, all of which he had seen. These were sites with 45 acres or more, and even with 7 or 8 property owners. He said the preliminary work was being done by Symmes, Maini and McKee who had toured the 14 sites with him. He stated he will be reporting back to the Committee on October 20th, and hopefully the field of 14 will be narrowed down some. When they can identify three sites, he will contact the owners to get permission to walk the sites with the Building Committee and SMMA.
- Mr. Dziczek asked if the Committee wanted to identify more than three sites, what would be the cost? Mr. Hartman said the Committee and SMMA discussed this, and SMMA said the cost would be \$6,000 for each. They don't want to commit a surplus of funds if it can be narrowed down to three.
- Mr. Williams asked Mr. Hartman about the construction of **sidewalk on Lovering Street**? Mr. Hartman said he met with DPS Director Lee Henry on this. The Town's contractor, through the Tree Warden, will be coming in this week to do it. If this was to be done in-house, it would not get done in time. In this way, they could get the contractor in 4-5 days, circumstances permitting.

6. **Discussion items.**

- The Board appreciated the **calendar of events** the Secretary put forth as a "working document" for the remainder of the fiscal year.
- The Board discussed a possible **proclamation** for National Bible Week. Mr. Dziczek suggested doing some background research on how many other Towns have put forth such a proclamation.
- Correspondence to the Board concerning **Census 2000** was discussed. Mr. Hartman explained evidently, Selectmen are being invited to workshops in an attempt to understand how they are to form a "Complete Count Committee" for this census work and an action plan. Mrs. Rozanski felt

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 18, 1999

the Town Clerk should be engaged in this process. Mr. Johnson moved to send a delegation to a workshop to be headed up by the Town Clerk or the Chairman of the Board of Selectmen; Mr. Dziczek seconded; all aye.

- The MediaOne "change of control" was brought up. In speaking to Charlie Myers, Mrs. Rozanski said he suggested the Board determine if they want to take positive action in this regard. Mr. Johnson noted he had a few questions to ask the MediaOne rep, specifically:
 - What does the additional programming include? Assuming there are more signals, does that mean additional channels? What would the composition of the programming lineup be? Do we understand that 24 additional channels is correct?
 - What is the investment cost of the improvements made in the Town of Medway?
 - What is the reason for the delay in the upgrade? What will the completion date be?
 - When is internet capability going to be available?
 - When will we get the History channel?

Mr. Hartman stated Frank Foss has indicated he would be available to come to the Selectmen's meeting on November 1st. He also noted the State has determined this is not a transfer, but a change in ownership, which is difficult to refuse.

Mr. Johnson moved that the above questions be asked of MediaOne; Mr. Dziczek seconded; Mrs. Rozanski suggested having the written answers forwarded to the Board prior to the November 1st meeting; all aye.

- Mr. Johnson informed the Board he had learned Sithe was sold last week by Varday, selling their utility aspects, all contracts, and plants, which will be under the new people.

7. **Action items.**

- Mr. Hartman recommended the contract for engineering/construction services with VHB be approved and signed. In speaking with Town Counsel, Mr. Hartman said he saw no problem and it could be awarded. Mr. Hartman noted he has met with Mike Perrault, and it was all at a point where all work can be turned over to the new firm.

Mr. Williams moved to approve and sign the engineering/construction services contract with VHB as outlined in their RFP dated June 26th; Mr. Dziczek seconded; all aye.

- Mr. Hartman asked the Board to sign the amendment for Horsley & Witten. He explained, in granting the comprehensive permit to Narducci, we were able to hire an engineer of the Town's choice to provide environmental consulting services including review of drainage calculations and the NOI. Narducci agreed to pay up to \$3200 for a portion of the cost of the consulting services. When it was all done, the total exceeded what was originally agreed to since Horsley & Witten had to go back to ConCom meetings with additional information they asked for. With the amendment being signed by the Board, the additional work will have been done and completed satisfying both ConCom and ZBA requirements.

Mr. Hartman added the Town paid \$6,400 to Horsley & Witten out of funds encumbered from last year. He stated we were willing to pay them directly, but were not comfortable with doing that, and instead would suggest to put the funds in a revolving fund and pay them that way. It was probably not realized originally what this would cost when it was first set up. He reiterated that staff should be involved with the consultant and they have a fully endorsed plan by the ZBA. Mr. Hartman felt there needed to be in place written procedures.

Mr. Dziczek moved to amend the amount of the contract with Horsley & Witten to "not exceed \$9,500"; Mr. Williams seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
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- The Board was asked to sign the **Cellular One agreement**, whose site plan they had previously approved. Mr. Hartman explained that this agreement incorporated certain changes recommended by Town Counsel.

Mr. Johnson moved to approve and sign the agreement with Cellular One; Mr. Williams seconded; all aye.

- **Additional scope of services for SMMA** was brought up. Mr. Hartman explained, when the RFQ was done for the feasibility study, it allowed for an additional scope for this authorization utilizing that clause, and to work with the Municipal Building Committee to evaluate the top three sites. He explained this saves money in advertising, and to have a needs conference in December, they have to have a feel for where we are.

Mr. Johnson was concerned this would show favoritism to SMMA. Mr. Hartman said they would be doing a competitive search for design services, and that would not commit us to that company.

Mr. Dziczek moved to authorize, under the original proposal of the feasibility study of the four schools master plan, an additional scope of services for up to three sites not to exceed \$18,000 to locate a new high school; Mr. Williams seconded; Mr. Johnson abstained; aye; 4-0-1.

8. **For your information.**

- The Board accepted the index and **adopted policies** approved by the Board of Selectmen to be included in their policies and procedures book beginning with a December 1998 Board meeting.

9. **Communications and correspondence.**

- There were none.

10. **Future agenda items.**

- Nothing specific at this time.

11. **Upcoming meetings.**

- Scheduled so far are: October 25th, November 1st, 8th, 15th, 22nd, and 29th.

12. **Executive session.**

- None required.

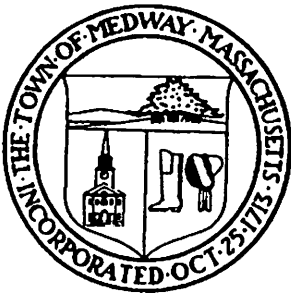
9:00 p.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
11/1/99



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

AGENDA

ALL BOARDS MEETING

**JOINTLY SPONSORED BY
BOARD OF SELECTMEN/FINANCE COMMITTEE**

OCTOBER 16, 1999

SANFORD HALL

- | | | |
|------------|---|---|
| 9:30 a.m. | - | Open meeting. |
| | - | Discussion on new budget process – <i>Finance Committee and Board of Selectmen.</i> |
| | - | Discussion on new budget timetable – <i>Finance Committee and Board of Selectmen.</i> |
| | - | Emergency transfer policy – <i>Finance Committee.</i> |
| 10:30 a.m. | - | Discussion on Master Plan activity prioritization. – <i>Board of Selectmen.</i> |
| 11:30 a.m. | - | Wrap-up. |

FinCom
cc: ALB
cm
11/24/99

MINUTES OF JOINT ALL BOARDS MEETING-BOARD OF SELECTMEN/FINCOM
OCTOBER 16, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Finance Committee members Carla Cataldo, Steven Forbes, Allan Fraser, Kristen Diebus, Joan Sheridan, Selectmen's Secretary M. J. Fredette. In attendance from various boards and committees included: Joe Hoban, Walter Sampson, Missy Dziczek (Council on Aging), Tony Mastroianni (Veterans Agent), Mary O'Leary (Housing Authority), Virginia Calapa (Open Space), Lee Henry (DPS), Wendy Rowe, Bill Roberts (Library), Jim Wieler (Planning Board), Diana Faust, Cheryl Harvey (School), JoAnne Muench (CIPC), David Cole (ZBA).

9:40 a.m. – Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall. Mrs. Rozanski noted the joint meeting was to bring information together for all boards and committees. She went over the procedure as it was done in the past, now working concurrently, not sequentially. She referred to the proposed budget calendar.

Ms. Cataldo, Vice-Chairman of the Finance Committee, introduced FinCom members present. She stated, with Mr. Hartman in place, it eliminates duplication and the utilization of staff better. The new process also has the Board of Selectmen more actively involved, with a goal of projecting trends and building stabilization. She felt they should not be building a budget with volunteers, as the FinCom is advisory to the Selectmen, but rather making recommendations with the actual mechanics lying with the Selectmen and the Town Administrator. She also noted if an override is needed, it will be known early in the budget process.

At this point, everyone in attendance introduced themselves.

Ms. Cataldo highlighted what their goals were, what changes they anticipated, and what was new in the departments. She noted CIPC has set a deadline of 1/26/00 which can be flexible when individual breakdowns occur.

Mr. Hartman explained, briefly, the budget process. He said he would be receiving budgets from all departments, and then would be forwarding them to the Selectmen with his recommendation. He noted he would be meeting with each department head before he gives a recommendation to the Board. He hopes to come to the Board by January 8th with his recommendation.

Mr. Dziczek clarified this process was important for elected officials to understand, as previously, they went to the FinCom; now they will be meeting with Mr. Hartman.

Mr. Hartman brought up a potential change boards should be aware of. As Personnel Director, he would be following the personnel policies, and recommendations for new or additional staff would come from him; therefore, he would be making recommendations in staffing for departments. Mrs. Rozanski agreed this is related to overall services to the Town.

Virginia Calapa asked if Committees could be advised as to what sub-committees of the FinCom they were a part of. Mr. Hartman said staff will provide such a breakdown.

Ms. Cataldo expressed the importance of no surprises. Departments should know ahead of time if all will be going according to schedule. Kristen Diebus agreed wholeheartedly; communication between all departments was necessary.

Steve Forbes, of the FinCom, stated he was the liaison to the FinCom dealing with emergency transfers and went over the policy encouraging department heads calling him. He expressed the need to try and determine what is actually needed before spending any funds, but emergency transfer forms were available at the Town Administrator's office. He also said, alerting them ahead of time to a possible need for funds for a true emergency, is a good course of action. Mrs. Rozanski noted there is no procedure, but asking the Board of Selectmen for a recommendation, was also a good course of action. Ms. Cataldo agreed they should try and work within their budgets.

MINUTES OF JOINT ALL BOARDS MEETING-BOARD OF SELECTMEN/FINCOM
OCTOBER 16, 1999

Maryjane White reiterated the importance of following the open meeting law, even with sub-committees, and the keeping of minutes.

Tony Mastroianni asked about needs mandated by the State for his veterans; what happens when funds are needed? Mrs. Rozanski said the Selectmen would have to decide on the need first, and then on the FinCom.

Ms. Cataldo took this time to explain where the sources of funding come from. She also noted an emergency meeting of the FinCom can be called in 24 hours.

Joe Hoban reiterated the importance of supporting the FinCom.

10:55 a.m. – After a brief intermission, the joint meeting now shifted to the master plan priority outline.

Mrs. Rozanski explained no one was expected to have a plan in place yet, but everyone should be taking the plan and applying pertinent action items to their board, anticipating some type of report in the annual town report, with a yearly update thereafter.

Ms. Calapa requested goals be outlined every year with open space and the community action plan so future reimbursements can be seen ahead of time. To do this at annual report time, the same as when the master plan updates are made, would be recommended.

Resident John McBirney of 265 Village Street stated he was selling his house and moving because he can't afford sewer hookup. He believed the old people in Town were being forced out because they couldn't afford to live here anymore. Mr. Johnson said, as an Assessor, there are ways to help people with their taxes, and asked Mr. McBirney to please meet with the Board of Assessors.

Jim Wieler stated the Master Plan Committee has done the job it was charged to do. Now the Board of Selectmen need to know what is doable and what is not. He asked everyone to read the whole plan, not just the action items. He asked everyone not to outright reject anything, but instead, to look at each action item and say what is wrong with how it is stated.

Mrs. Rozanski felt maybe there should be more televised public forums such as this.

Mary O'Leary asked that information just be sent to the elderly, not a public forum, possibly through the Senior Center.

It was felt that someone was needed to keep the master plan document updated and dynamic.

Mrs. Rozanski said the Board of Selectmen need to coordinate this, and goals are important.

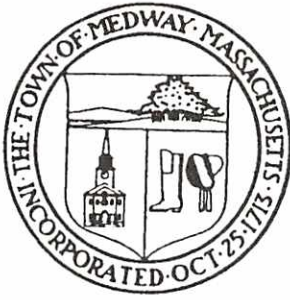
It was suggested there should be more communication through e-mail, fax and phone. Mr. Hartman said that the technology plan covered where we are now; e-mail capability should be available at the end of year two, next spring. The wide area network, now being installed in the schools, will also be utilized.

Mrs. Rozanski said communications should only be through chairman of committees, and suggested that be an area for discussion among the Board for a policy. Mr. Hartman suggested waiting until they were on line, and then he would talk that over with the Computer Systems Manager.

11:30 a.m. – The joint meeting was adjourned.
Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
11/22/99



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

AGENDA

BOARD OF SELECTMEN

OCTOBER 4, 1999

SANFORD HALL OF TOWN HALL

- 6:30 p.m. - Executive session (conference room).
- Potential litigation.
- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - Release of executive session minutes of 6/14/99.
 - Regular meeting minutes of 9/20/99.
 - Executive session minutes of 9/20/99.
 - Regular meeting minutes of 9/27/99.
 3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Master Plan action items for Selectmen/Town Administrator prior to All Boards Meeting.
 - Changes/amendments to Board's present policies and procedures.
 7. Action items.
 - Acknowledge site plan for Maxcraft Inc.
 - Sign FY'00 revaluation program agreement with Paul S. Kapinos & Assoc.
 - Recommend appointment to Town Administrator of Allan Fraser to FinCom (interview first?)
 8. For your information.
 - Budget kick-off meeting tentatively scheduled for October 13th between Finance Committee, Selectmen, School, Town Administrator. Time and place TBA.
 9. Communications and correspondence.
 10. Future agenda items.
 11. October meetings.
 - October 13th, 16th, 18th, 25th.
 12. Executive session.
 - None.

cc: AMB 10/21/99
cm
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**MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 4, 1999**

Present: Raphaela Rozanski, Harry Johnson, Richard Gildea, Joe Dziczek, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:10 p.m. – Open meeting.

- Mrs. Rozanski reconvened the meeting from an executive session held in the Town Administrator's conference room.
- 1. **Approve and sign warrants.**
 - Mr. Williams moved approval of the **warrant** in the amount of \$1,024,179.15; Mr. Johnson seconded; all aye.
- 2. **Approval of minutes.**
 - Mr. Williams moved to release the **executive session** minutes of **June 14, 1999** already approved; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved approval of the regular meeting minutes of **September 20th** with a correction; Mr. Gildea seconded; Mr. Dziczek abstained; aye.
 - Mr. Williams moved approval of the **executive session** minutes of **September 20th**; Mr. Gildea seconded; Mr. Dziczek abstained; aye.

Mr. Johnson moved that those minutes be released; Mr. Gildea seconded; all aye.

 - Mr. Williams moved approval of the regular meeting minutes of **September 27th**; Mr. Gildea seconded; Mr. Dziczek abstained; aye.
- 3. **Public comments.**
 - There were none.
- 4. **Committee reports.**
 - Mr. Johnson – none.
 - Mr. Williams – none.
 - Mr. Dziczek – none.
 - Mr. Gildea – none.
 - Mrs. Rozanski asked the Board to sign the **citation** for Eagle Scout Eric Carlson.
 - Mr. Johnson just noted there was an article in the Sunday Globe about the **Ashland** forum he had attended and what was discussed.
- 5. **Administrator's report.**
 - Mr. Hartman mentioned he was on the ConCom's agenda for Thursday to try and lift the order of conditions placed on the **Alder Street project**. He noted the Board had approved the change order a couple of weeks ago to reflect the conditions imposed. An independent report on the stream crossing was also done.
 - Mr. Hartman mentioned that, at the first organizational meeting of the **Municipal Building Committee**, Jim Brodeur was voted chairman; Jim Hoodlet vice-chairman, and Kelly O'Rourke Clerk/Secretary.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 4, 1999

- Mr. Hartman stated, on the Board's next agenda, would be a change order to the feasibility study for an **additional scope** of services for Symmes, Maine & McKee to do a site evaluation process. This is allowed and is being recommended by the building committee and himself.
- Mrs. Rozanski asked Mr. Hartman if a decision had been made about the **planning consultant**. He stated he had received an opinion today from Town Counsel, who agreed with him as to his interpretation. As the Procurement Officer, he will probably make the award the next day.
- Mrs. Rozanski asked Mr. Hartman about the **conference** he attended. He stated one of the courses was relative to economic development for small communities. He would make a copy of that for the Board and the IDC.
- Mr. Hartman asked the Board if they would sign the **United Nations Day** proclamation for October 24th that is an annual request. Mr. Williams read it before it was signed.
- Mr. Hartman also asked the Board to sign the **Tata & Howard** contract for engineering for alternatives to wastewater for the Industrial Park at Alder Street/Trotter Drive. Mrs. Rozanski suggested this be done under Action Items, but reminded the Board Mr. Hartman had said he would be bringing this document to the first meeting in October.
- Mr. Hartman asked the Board to sign the **students and staff appreciation** proclamation. Mr. Williams read it before Mr. Johnson moved it be approved and signed; Mr. Dziczek seconded; all aye.

6. **Discussion items.**

- The Board discussed the **action items** as compiled by the Master Plan Committee for the Selectmen and Town Administrator.

Mr. Hartman felt the Board, and others that are named in the action items, should determine for the 16th, if that board thinks the action item is a good idea to undertake and where it stands in the way of a priority. He noted it was a citizens' initiative that did the Master Plan, not the Planning Board.

With reference to GIS, Mr. Hartman stated all boards will get on line by the end of the year, and there would be certain "read only" for citizens and some boards interactively. He wanted to ensure that Town Hall did not get accessed by modem. Mr. Hartman did say there may be some problems with funding all the GIS. Mrs. Rozanski suggested Mr. Hartman think about a procedure for its implementation, along with a policy for Town bulletin and announcement boards.

Mr. Dziczek noted all boards are to report on the progress of their action items in the annual town report. Mrs. Rozanski explained the boards should be looking over their lists so they can say: what they have accomplished; what is their next priority to accomplish; and what is not part of their designated responsibility, and why not. Mr. Hartman noted some boards may not feel an action item is a good idea regardless of what the Master Plan Committee has said, and some others may not be legal or fundable.

Mr. Williams suggested all boards be given a format to follow on Saturday.

On one separate action item, #33, Mr. Johnson suggested a meeting be set up with the Treasurer and Assessors, and further to form a sub-committee to take action on #33, reporting back to the Board at the first meeting in November; Mr. Gildea seconded; all aye.

Mr. Hartman said he would come back after the first meeting in November with a recommendation on all the action items listed for the Selectmen and Town Administrator.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 4, 1999

The board felt they should take the time to review her figures, with Mr. Johnson saying he would like to compare the actuals between FY'98 and FY'99. Mr. Hartman noted FY'00's budget is a 10% increase over last year's budget.

Mr. Johnson believed there should be more revenues with the more expensive cars owned in Medway, along with the additional vehicles each family has. Mrs. Rozanski noted there was less in licenses and permits as well. Again, the Board will review the figures.

- Mrs. Mehta brought up another issue. She brought up her concern with the long process to get the software going, and that water and sewer and trash were not on line.

Mr. Hartman noted Data National was coming in this week. Mrs. Rozanski told Mrs. Mehta if the issues were not resolved, to come back to the Board in two weeks. Mr. Hartman explained if Mrs. Mehta has concerns, they need to be addressed with him, not the Board. Mrs. Rozanski then asked Mr. Hartman to give the Board a report on October 18th.

- Mrs. Mehta then told the Board she needed help with **ambulance receivables**. Mr. Hartman explained the Treasurer and the Fire Chief's figures agree, but they don't agree with the Town Accountant's figures. He said what has to be determined is how much to abate as not collectible. Mrs. Mehta asked that a meeting be set up, but Mr. Hartman said they have already taken an action, but one individual is an employee and the other an elected official. Mrs. Rozanski stated the Board is there even if they have to take action with an elected official.

Mr. Hartman said the Board would get a request for abatement on the 18th if it is all resolved. He noted that an outside firm tries to collect three times, but the difference of 25% is not collected and is still carried until it is abated.

8:45 p.m. – Back to the discussion on meeting every other week that was tabled.

Mr. Williams went back to the point that there are now five Selectmen instead of three. They should be concerned now more with policy, and taking free time to attend the meetings of other boards, especially the ones they were liaison to. He had looked at Monday holidays, and noted there were 26 Mondays in the year 2000 with 7 of those Mondays being holidays, and the Board would be impacted by only two of those Mondays. Mr. Williams also commented that four months have five Mondays.

Mr. Gildea again said he agreed with Mr. Williams and did not feel they needed to meet every week.

Mr. Dziczek said he was not sure. He asked if there would be any problems caused by meeting every other week.

Mr. Johnson said there should be a reason for meeting, and, as a matter of fact, he did not know what they were doing. He hadn't seen one committee come to the Board. He felt they should be with them and coordinating with them. So far, he had not heard one logical reason as to why not.

Mrs. Rozanski spoke how the cable coverage brings different issues to the people, i.e. when Mark Flaherty came in to speak about the water shortage.

Mr. Gildea still felt 50% of the time, all they are doing is talking.

Mr. Dziczek felt meeting every ^{other} week is basically a convenience. Meeting every other week would allow some time to think about what has been discussed, make Board members more effective and more efficient, and allow for less minutes to be taken. He stated they are liaisons to different

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 4, 1999

boards, and they should be talking to them to find out what is going on. It's not necessary to have them come to us, and if it is not necessary, it doesn't have to be done.

Mrs. Rozanski said they could cancel a meeting if there is nothing on the agenda; it was easier to do that.

Mr. Johnson moved for a vote. Mrs. Rozanski said it takes a 2/3 vote to call for a vote; all aye on a vote being taken.

Mrs. Rozanski stated voting "for" means meeting every other week; "opposed" means meeting every week.

Mr. Dziczek said an alternative is to try again for a two-month trial period.

Mr. Williams read his motion to have the Board of Selectmen meet every other Monday; Mr. Gildea seconded. Mr. Dziczek amended the motion to try every other week for a two month trial period during October and November; there was no second. Back to the original motion. Mr. Williams and Mr. Gildea "for"; Mrs. Rozanski "opposed"; Mr. Johnson and Mr. Dziczek abstained. Mrs. Rozanski stated the two Selectmen chose not to vote; motion does not carry as Board's policies and procedures require 4 votes out of 5 to change a policy.

7. Action items.

- The Board acknowledged the site plan submitted on behalf of **Maxcraft Inc.**
- The Board was asked to sign the FY'00 revaluation program agreement with **Paul S. Kapinos & Associates**. Mr. Johnson noticed there was no paragraph "e". Mr. Hartman said he would check into it and have it initialed, but he felt there was a change made and the paragraph letters were not corrected. His recommendation was to enter into the agreement with Kapinos for the competitive RFP. He stated he had asked the Board of Assessors to evaluate their proposal, and they recommended he award the contract and that the Selectmen sign the contract.

Mr. Williams moved to sign the contract based on the Procurement Officer's recommendation as the awarding authority to Kapinos Associates; Mr. Gildea seconded; all aye.
- The appointment of **Allan Fraser** to the Finance Committee was brought up. Mr. Hartman said Mr. Fraser had expressed an interest in serving after applying to the Municipal Building Committee. Mrs. Rozanski asked if a recommendation had been received from the Fincom chairman. Mr. Hartman stated the recommendation is from the Selectmen to him. Mr. Dziczek had a problem with asking the FinCom chairman what he thought of an applicant, as he wanted to see a balance, and not just the people the FinCom wanted. He did not have a problem with an applicant talking to the FinCom to see what is involved with being a member, and then after hearing that information, if the applicant did not want to be on the committee, fine. Mr. Johnson moved to recommend Allan Fraser to the Finance Committee; Mr. Gildea seconded; all aye.
- Mr. Hartman asked that the Board sign the agreement with **Tata & Howard**. His recommendation was to approve the application for a grant as they need to do an analysis. Mr. Johnson asked if on site reclamation was possible. Mr. Hartman said it was, but there are other options, and they will be made to him and the Selectmen, not the IDC. Mr. Johnson moved to approve the agreement as recommended by the Town Administrator; Mr. Dziczek seconded; all aye. Mr. Hartman said he would now issue them a notice to proceed.
- Mr. Williams asked about **Idylbrook**. Mr. Hartman explained it was a complex issue. They are short of funds as they still need \$15,000, but they are working on that, with the final resolution being that the FinCom would entertain an emergency transfer. Mr. Hartman noted he and the Park Commissioners were on top of it, and hopefully, would have more to report on the 18th.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 4, 1999

8. **For your information.**

- It was noted there would be a **budget kick-off meeting** on Wednesday, October 13th, in the auditorium of Medway High School at 7:00 p.m. with the Selectmen, School Committee, Finance Committee and Town Administrator.

Mr. Williams was unaware that there had been a meeting set up for October 13th and suggested when special meetings are called, that this be checked with the other Board members first. Mr. Hartman explained the meeting had been set up at the request of the Finance Committee chairman who would be unavailable on the 16th. Both he and Mrs. Rozanski had been made aware of this request.

- The Board acknowledged receipt of a memo from the Town Administrator asking that he and Town Counsel be allowed to review the **Town General By-laws** for any areas that may need amendments. Mrs. Rozanski noted she gave the Board members a copy of the Town Administrator's job description, and that the by-law can't be changed as it would be in conflict with the job description.

9. **Communications and correspondence.**

- Nothing to report.

10. **Future agenda items.**

- Nothing to report.

11. **October meetings.**

- Meetings as noted earlier are set up for October 13th, 16th, 18th, and 25th.

12. **Executive session.**

- None required.

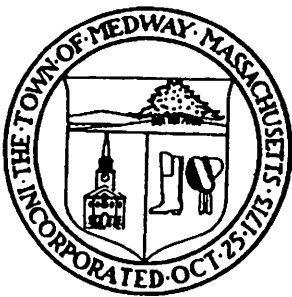
9:35 p.m. – Mr. Johnson moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
as amended
10/18/99

APPROVED



BOARD OF SELECTMEN
155 VILLAGE STREET
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(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SEPTEMBER 27, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - None.
 3. Public comments.
- 7:15 p.m. - Gregory Kelleter
re: request for solicitor's permit for American Children's Safety Source.
4. Committee reports.
 5. Administrator's report.
 - None.
 6. Discussion items.
 - Re-edited Board's policies and procedures.
 7. Action items.
 - Sign license for Medway Liquors, Inc., d/b/a Keystone Liquors
 - Sign license for Janl Corporation, d/b/a The Little Store
 8. For your information.
 - Joint All Boards meeting with FinCom set up for October 16th, 9:30 a.m.
 - Town Hall closed Monday, October 11th; open until 4:30 p.m. Friday, October 15th.
 9. Communications and correspondence.
 - Chapter 70 school aid alert from MMA.
 - Tri-County's notification of the School District Committee chairman.
 - Sen. Magnani's letter on Senate's vote of funding for road/bridge repairs.
 10. Future agenda items.
 - Discussion on amending Board's policies and procedures.
 - Discussion on changes to General Town By-laws.
 11. October meetings.
 - October 4th, 18th, 25th.
 12. Executive session.
 - None.

cc: ALB 10/5
CM "

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 27, 1999

Present: Raphaela Rozanski, Harry Johnson, Richard Gildea, John Williams, Secretary M. J. Fredette. Selectman Joe Dziczek and Town Administrator Michael Hartman were not in attendance.

- **Open meeting.**

7:10 p.m. – Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

1. Approval of warrants.

- Mr. Williams read the **warrant #14** summary in the amount of \$940,948.72, including \$3,228 in school building. Mr. Johnson moved to approve and sign the warrant as read; Mr. Gildea seconded; all aye. Mr. Johnson was still concerned about how much we were spending on electricity. He noted last month we paid Boston Edison, this month SelectEnergy; are there any savings? Since the Town Accountant was present, Mrs. Rozanski asked her to provide the Board a breakdown in costs of both. She also asked Mrs. Mehta if the school had finished sending in their bills yet? Mrs. Mehta indicated Mr. Hartman was working on it, but they should be done soon – it has been two years.

2. Approval of minutes.

- There were none.

3. Public comments.

- There were none.

4. Committee reports.

- Mr. Gildea had none.
- Mr. Williams stated, as liaison to the **Town Clerk**, that she had informed him she had successfully passed the Mass. Town Clerk certification exam with one of the highest scores of 87. He said out of 304 Town Clerks in the State, only 30 are certified. He noted there were 300 questions on the exam which lasted over a couple of days and included questions on state and election laws.
- Mr. Johnson said he attended the **forum on education funding alternatives in Ashland**. This was a preliminary meeting to see if there was any interest from area towns, and since it was well attended with a cross section of officials, he assumed the interest was there. He noted there was deep concern as to the treatment received by most suburban areas. Mr. Johnson referred to the ranking of towns and the disparity in the system being noticeable, i.e. Medway is listed at 185 and Ashland at 290, with both towns being very much alike. They all feel the formula is unexplainable and no one has a solution to the problem. He pointed to another statistic where Medway receives \$2,103 per child, Ashland \$896, and then Lawrence receives \$13,078. Mr. Johnson said it appears that community is only paying 4% of its share, and that they are mixing per capita income into the formula. He did not feel the distribution system was fair.

7:20 p.m. – Gregory Kelleter representing American Children's Safety Source.

Mr. Kelleter was here to request a solicitor's permit from the Board. He explained their office in Waltham is the 17th nationwide for an organization that started in 1952, and are 501(C)(3) tax exempt. Their goal is to open 50 offices by 2001. He noted 300 kids were found last year, 700 the year before. Monies are divided up 50% to Safety Source, the other 50% for overhead expenses, with a small portion going to the wildlife foundation. Mr. Kelleter explained they would be only going to businesses to try and sell tee-shirts, stuffed animals and toys for donations. Mr. Williams moved to approve granting the permit To American Children's Safety Source from 9/27/99 through 10/1/99 during daylight hours only to businesses; Mr. Johnson seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 27, 1999

- **Back to committee reports.**
- Mrs. Rozanski noted receipt of the letter from the **DOR** indicating the Town would be receiving the first quarter Chapter 70 local aid distribution at the end of September, along with Lottery aid.
- Mrs. Rozanski noted ConCom and others are looking at the **Ennis** property at 261 Village Street.
- Mrs. Rozanski reported the siting board hearings for **Sithe** are over.
- Mrs. Rozanski stated Medway has another **Eagle scout**, Eric Carlson, who will be honored on October 17th. She stated it was tradition for the Board to have her prepare the commendation and asked if they wished her to do so. Mr. Johnson so moved; Mr. Williams seconded; all aye.
- Mrs. Rozanski noted the upcoming **MMA meeting** on January 28th and 29th, 2000, with the registration appearing in the Beacon.
- Mrs. Rozanski cited the fair cash value of **affordable housing** report in the recent edition of City and Town.

5. **Administrator's report.**

There is none.

6. **Discussion items.**

- The re-edited version of the Board's **policies and procedures** was brought up. Mr. Williams provided the Board with: an updated version including MGL Chapter 39 Open Meeting Law; a copy of the original version; a document outlining the present wording versus changes; a copy of the warrant article from April 1997; and a copy of the warrant article from May 1997 that changed the Board from three to five members. He said he would give the disk to the Town Administrator.

The only request from the Board was that Mr. Williams move the left margin over so it could be three-hole punched, which he said he would do. Mr. Johnson wondered if they should hold the document until Mr. Hartman returned? He questioned the lines "The Chairman shall not serve two consecutive years inn any given term. This condition may be waived on a majority vote of the membership." Mrs. Rozanski explained the intent at that time was for the Chair not to succeed yourself, but they recognized it might be necessary, so the qualifier was put in.

Mr. Williams was thanked by the Board members for the effort put forth.

Mr. Johnson moved to accept the proposed changes as presented by Selectman Williams to the Board's policies and procedures, and to hold them in abeyance until the Town Administrator returns to give his consent as well; Mr. Williams seconded. Mr. Gildea felt that was not an approval and why not just wait? Mr. Williams felt it was contingent approval. Mrs. Rozanski stated if Mr. Hartman comes back with objections, the Board will review them again; otherwise, they are approved. All aye on the motion. Mr. Gildea noted he still stood on what he said. Mr. Johnson said the Board can approve them without Mr. Hartman, but it was a courtesy to him to phrase the motion in that manner.

7. **Action items.**

- The Board signed the liquor license for Medway Liquors, Inc., d/b/a **Keystone Liquors**.
- The Board signed the liquor license for Janl Corporation, d/b/a **The Little Store**.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 27, 1999

8. **For your information.**

- Mrs. Rozanski went over the **All Boards Meeting** memo that was sent out, and noted the Board needs to review their area of involvement. She highlighted some of the dates in the budget calendar.

Mr. Johnson noted the DOR has done some seminars on the roles of the Selectmen, Finance Committee, Treasurer/Collector and Assessors, some of which are statutory.

- Mrs. Rozanski noted for the public that **Town Hall** will be closed Monday, October 11th, but will be open until 4:30 p.m. on that Friday, October 15th.

9. **Communications and correspondence.**

- The Board acknowledged receipt of the **MMA Action bulletin** on Chapter 70 school aid and indicating no State budget has been approved yet.
- The Board read the letter from Tri-County Superintendent Jack Jones stating **Robert Heavey** was elected chair of the regional school district committee.
- The Board acknowledged receipt of a letter from **Senator Magnani** on the Senate's vote of funding for road/bridge repairs, and that the House has not voted yet.
- The Board acknowledged receipt of a letter from the Norfolk County Commissioners indicating round one in the fight for open space funding is over with the passage of the **Community Preservation Act**. The Board felt everyone had done a great job to bring extra money to Medway without having to actually do anything.

10. **Future agenda items.**

- With reference to the Board **amending their policies and procedures**, it was felt it would be unnecessary unless Mr. Hartman has a problem with them.
- With reference to the **General Town By-laws**, it was felt the Board could review them and put some ideas together as to what could or should be changed. Mrs. Rozanski provided the Board with some backup.
- Mr. Williams just mentioned to the viewing audience that three of the Selectmen met with Mr. Hartman, Mr. Henry and some of the **Lovering Street** residents concerning the proposed sidewalk on Lovering Street. All feel it is a worthwhile project.
- Mr. Johnson voiced his concern as, being a Vet, he was ashamed we did not follow through on a letter from someone who had a request on the **flags** in Town. The Secretary explained that all four areas have been identified; one of which has already been rectified, and the other three are being looked at. Mrs. Rozanski suggested we take notice of them periodically anyway.
- Mr. Johnson went back to the **forum** he attended in Ashland, and stated now they need input from residents. What is their opinion on the funding suburban towns receive? Should this group continue to exist? He explained they will stay formed if the need exists. He asked residents to call or write to him with their thoughts. Mr. Johnson was annoyed that the State continues to say they know what the Towns need.

Mr. Johnson believed there was a **new formula** coming on the construction of public buildings.

With reference to **ed reform**, Mr. Johnson said they are now in the seventh year. This was the time to evaluate it and its impact.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 27, 1999

School Committee vice-chairman Charlie Myers was present, and stated it is now believed in areas that experienced high growth, the formula is not working.

On the SBAB, Mr. Myers said he believed they were a year or two away from reversal or possible changes.

Mr. Williams noted the 69% reimbursement rate is confirmed every year.

Mr. Myers said, with reference to the municipal building committee, that Dr. Bettencourt and Mr. Hartman are talking, and have an upcoming meeting on October 6th.

Mrs. Rozanski noted the ed reform bill and the building construction bill are two separate bills.

11. October meetings.

- Mrs. Rozanski noted the October meetings were on October 4th, 18th, and 25th.

12. Executive session.

- There is none.

8:10 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Johnson seconded; all aye.

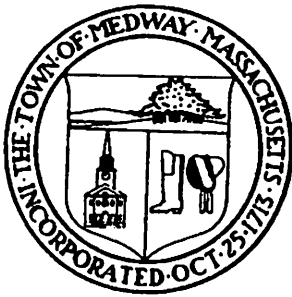
Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
10/4/99

APPROVED



Michael J. Hartman
Town Administrator

OFFICE OF TOWN ADMINISTRATOR

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

AGENDA

BOARD OF SELECTMEN

SEPTEMBER 20, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - September 13th – regular meeting.
 3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Selectman Williams on the Board's policies and procedures.
 - COA's decision on one-day alcohol license.
 7. Action items.
 - Appoint a member to the Board of Registrars (Republican Town Committee).
 - Recommend re-appointment of Kathryn Hill to the Town Administrator for the Conservation Commission.
 - Sign agreement for consulting environmental services with Tech Environmental (Sithe).
 - Chairman to sign Ready Resource Fund application.
 8. For your information.
 - Meeting with Lovering Street abutters on Wednesday, September 22nd, 6:00 p.m., Sanford Hall.
 9. Communications and correspondence.
 - Mass. Highway's letter on first apportionment of \$95,628.28.
 - DOR's letter on lottery receipts of \$126,259.
 - Board's attendance at Norfolk County Selectmen's Association meeting on October 12th?
 - Medway Newswatch letter on possible stories.
 10. Future agenda items.
 11. September meetings.
 - September 27th.
 12. Executive session.
 - Potential litigation.

cc: ALB 10/5
CM "

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 20, 1999

Present: Raphaela Rozanski, Harry Johnson, Richard Gildea, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Joe Dziczek was not in attendance.

- **Open meeting.**

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

1. **Approval of warrants.**

- Mr. Williams read the warrant #13 summary in the amount of \$477,142.95, noting no school, building, capital items. Mr. Johnson again voiced his concern over the high cost of electricity, especially at the schools, but stating Dr. Bettencourt believed they had started an energy audit. Mr. Hartman confirmed the Town had signed up with MunEnergy for electricity in 1998, with bills starting to coming in at the beginning of this year. Mrs. Rozanski was curious as to the cost savings from last year to now. Mr. Johnson moved to approve and sign the warrant as read; Mr. Gildea seconded; all aye.

2. **Approval of minutes.**

- Mr. Johnson moved approval of the minutes of September 13th; Mr. Williams seconded; all aye. A point of clarification by Mr. Johnson: did Mr. DeSimone really mean \$4,000 for 200 IDC brochures. Mr. Hartman said it would be varified.

3. **Public comments.**

- There were none.

4. **Committee reports.**

- Mr. Gildea and Mr. Williams had none.
- Mrs. Rozanski spoke about the brief sent to the Town on behalf of the **Sithe** hearing, which was about 100 pages. She noted certain pages in the document which referenced performance standards, trees and plantings, construction plans, and new information on electro magnetic fields. She added there was a final report from June 1999 one EMF's that would be coming to the Town Hall, but indicated there were no adverse effects found.
- Mrs. Rozanski said she spoke to Senator Magnani's office, and they indicated the Senate voted to override the Governor's veto on **chapter 90 funding**. She then spoke to Finneran's office who said the House would be taking the issue up this week. She said, originally, the apportionment was to have been \$150 million to cities and towns, but so far, Medway has been notified of the first of two apportionments of \$95,628.28.
- Mr. Johnson noted, at this time, receipt of a letter from the DOR indicating the amount of additional **lottery receipts** to Medway would be \$126,259.
- Mr. Johnson brought up the sidewalk being constructed on **Lovering Street**, and that residents in that area were welcome to come to a short presentation on Wednesday night in Sanford Hall at 6:00 p.m. on the subject. He asked, if possible, that they extend the sidewalk even further to Howe Street. Mr. Hartman did not think the funding would allow that. Mrs. Rozanski suggested seeing what the savings might be if they did it now vs. later, and how much more it would cost. It was noted that chapter 90 funds can't be used for the sidewalk, but if they were reconstructing a street, they could.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 20, 1999

5. **Administrator's report.**

- Mr. Hartman also referred to the letter received from **Mass. Highway** concerning the amount of funding Medway would be receiving. He believed, at this point, we could be receiving 1/3 less than what we were anticipating. He noted the chapter 90 funds have been committed to the Route 126 reconstruction.
- Insofar as the meeting with the **Lovering Street** residents was concerned, Messrs. Williams and Johnson, and Mrs. Rozanski will attend.
- Mr. Hartman said **Matthew Hayes** has been sworn in to serve on the Conservation Commission following a disclosure to the Town Clerk and to the Board noting he would not be serve on the ConCom in anything having to do with VHB.
- Mr. Hartman asked the Board to sign the revised plan for **Cellular One** already approved.
- Mr. Hartman noted he had not had a chance to meet with the ConCom yet concerning the **Conservation Administrator**, Virginia Briggs.
- Mrs. Rozanski asked Mr. Hartman if he had appointed a **Planning Consultant** yet? Mr. Hartman said the matter has been referred to Town Counsel, who is away on vacation. She asked about the current consultant's commitments? Mr. Hartman explained he does intend to retain the current consultant for certain projects, i.e. those involving Al-Miraj and Route 126, and would probably do up a contract for him for those two projects at least.

6. **Discussion items.**

- Selectman Williams' revamped **policies and procedures** were brought up. Mrs. Rozanski advised that she had not been consulted about putting this on the agenda. Insofar as the Board meeting every other week, she said she had some people call her, and believes the Board should meet weekly, but did not want to squelch discussion of the subject. She said she was glad Selectman Williams took the initiative on the Board policies, but she did not direct this.

Mr. Johnson asked, for a point of clarification, if this was a first reading, and if so, there cannot be a vote? Mr. Williams noted that a vote can be delayed on a change of policy, but this was just a discussion of the existing policy. He also pointed out an error on when the Town's approval was received at town meeting, and suggested it be rectified. His intent in looking at the policies and procedures was to improve upon the language and correct some of the grammatical errors so it was a better document overall.

The Board then went over various grammatical and wording changes Mr. Williams had suggested.

Mr. Johnson moved the Board place this on next week's agenda for further consideration as a living document; Mr. Gildea seconded. Mrs. Rozanski suggested Mr. Williams highlight the corrections on the side or on a separate piece of paper. It was also suggested that another copy of the existing policies and procedures be given to Board members.

on the 19th, Mr. Williams then moved to place this subject for discussion to the following week, October 4th, with a vote
Mr. Johnson seconded; all aye.

- Mrs. Rozanski also said the **by-laws** involving the Town Administrator need to be looked at. Mr. Johnson noted they can recommend changes, but still need to go to town meeting for approval. Mrs. Rozanski recommended this be discussed on October 4th as well.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 20, 1999

7. **Action items.**

- The appointment of someone to the **Board of Registrars** was discussed. Mr. Johnson nominated Jeanne Pinkham; Mr. Williams seconded; all aye. The Secretary noted, after further research, believed it was a Town Administrator appointment. Mrs. Rozanski felt it could be a joint appointment; Mr. Johnson felt it was the Board's under statute. It will be verified.
- The recommendation to the Administrator on the re-appointment of **Kathryn Hill** to the Conservation Commission was brought up. The Secretary confirmed she wished to be re-appointed. Board members asked what the Chairman said about the re-appointment? The Secretary said he had not been asked; just Ms. Hill. Board members asked that he be consulted, otherwise it was fine. Mr. Hartman did not think there was a problem, otherwise he would have known.
- The Board was asked to sign the agreement for **consulting environmental services** with Tech Environmental on the Sithe project of the West Medway plant. Mr. Hartman explained this was for the assessment of the permitting documents with a written report to the Board. The cost was not to exceed \$30,000 through a competitive RFP, from which only one response was received. Mrs. Rozanski agreed this was the next part of the process, even after the siting board gives their decision, since the environmental issue gets reviewed.

Mr. Williams moved to approve the agreement with Tech Environmental of Waltham not to exceed \$30,000; Mr. Gildea seconded; all aye. Mr. Johnson clarified this was being provided by an outside source, not the Town of Medway, and we had nothing to do with the selection of the final choice. Mr. Hartman noted the \$30,000 was a grant from Sithe for this specific purpose.

- Mr. Hartman stated the **Ready Resource Fund** application the Chairman was being asked to sign was a proposal introduced by the Industrial Development Commission last week to bring sewer to the Alder Street/Trotter Drive area. The intent of the \$35,000 is to develop information for the COAG grant and is just to do a planning study, with the maximum amount we could receive being \$1 million.

Mr. Williams moved to authorize the Chair to sign the application; Mr. Johnson seconded; all aye.

8. **For your information.**

- Mrs. Rozanski again announced the informational workshop on Wednesday for the **Lovering Street** residents.

9. **Communications and correspondence.**

- **Mass. Highway's** letter was already discussed.
- **DOR's** letter was already discussed.
- Attendance at the **Norfolk County Selectmen's Association meeting** on October 12th was brought up. All Selectmen present will attend; the Secretary will check on Selectman Dzikczek. Mrs. Rozanski mentioned that the MMA was having Local Government Week in October coinciding with their attendance at the Association meeting.
- A letter from **Medway Newswatch's** Lauren Fleishcher was acknowledged. Board members will see if there are any issues they would recommend for consideration by the Newswatch team to Ms. Fleishcher.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 20, 1999

10. **Future agenda items.**

- None at this time.

11. **September meetings.**

- Mr. Hartman mentioned he would not be in attendance at the **September 27th** meeting.

Mr. Johnson expressed his congratulations to Medway students who participated in the **SAT exams** stating they ranked above the State and Local average. He felt the Town deserves credit for their school system, especially the staff and the students. Mr. Gildea suggested a letter from the Board being posted at the school. Mr. Hartman suggested a proclamation signed by all five Selectmen, and preface it as Student Appreciation Day. Mr. Johnson recommended it be Student & Staff Appreciation Day.

12. **Executive session.**

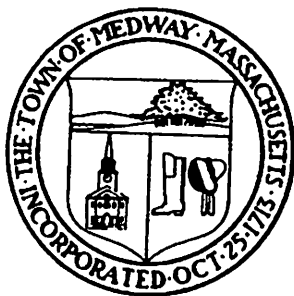
8:50 p.m. – Mr. Williams moved the Board adjourn to executive session for the purpose of discussion of **potential litigation**, not to return to public session; Mr. Gildea seconded; all aye. The vote: Mr. Gildea – yes; Mr. Williams – yes; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
as amended
10/4/99



Michael J. Hartman
Town Administrator

OFFICE OF TOWN ADMINISTRATOR

155 VILLAGE STREET
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AGENDA

BOARD OF SELECTMEN

SEPTEMBER 13, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - August 28th – municipal building committee interviews.
 - August 30th – regular meeting.
 3. Public comments.
- 7:15 p.m. - Industrial Development Commission.
re: brochures.
- 7:45 p.m. - Matthew Hayes.
re: request for appointment to Conservation Commission.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - All Boards meeting.
 - Town Hall hours.
 - Setting a policy for boards using Sanford Hall.
 7. Action items.
 - Selectmen's recommendation to Town Administrator on appointments to Medway Pride Day Committee.
 - Selectmen's appointment to SWAP.
 - Approve change order for Alder Street.
 - Approve change order for Idylbrook Park project.
 8. For your information.
 -
 9. Communications and correspondence.
 - Town of Ashland Forum on "Education Funding Alternatives"-HJ & JW attendance?
 - Open Space Committee's summation letter.
 - Attendance at IDC Forum on September 29th?
 - Inspector General's letter on Mr. Hartman's completion of "Supplies & Services" certification seminar program.

CC ALB - 9/24/99
CM

10. Future agenda items.

-

11. September meetings.

- September 16th – 7:00 p.m. – High School – joint meeting with School Committee.
- September 20th.
- Cancel September 27th meeting? MH not in attendance.

12. Executive session.

- None required.

Note:

Selectman Dziczek will not be in attendance.

MINUTES OF THE SELECTMEN'S MEETING
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Present: Raphaela Rozanski, Harry Johnson, Richard Gildea, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Joe Dziczek was not in attendance.

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

- Mr. Johnson moved to approve **warrant #12** in the amount of \$868,450.76 as read; Mr. Gildea seconded; all aye. Mr. Williams confirmed there were no capital items in the warrant. Mr. Johnson voiced his concern that the Memorial School's electric bill for the month of August was over \$4,700, twice as much as the Burke and the McGovern combined. He felt since the Memorial School was supposed to be more energy efficient that the electric bill was so high. Mrs. Rozanski asked Cheryl Harvey, School Committee Chairman who was present, to please ensure conservation measures were being looked at. Mr. Johnson also noted that this high cost needs to be built into the operating budget. Ms. Harvey remarked the school was being used for many nighttime activities and, of course, the new technology and computers was an added electric user.
- Mr. Williams moved approval of the building committee interview **minutes of August 28th**; Mr. Johnson seconded with a correction added by Mrs. Rozanski; all aye as amended.
- Mr. Williams moved approval of the regular meeting **minutes of August 30th**; Mr. Gildea seconded; all aye.

7:15 p.m. – Paul DeSimone, Chairman of the IDC, came to meet with the Board accompanied by IDC members Paul Mitchell, Rich Parrella, and Jim Mucci.

He showed Board members a sample of the **brochure** that would be forthcoming on industrial and commercial businesses promoting the Town of Medway. He noted \$4,000 for 200 brochures had been set aside for this purpose, hopefully being ready at the end of the month.

Mrs. Rozanski commented that the master plan would be included in the brochure since the IDC was part of economic development with the master plan.

He formally invited everyone to the **joint meeting** being held with the Medway Business Council at the Senior Center on September 29th. There would be a presentation from Sithe and Rep. Gardner and Sen. Magnani would also be attending.

- Mr. DeSimone mentioned that Gino Carlucci was looking for a **grant request** at a maximum of \$35,000 to allow for the initial design for sewer on Alder Street/Trotter Drive as part of DHCD's Ready Resource Fund. It was also recommended to market the area strictly for industrial use, and the grant has been basically written for submittal to work in that direction. He asked Mr. Hartman if he had received the paperwork from Gino? Mr. Hartman said he had received the proposal and application, was reviewing it, and would probably be on Monday night's agenda. He told Gino it was not an issue for him now, and he was handling it.

Mr. Hartman also stated the proposal for consulting work for sewerage alternatives from **Tata and Howard** was not in a form acceptable to give to the Selectmen for their approval. He has tentatively scheduled to give it to them at their first meeting in October if he comes to an agreement with the consultant on the language. Mr. Hartman said the language was written in a format more to protect the contractor instead of the Town, and the standard form he now uses has been changed to reflect that protection to the Town.

- Mr. DeSimone said that the IDC has to fill out forms for the reimbursement on the **grant for Alder Street** for \$973,400. So far, forms have been filled out and reimbursements received to date of \$871,999.47.

Mr. Hartman brought up their original intention of rebuilding 600 feet of Trotter Drive extension, however, when he returned from his trip to Florida, discovered it had already been done, so they

MINUTES OF THE SELECTMEN'S MEETING
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did as-builts instead. They had also agreed originally to put a footbridge in for \$25,000, but when bids came in, the cost was \$40,000. Mr. DeSimone mentioned that the cost of the water lines was \$37,000, and that may have to be owed to the State if and when an audit is done, because it may not be a reimburseable item after all, and we may have to give it back.

Mr. Hartman clarified that \$102,400 is unaccounted for, but we have a commitment to the contractor of \$118,000. He also said he believed the **change order** before the Selectmen, that was to be discussed later on, would be allowed; therefore, leaving \$16,000 more needed (\$118,000 minus \$102,400). He said they should find a funding source for the additional \$16,000, not including the issue of a permanent footbridge and compensation to Boczanowski for building it.

Mr. DeSimone noted the deadline was November 1st.

Mr. Hartman added that he had a bill pending, but was not given to Paul for reimbursement because some items on it are included in the change order, and they first need the Selectmen to approve the change order. Mr. Hartman explained the retainage included; the temporary water service that was rejected a year ago for \$11,600; and \$6,400 in work that must be completed to satisfy the Conservation Commission who have not allowed any work to proceed until it was done. He also felt the consultant's cost will be part of the reimbursable cost under the Selectmen's consulting account.

Mr. Hartman said staff recommendation was to approve the change order and get the project wrapped up. Last option is to go to FinCom for an emergency transfer for the \$16,000, or pay for part of it out of the paving budget.

Mr. DeSimone and Mr. Hartman noted the conflicting contract language of who was responsible for the water line, which Mr. DeSimone felt was not positioned in the right location. Mr. Johnson did not believe he had heard the final outcome from that meeting with Mike Suprenant of DCI, nor of when ConCom issued a stop work order. Mr. Hartman said if the Board approves the change order tonight for Bardon-Trimount, he will pursue the issue of the Order of Conditions with ConCom. Again, Mr. Hartman said he felt all three items on the change order would be reimbursable, along with Gino Carlucci and DCI's expenses. Mr. Hartman explained the commitment of \$118,00 as being \$41,000 outstanding, \$58,000 retainage; and \$18,000 on the change order.

A brief update was given by Mr. Hartman on the reasoning behind the existing footbridge which meets the requirements of a structure. He believes some arrangement had been made with Kiewit to share the cost, but if the contractor got paid, Kiewit wanted 50% back.

Mr. Hartman added when the State completes their audit of the project, they will know if the \$37,000 is reimbursable or not. He noted the Board can sign the change order pending finding the necessary funds as the temporary water service was done.

Mr. Williams moved to accept change order #4 from DCI in the amount of \$18,078.25 subject to funding; Mr. Johnson seconded; all aye.

Mr. DeSimone went back to the IDC forum in collaboration with the Medway Business Council, saying he had spoken to Joe Hoban about using the Senior Center, and Mr. Hoban had said he would take care of the **one-day liquor license permit**. Since that time, this issue has been reviewed and a problem has been presented because invitations that were sent out said "social hour". They have been placed in an awkward position and assumed it would be the same liability as when they had the open house.

Mr. Hoban did not think there would be a problem, but told Mr. DeSimone he had gotten turned down. Mr. Hartman commented that the Council on Aging had not approved an application for a license, and the Director has stated there is a written policy not to allow alcohol. Mr. Hoban

MINUTES OF THE SELECTMEN'S MEETING
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understood that to mean no alcohol could be consumed on the premises except with the permission of the Board of Selectmen, and agreed there was no formal vote on this.

Mr. Hartman reiterated that the Director has stated the COA did not vote on the request. He also stated the insurance company does not recommend that the Town start issuing one-day licenses in Town buildings, but if they do, they must purchase insurance for the event. Mr. Hoban said they can call an emergency meeting of the COA and vote. Mrs. Rozanski said this needed to start with the COA, and then the Selectmen, and they do have time for this before the 29th.

- Mr. Hoban stated they also need to request permission to **pour a patio**. He reminded the Board they accepted the gift of \$2,000 already from the Medway Lions to do this. Mr. Hartman explained the Town owns the building, and the Selectmen are the Town, and they need permission from the Selectmen to do it. Again, the Selectmen and the Park Commissioners are the ones who own property.

Mr. Johnson moved to allow the construction of the patio at an unspecified time, at an unspecified location at the Senior Center; Mr. Williams seconded; Mr. Johnson then amended his motion to include that all due cautions would be taken into consideration so no hazardous conditions exist. Mrs. Rozanski confirmed with Mr. Hartman that no building permit was needed, but that the Building Inspector would be asked to do an inspection anyway; all aye on the motion. Mrs. Rozanski suggested their sending a drawing or picture to the Office to close the file.

8:45 p.m. – Matthew Hayes came to meet with the Board concerning his request to be appointed to the Conservation Commission.

Mrs. Rozanski apologized to Mr. Hayes for keeping him waiting. Mr. Hayes said he has lived in Medway for over a year, and since he lives near the river, is concerned about the Town's resources and wanted to help ensure they stay protected.

Mrs. Rozanski asked Mr. Hartman about Mr. Hayes' employment with VHB. Mr. Hartman felt a conflict of interest might exist, but it depended on what division he worked in. Mr. Hayes noted it was transportation/telecommunications. Mrs. Rozanski said it was her feeling he should abstain from any project involving VHB. Mr. Hayes did not have a problem with that.

Mr. Hartman believed that, at the time he was sworn in, he would sign a disclosure for potential conflict of interest with the Town Clerk for any projects involving VHB. He would check this out with Town Counsel before being appointed. Mrs. Rozanski agreed his appointment would be predicated on the proper procedure and a written outcome.

Mr. Williams moved to recommend appointment to the Town Administrator of Matthew Hayes to the Conservation Commission through the term of 6/30/01; Mr. Johnson seconded; all aye.

- **Committee Reports.**

- Mr. Williams wanted to **commend and thank** the firefighters and DPS for their handling of the recent rainstorm.
- Mr. Williams noted attending the recent **ConCom meeting** as the Board's liaison on September 2nd.
- Mr. Johnson wanted to go on record that he did not cause the road to be repaired in front of his house.
- Mr. Johnson noted receipt of an invitation from **Ashland on their forum** "Education Funding Alternatives". He said he told the School Committee as well about the forum. Mrs. Rozanski asked Board members to let the Secretary know who would attend.

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- Mrs. Rozanski read a letter of support for **Sithe** she wrote on behalf of the Board, and provided the Office a copy of the letter. She had also written a letter on the transcripts. Mrs. Rozanski said the Board would not be filing a brief, and that a decision should be made within the next four weeks.
- Mrs. Rozanski stated there was a meeting today on **binding arbitration**, and she sent a letter on that. She did not feel most employees would be in favor as 75% to 80% live in town.
- **Administrator's Report.**
- Mr. Hartman said he had made a selection on the contact for **environmental consulting services** associated with **Sithe**, and contracts were mailed out last week. If returned in time, they will be on the Selectmen's agenda for the 20th for their signature.
- Mr. Hartman stated the **sewering alternatives** on Alder Street have not been resolved yet. He did not, at this time, believe the pricing proposal was advantageous to the Town.
- Mr. Hartman brought up the FinCom's suggestion of an **all boards meeting** on October 16th, and that they have jointly approved the new budget schedule and sent it on to the Selectmen for their approval. The Board agreed the date was fine with them.

Mr. Hartman also suggested adding another hour to the agenda for discussion of the master plan on the all boards meeting agenda since all boards meetings are few and far between. Mr. Johnson questioned why the master plan was being brought up again? Mr. Hartman explained he intends to hand out correspondence at this meeting to get each board involved in the process; to set up procedures; determine what are they doing to implement the activity; determine if what has been assigned as their activity is technically theirs to implement; determine the order of priority of the activities listed; set up a plan to achieve that activity to the Board of Selectmen.

- Mr. Hartman provided the Board an update on the RFP for **engineering and construction services**. He explained the consultant is the Town's consultant; not the Planning Board's. He further went on to explain that there was an established process, including advertising, the RFP, the appointing of an RFP review panel who reviewed the seven proposals submitted. They then went from seven to three finalists who were interviewed, which were VHB, Beals & Thomas, and PMP. PMP is the current vendor. After meeting with the finalists, the panel gave their first and second choices. Their first choice was VHB, and their second Beals & Thomas.

Mr. Hartman said it recently came to VHB's attention that they hired someone who has been before the Planning Board for a client, and Mrs. Borgatti, a member of the Planning Board and review panel, felt it was a violation. Mr. Hartman explained the specs asked that each company reveal the firm's clients for the past 60 months, and VHB did that; not to reveal the clients that employees may have had. He stated that the committee met after this situation occurred, and they decided again to proceed with VHB. Mr. Hartman said he has since referred this to Town Counsel, but over the phone, he did not feel there was a violation of the conflict of interest law. He also noted there is nothing to stop the Town from having two consultants.

Mrs. Rozanski wanted to be assured that Mrs. Borgatti went to all the meetings and expressed her concern. Mr. Hartman said she was at all the meetings and expressed the interest in keeping the current consultant. He also stated that, if someone else was hired, they would have to anticipate a transition period, and all knew that ahead of time.

Mrs. Rozanski noted, in reviewing Mr. Springer's letter, that he felt more research should have gone into selecting a consultant. Mr. Hartman believed the letter was meant to discredit the process. Mrs. Rozanski thought it was relevant if they would be doing the work. Mr. Hartman explained, if VHB is selected, VHB will not consult on any projects, such as CVS, that they have a business relationship with; we would choose a different consultant.

MINUTES OF THE SELECTMEN'S MEETING
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- Mr. Hartman brought up the correspondence he gave to the Board concerning the **Conservation Administrator**. He explained he believed the individual is an employee, and not a private contractor since she does not meet IRS criteria of a private contractor. He said she will receive a salary for so many hours for so much work. It was clear in his mind she was more of an employee.

Mr. Johnson noted from her job description that she was under the Town Administrator with general direction from ConCom. Mr. Hartman said she would be doing site visits and signing off on building applications. She will act as the ConCom agent, preparing agendas and attending meetings. They also want her to hold regular office hours. Under Ch. 43, the funds to pay her are under ConCom as they are utilizing funds they have received from the revolving account.

The Board was concerned with what would happen to the position if there was no more funding? Mr. Hartman said the position would then not exist. ConCom know they don't have an appropriation, but over time, there would be less dependence on consultants.

Mr. Williams asked what is the volume drawing the need? Mr. Hartman explained the Town's wetlands by-law requires ConCom to sign off on all building applications. Mr. Johnson said he would like to see the need for this; he was not saying he was against it.

Mrs. Rozanski thought she could be a contractual employee, but Mr. Hartman said only certain people can have contracts. There is nothing in our policies and procedures and by-laws that precludes this. Mrs. Rozanski said they should make a procedure, but Mr. Hartman suggested asking Town Counsel first.

Mr. Johnson said he would like to know how many building applications come in, and then recommended the position be included in the compensation plan. There was no vote or decision on this matter.

- **Discussion items.**

- The Board went briefly back to the **all boards meeting**. Mr. Johnson was concerned that it would be a lecture, rather than a contribution of information from those present. The Board agreed those attending should know ahead of time what is expected from them, rather than preparing a dissertation that would not be heard. Mr. Hartman said, insofar as the budget was concerned, boards would be given a presentation of what will be the format, and that this is the process. Mrs. Rozanski said they have time yet to discuss an agenda.

- Mr. Hartman brought up the **use of Sanford Hall** by boards. He explained he has received complaints because some boards want to use Sanford Hall to televise a meeting, but are preempted by another board who booked the room first and chooses not to televise. He said to the Board they may want to consider a policy for those who can and cannot use the room. He gave an example of when FinCom had the room, and ZBA wanted to use it to televise their meeting, but FinCom had booked the room first, so ZBA had to go elsewhere. FinCom does not televise. This is going against the active pursuit of encouraging boards to bring information back to the residents via the cameras and TV coverage.

Mrs. Rozanski suggested advising these boards they will be moved if they don't televise because they were not helping to foster better communication.

Mr. Johnson moved that the Board of Selectmen extend a invitation of utilizing Sanford Hall to those people who intend to televise their meetings, and that those who do not, will be put on second priority instead of first priority; Mr. Williams seconded. Mr. Johnson suggested allowing charitable organizations to use the room as well, but Mr. Williams felt it should stay among Town boards. Mr. Hartman agreed as the custodian leaves the building early and those groups would not be able to lock up. Mr. Johnson amended his motion to be that Sanford Hall would be offered to

MINUTES OF THE SELECTMEN'S MEETING
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Town boards and committees first, and secondly to those who are not; Mr. Williams seconded; all aye. Mrs. Rozanski asked Mr. Hartman to write up a policy.

- Mr. Hartman brought up **Town Hall hours**. Mrs. Rozanski agreed they needed to make a decision on this. Mr. Hartman explained he had sat down with the Union and they had accepted the suggested schedule. Mrs. Rozanski believed it was a change in working conditions, and was concerned that they could reserve the right to do a different shift.

Mr. Hartman explained the standard in Massachusetts is 40 hours. The collective bargaining agreement supercedes that, as it defines the workweek as Monday through Friday, not hours in a day. The Union and the Town agree it is a management right. The Board can impose a schedule, and he verified this with Labor Counsel; you can even do four, ten-hour days. He noted most towns have contractual language as well. Each office has chosen to handle their situation differently, which is permissible under the labor agreement, and an employee can work over 8 hours in one day.

Mr. Williams said he was in favor of this schedule when he first heard about it, and hadn't heard anything against. He thought it was a good idea that the public could schedule some time in the evening to come to Town Hall. Insofar as the closing early on Fridays, he felt this would be helpful to those who could now schedule appointments after 1:00 p.m.

Mr. Johnson moved to accept the hours between 4:30 p.m. and 7:30 p.m. as being when Town Hall offices would be open on Monday evenings, and to close as their regular time at 1:00 p.m. to the public on Fridays; Mr. Williams seconded. Mr. Hartman suggested to add, except where there is a Monday holiday in which case Town Hall will be open all day Friday of that week. Mr. Johnson so amended his motion; Mr. Williams seconded; all aye. A notice will be put in the newspapers and cable.

- **Action items.**

- The **Medway Pride Day Committee** appointees were brought up. Mr. Williams did not want to cause any public embarrassment, but he had a problem with one of the two individuals for appointment. He knew there had been at least a half dozen infractions by her and the Town by-law as it pertained to a dog on a leash. He knew the fines were in excess of \$500 and that it was a civil matter. He felt this committee was of equal stature as any other, and the Board would be recommending appointment of someone as a Town official. The Town hires people, such as the Animal Control Officer and the Police, and we should stand behind these people. Mr. Williams added, if this was a rumor, it would be different, but it is out in the open and in the tradition of civil disobedience.

Mr. Hartman stated there was no policy on making such decisions on appointments, so this has come back to the Board. Mrs. Rozanski thought a better course would be getting signatures for a Town Meeting change. Again, Mr. Williams said he would not feel right as an official to go along with appointing people who flagrantly break the law. This prompted Board members to wonder about others that are appointed.

Mr. Johnson nominated to the Town Administrator appointment of Nancy Honey Lundy to the Medway Pride Day Committee; Mr. Williams seconded; all aye. Mr. Johnson also suggested leaving the other individual in abeyance until the issue is resolved with the Town and Court. Mrs. Rozanski added, even if she is not re-appointed, she could continue to serve until she resigns or we ask her not to serve.

- The change order for the Idylbrook Park project was brought up. Mr. Hartman explained the change is in the scope of work, not the cost of the contract. Mr. Johnson moved to approve change order #1 for the Idylbrook Park project, #99-018, and authorize the Chairman to sign; Mr. Williams seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
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- **Communications and correspondence.**
- The Board acknowledged receipt of the memo from the **Open Space Committee** noting they were turning over all documentation the Committee had to the Town. Mr. Johnson said it belonged with the Town Clerk as the keeper of the records. Mrs. Rozanski agreed the Committee should be able to have access to it.
- The Board acknowledged receipt of a letter from the **Inspector General's office** informing them that Mr. Hartman had completed the Supplies and Services certification seminar in the Mass. Certified Public Purchasing Official program relative to procurement under Chapter 30B.
- With reference to the **assessment of the power plant**, Mr. Johnson and Mr. Hartman both said no one answered the RFP.
- Mrs. Rozanski asked Mr. Hartman what was happening on **Route 109**? Mr. Hartman said he had spoken to David Giangrande who spoke to Millis Town Administrator Charlie Aspinwall, and supposedly the funds are being released. He added the Board approved the contract for VHB to do the pedestrian count from Holliston Street to Pond Street, the process of which should be starting this week.

Mr. Johnson said he would be giving the Chairman a letter to go on record about his deep concern for Route 109 and what is not happening. There are things we can do ourselves.

- Mr. Williams asked again about **Lovering Street**? Mr. Hartman said they were waiting for the Norfolk County Engineers to meet, approve the request to survey, and then do the survey. He said he was 99% confident that the Town has the right of way. We could hold a meeting with abutters when it is done. Mrs. Rozanski thought it was a good idea to keep the residents informed. Mr. Hartman said he would find out who the abutters are and invite them in. Mr. Johnson thought there were about seven homes involved, and questioned any historical stone walls that may be there.
- Mr. Johnson wondered if it was possible to do **in-line skating** in back of Town Hall on the new parking lot? Mr. Hartman said he would check on it.
- Cheryl Harvey, who was present, reminded the Board of the **joint meeting** between the School Committee and the Selectmen on Thursday, September 16th, to interview and select a new member for the School Committee. She outlined their format, which would include an opening statement, then the School Committee and the Board of Selectmen have one question each, a summation of each, then they can vote. No absentee votes will be allowed.
- Mrs. Harvey asked if a date had been set up for the **Municipal Building Committee** to meet. Mr. Hartman said he was waiting for the last few members to get sworn in, but was tentatively scheduling the meeting for Tuesday, September 21st at 6:00 p.m. He really should be talking to the Committee first, but he said the RFP of Symmes, Maine and McKee allowed an additional scope of services, and he will suggest a site evaluation only for them to do while he is doing up the design specs. Mr. Hartman stated they are willing to do it, but have expressed the desire to compete for the design work. If so, then we would need an independent review of the feasibility study. He would be talking further with the Superintendent.
- Mrs. Rozanski brought up the subject of the **Board meeting every other week**. She said she had an outcry from the public about changing to every other week, so said they should stick to the same schedule.

Mr. Williams disagreed with Mrs. Rozanski about the need to meet every week. She said the frequency of meetings is up to the Board and you need four positive votes to change it.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Williams said he would be sending a draft policy change to Board members for a future agenda, but noted, he looked at the Board's policies and procedures and did not see where it was the Chair's prerogative to set the frequency of meetings.

Mr. Hartman clarified that a policy can be changed by a simple majority vote. If you want to change a policy the same evening it is proposed, however, then you need four positive votes.

10:55 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Johnson seconded; all aye.

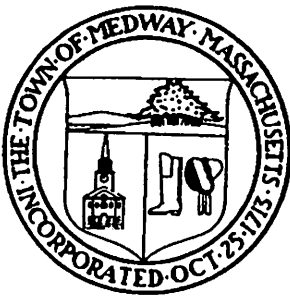
Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
9/20/99

APPROVED



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
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AGENDA

BOARD OF SELECTMEN

AUGUST 30, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - August 16, 1999 – regular meeting.
 - August 16, 1999 – executive session.
 3. Public comments.
- 7:15 p.m. - Ken McKay
re: request for appointment to Conservation Commission.
- 7:30 p.m. - Joan Sheridan
re: request for appointment to Finance Committee.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Municipal Building Committee.
 - Update on Site siting board hearings.
 7. Action items.
 - Sign and approve amendment to Horsley & Witten contract.
 - Sign and approve additional scope for SMMA.
 8. For your information.
 - MAPC's letter noting COA's request of funding for van.
 9. Communications and correspondence.
 - Acknowledge FinCom resignations of Glenn Trindade and Frank Hillery.
 10. Future agenda items.
 - Joint meeting with School Committee to fill vacancy on September 16th.
 11. September meetings.
 - September 13th – 7:00 p.m. – Sanford Hall.
 - Discuss Board of Selectmen meeting every other week.
 12. Executive session.
 - None required.

cc: ALB 9/17/99
cm

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 30, 1999

Present: Raphaela Rozanski, Harry Johnson, Richard Gildea, Joe Dziczek, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:05 p.m. – Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

- Mr. Williams read **warrant #10** in the amount of \$663,441.27. Mr. Dziczek moved approval of the warrant as read; Mr. Williams seconded; all aye.
- The regular meeting **minutes of August 16th** were brought up, and Mr. Williams moved their approval with a correction; Mr. Dziczek seconded; Mr. Johnson abstained; aye as amended.
- The **executive session minutes of August 16th** were next discussed. Mr. Dziczek moved their approval and release; Mr. Williams seconded; Mr. Hartman suggested they not be released until he heard from Town Counsel; Mr. Dziczek amended his motion that the minutes be approved and not released; Mr. Williams seconded the amendment; Mr. Johnson abstained; aye to the amended motion.
- There were **no public comments**.
- **Committee reports**.
- Mr. Williams noted attending the **ConCom** meeting on the 19th as the Board's liaison.
- Mr. Johnson noted receipt of a letter from the **Norfolk County Advisory Board** which was sent to everyone who attended town meeting looking for support on the legislation of returning taxes back to the Town.

7:15 p.m. – **Ken McKay** came to speak to the Board concerning his request to be appointed to **ConCom**.

Mr. McKay said a friend told him about the position being open and suggested he apply for it. He was not aware of any potential conflicts of interest. He felt his role was to attend meetings and to assist in making determinations based on the Wetland Protection Act after he was familiar with the Act. Mr. McKay said he was inspired also by the Master Plan recently accepted at Town Meeting. It was noted that Mr. McKay was involved in environmental sciences.

Mr. Dziczek moved to approve and recommend to the Town Administrator appointment of Ken McKay to the Conservation Commission for a three-year term through June 30, 2002; Mr. Gildea seconded; all aye.

- **Administrator's report**.
- Relating to **ConCom**, Mr. Hartman said he and members of the **ConCom** had interviewed applicants for the **Conservation Administrator** position, and Virginia Briggs was selected effective today. He said she would be starting work almost immediately anticipating 10-12 hours work per week. Mr. Hartman stated **ConCom** clearly indicated they wanted a part-time employee. He reminded the Board they had, by their vote, allowed **ConCom** to spend fees for this position, which was part of the classification plan recently submitted to the Board of Selectmen. Mr. Hartman indicated, if there were no fees, the position would cease to exist, however, presently there was in excess of \$40,000 in the account which has to be used for administering the wetlands act. Insofar as being an employer is concerned, Mr. Hartman said she was not benefit eligible.

Mr. Johnson asked about the creation of the position. Mr. Hartman stated the position is for direct administration of the wetlands act as the law limits this to the technical side. He said this is hands-on field work, not secretarial work. Mrs. Rozanski asked that he bring back to the Board the minutes of when the Board approved this and a job description that was formulated.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 30, 1999

7:30 p.m. – Joan Sheridan came to meet with the Board requesting appointment to the Finance Committee.

Ms. Sheridan, like Mr. McKay, heard about the opening from a friend. She is involved in the financial field and felt this was a good time to get involved with the Town.

Mr. Dzikczek moved to approve and recommend to the Town Administrator appointment of Joan Sheridan to the Finance Committee for a three-year term through June 30, 2002; Mr. Johnson seconded; all aye.

Back to the Administrator's report.

- At the **Idylbrook Park project**, they have been able to drill down 700 feet, obtaining water from a different source than the residents. They were attempting to get a pump installed drawing 25 gallons/minute at this time. Aerial photos were taken indicating the source of the water which is lower than most other wells in that area. Mr. Hartman noted they had received three quotes for the drilling of the well, most being around \$8/foot and higher for drilling. He again reiterated the intent is to have the field completed by October 31st, including seeding, fertilizing and watering, with Spring 2001 being the earliest it could be played on, preferably Fall 2001. Mr. Hartman said it was the call of the Park Commissioners when the fields will be used.
- Mr. Hartman brought up his memo on **Town Hall hours**. He reminded the Board that they had adopted Town Hall hours for the summer with the possibility of continuing those hours year-round. He noted 82 towns in Massachusetts have adopted a similar structure. The Town Hall union membership was polled and the majority are in favor of continuing that structure. Management rights in the union contract have a clause that allows a memorandum of understanding, with no necessity to re-open the contract. Mr. Hartman indicated feedback was positive that all offices were open one night a week, and this type of schedule was consistent with the Board's goal of trying to have some uniformity in Town Hall hours. He also noted when there was a Monday holiday, Town Hall would stay open all day Friday.

Mrs. Rozanski suggested they not vote at this time, but look at it as a policy. She noted she was always interested in flex time, but 1/3 of the people in Town Hall had a problem with the hours and working conditions. Is there a way to address this? Mr. Hartman explained no one was required to work Monday nights, only that the office is open; it would be up to the department head. He said three offices were already open on Monday nights, one on Tuesday and one on Wednesday. Mrs. Rozanski was concerned if someone wanted to work Friday afternoons, they could; it was important to provide service to the community.

Mr. Johnson felt some departments have heavy workloads at different times, and have even closed their offices to the public when that has happened. The Assessors office does not really have to be open in the evenings as mostly brokers and realtors come during the day; however, anytime changes occur, the public should be made aware. Mr. Hartman said that would be done with a paid ad in the paper. He noted there were three units in the union; this was mostly affecting the clerical unit. He indicated both sides have already agreed to the hours; it was revocable.

Mrs. Rozanski brought up management rights of department heads since they manage the staffing. She again brought up the possibility of work that had to be done on Friday afternoons.

Mr. Hartman pointed out we were looking for uniformity among offices, and many were already there on Monday nights. Mrs. Rozanski believed the public was doing business with the boards, not the employees. She suggested soliciting good and bad comments, and if there is a MOU, something in it regarding department heads. Mr. Hartman advised against this pointing out the issue is covered by the management rights clause.

Mrs. Rozanski asked that this item be placed on their next agenda.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 30, 1999

- **Discussion items.**
-
- **The Board discussed the Municipal Building Committee.**

Mrs. Rozanski stated that the Board interviewed 12 applicants on Saturday for the Municipal Building Committee. She stated that they had gone through several rounds and finally accepted the final six. The Secretary read the names: Tony Kalicki, Kelly O'Rourke, Jim Hoodlet, Robin St. Pere, Gerry Lindsey, Jim Brodeur.

Mr. Johnson moved the following terms: Mr. Brodeur and Mr. Lindsey – 1 year; Mr. Kalicki and Ms. O'Rourke – 2 years; Ms. St. Pere and Mr. Hoodlet – 3 years; Mr. Dziczek seconded; all aye. Mr. Johnson explained his reasoning behind the terms: Mr. Brodeur and Mr. Lindsey would be important in assisting in the site selection process; Mr. Kalicki and Ms. O'Rourke have had some experience on other committees to add to the process; Ms. St. Pere and Mr. Hoodlet were new and had time to offer, as well as Mr. Hoodlet's profession as a lawyer would be useful throughout the whole process.

Mr. Williams suggested, when letters were written to those not chosen for this committee, that they be informed of other vacancies that exist. He noted all candidates were top-notch and appreciated their coming forward. Mrs. Rozanski asked that the Town Administrator keep the names in a file so they can be solicited when needed.

With reference to the next step, Mr. Hartman said they would be contacted, but they need to get sworn in first, and then they would set up an organizational meeting.

Mr. Johnson added they had to make choices, including personalities, and had some ties; however, there were enough candidates to make a good selection. Mrs. Rozanski continued they had criteria and a process for all. At this time, she suggested they confirm the candidate from the School Committee.

Mr. Johnson moved that the Board of Selectmen appoint Frank Varrichione to the Municipal Building Committee for a term unspecified but at least for a year as the School Committee's representative; Mr. Dziczek seconded; all aye.

Charlie Myers, who was in attendance, suggested giving a tentative date of the first meeting to the seven committee members with their letter of appointment. Mr. Hartman noted the Secretary would be trying to schedule the meeting with the best date for all.

Mrs. Rozanski brought up the vacancy on the School Committee, and the upcoming joint meeting on September 16th. She understood applicants were to submit their names to the Superintendent by August 31st, and that they would interview and select their candidate on the 16th. Cheryl Harvey, who was in attendance, said they would get copies of their resumes to the Selectmen prior to that evening, and also requested that the Town Clerk be in attendance that evening to swear in their appointee.

Mr. Gildea and Mr. Dziczek said they would not be available that evening.

- **Mrs. Rozanski provided the Board an update on the Site siting board hearings.**

Mrs. Rozanski said there had been five days of hearings; she had gone to four, Mr. Gildea to two, and Mr. Johnson to one. All transcripts are being sent to the Office and may be viewed by the public. The standards to make a decision are part of that file. She said, at this time, the Board can say to the siting board – they support favorable action, they are not in favor of the action, or they choose to take no action.

Mr. Johnson said this board was concerned about the Commonwealth of Massachusetts, not just Medway. In terms of impact in the Town and the revenues we would be getting, it was 95% good. He recommended the Chairman write a favorable letter, noting there would still be DEP hearings. Mr.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 30, 1999

Gildea said he had no objection to a favorable decision. Mrs. Rozanski added there would still be a site plan for Medway.

Mr. Dziczek moved the Chairman write a favorable letter; Mr. Gildea seconded; Mr. Johnson added to accept the siting board's hearings as presented thus far; all aye. Mr. Johnson noted the importance of a peak facility being here providing service to the Town especially during the hot summer months.

- **Action items.**

- Mr. Hartman stated the Board had already signed the **contract with Horsley & Witten** for the environmental consulting services for ConCom for Deerview Meadows. He was asking that they approve the amendment not to exceed \$7,500.

Mrs. Rozanski asked if the money was supposed to come from the developer? Mr. Hartman said, for now, it was coming out of ConCom's budget. They were researching if the Town had adopted a by-law, Ch. 42, S 53-1/2E, for a revolving fund for something such as this. They had encumbered \$2,500 last year, and \$4,000 now, so they have \$6,500, and they were authorizing the Town to spend that money. Mr. Hartman added that the consulting firm for Deerview and ConCom have not yet come to an agreement even though they are close. If the Board was uncomfortable with approving \$7,500, then he asked they just amend the contract to \$6,500, and then he would come back if more funding is needed, with the only other option being to take the money out of the Selectmen's consulting budget. Mr. Hartman said they were looking for a mechanism to charge the contractor. He added they have one more meeting in the field and an appearance before ConCom, and water and sewer maps to present to them, but now holding bills of \$3,100.

Mr. Dziczek moved to approve and sign the amendment to the Horsley & Witten agreement not to exceed \$6,500; Mr. Gildea seconded; Mr. Williams opposed; motion carries 4-1. Mr. Dziczek moved the Chairman be authorized to sign; Mr. Gildea seconded; Mr. Williams opposed; motion carries 4-1.

- Mr. Hartman asked that the Board defer the item of approving additional scope for **SMMA** to the next meeting.
- The Board noted receipt of a letter from MAPC indicating the COA's request for funding for a minibus was on their list of organizations that applied to the **Mobility Assistance Program** through a grant for \$58,000. Mr. Gildea suggested sending a letter of support to the MAPC, however, Mr. Williams wanted to hear a little more. Mr. Hartman said he could give the Board a copy of the grant, however, Mr. Johnson asked why were they not notified? He stated if you have another vehicle, you need another driver, and any vehicle the Town receives has to go through the Board of Selectmen. Mr. Hartman said if the grant is awarded, then it comes to the Selectmen for approval. Mr. Johnson still felt they should know about a grant ahead of time. Mr. Gildea asked for a report at the next meeting. Mr. Hartman said they do not have a policy on this matter, and there are always different groups going after grants. Mr. Dziczek asked that the Board not rebuke those going after grants; that is what they always wanted. He asked that Mr. Hartman try to come up with a policy guideline.
- The Board acknowledged the **resignations of Frank Hillery and Glenn Trindade from the FinCom**. Mr. Hartman said there could be two more resignations coming soon as well. Mr. Williams moved to accept the resignation of Mr. Trindade from the FinCom with regret; Mr. Johnson seconded; all aye. Mr. Williams moved to accept the resignation of Mr. Hillery from the FinCom with regret; Mr. Dziczek seconded; all aye. The Secretary was asked to send certificates of appreciation to both.
- The Board discussed the **subject of meeting every other week**, noting their next meeting was on September 13th. Mr. Hartman said this was in compliance with the Board's goals of the previous three-member board to try and meet every other week if possible. This had been discussed in May, and the Board wanted to revisit it again after the Summer.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 30, 1999

Mrs. Rozanski said she liked setting a schedule of meetings, and there was nothing in the law that they had to meet once a week. It was the prerogative of the Chairman to set meetings. She shared with the Board a calendar for meeting every other week.

Mr. Hartman said the Board members would still have to come in and sign warrants on a weekly basis as it was a little too much work to do bi-weekly warrants. Mrs. Rozanski agreed at least twice a month they would be accessible to the public.

Mr. Gildea agreed they should call a meeting for every other week, and give the Chairman the option to call other meetings as needed. Mr. Williams liked the calendar and wanted to adopt it, asking that they look beyond December 4th. Mr. Dzikczek was concerned, however, if they missed a meeting on the every other week schedule, they would then not be meeting for a month. Mr. Johnson said he would go along with the schedule if the warrants were done every other week; if not, then they meet every week. Mr. Williams did not see why they couldn't adopt the every other week schedule; their meetings should not be predicated on a warrant coming out every other week. Mr. Dzikczek then suggested trying it for three months. Mr. Johnson said he would rather get out early in a weekly meeting then later on meetings every other week.

Mrs. Rozanski then said it was the Chairman's prerogative to set the schedule for September, and said they would meet every week, and then look at it in October. She said she would work with the Town Administrator, look at the work coming up, and then look at a schedule.

- Not on the agenda was the new manager, **Steve Lawton of The Little Store**. Mr. Hartman explained that the denial of Mr. Lawton's transfer of a wine and malt liquor license had just come in on Friday, and Mr. Lawton had to confer with his attorney to decide if they wanted to appeal the denial or apply for a new license. The letter from his attorney was on the table this evening.

Mr. Lawton said the tax lien was not his, and through no fault of his, the DOR voiced objection to the ABCC and the license was denied. He asked that the Board approve sign a new Form 43 to allow him time to appeal the denial. During this time frame, he hoped the previous owners would be able to settle their tax problems, and then the ABCC would be able to approve the license on his own merits.

Mr. Dzikczek moved to sign a new Form 43 for Mr. Lawton to appeal the denial to the ABCC; Mr. Williams seconded; all aye.

- Mr. Johnson asked Mr. Hartman if Lovering Street was going to get a new sidewalk by Fall? Mr. Hartman said it would be going in.

9:25 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Dzikczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
9/12/99

MUNICIPAL BUILDING COMMITTEE INTERVIEWS – SATURDAY, AUGUST 28th :

ALL HAVE CONFIRMED THEIR APPOINTMENT.

James Brodeur 9:00 a.m.
13 School Street
Medway, MA 02053

Gerry Lindsey 9:10 a.m.
69 Summer Street
Medway, MA 02053

Anthony Kalicki 9:20 a.m.
4 Thayer Road
Medway, MA 02053

Frank Danehy 9:30 a.m.
1 Florence Circle
Medway, MA 02053

Allan Fraser 9:40 a.m.
24 Oak Street
Medway, MA 02053

Kelly O'Rourke 9:50 a.m.
5 Cider Mill Road
Medway, MA 02053

Diane Coulter 10:00 a.m.
15 Broken Tree Road
Medway, MA 02053

Dan Gregory 10:10 a.m.
19B Evergreen Street
Medway, MA 02053

Diana Faust 10:20 a.m.
14 Causeway Street
Medway, MA 02053

Ronald Recchino 10:30 a.m.
11 Karen Avenue
Medway, MA 02053

Robin St. Pere 10:40 a.m.
3 Mallard Drive
Medway, MA 02053

Dolores Morin 10:50 a.m.
98 Oakland Street
Medway, MA 02053

James Hoodlet 11:00 a.m.
2 Nestlebrook Lane
Medway, MA 02053

cc: A-L-B 9/17/99
C-M

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 28, 1999

Present: Raphaela Rozanski, Harry Johnson, Richard Gildea, Joe Dziczek, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette.

9:05 a.m. – All Board members being present, Mrs. Rozanski called the meeting to order in Sanford Hall of Town Hall.

This session of the Board of Selectmen was called to interview candidates for the Municipal Building Committee.

9:10 a.m. – The first applicant was Jim Brodeur.

Mrs. Rozanski explained that the Board would be telling applicants, starting with Mr. Brodeur, that with the exception of the School Committee representative, they could only be members of this committee and no other committee, and that they would not be special municipal employees.

All applicants were asked the following questions:

1. Give us an example of how you applied cost benefit analysis to a recent project you have been a part of?
2. What outcome do you expect this committee to produce?
3. Describe a situation in which you effectively used dispute resolution techniques, and what consensus was reached?
4. After the high school, what municipal project do you think the committee should concentrate on?
5. Brief closing statement to the Chairman.

Mr. Brodeur stated he had served on the police station building committee, and some cost benefit analysis had been applied to the idea of a copper roof. He felt their next mission was to find a site for the high school, keeping in mind the need for a new highway garage possibly utilizing the same site, definitely keeping in mind future projects before selecting a site. With other committees he had served on, there had not been any real bickering and all conflicts were resolved. Mr. Brodeur felt he knew Medway land better than anyone, especially since he had, at one time, been Town Engineer, and hoped to be a part of this committee.

9:20 a.m. – Gerry Lindsey was next.

Mr. Lindsey explained his involvement with the Central Artery Tunnel and his experience as an engineer. He felt he was an open-minded individual who understood people don't want new construction in their back yard. He was concerned that when the Memorial School was built, it was already full, and felt that we really should be thinking more ahead. He noted his involvement with the Fire Station Building Committee, that they had worked together, and his concern of where other departments and their needs were. He felt there should be some look toward the future of Medway growth.

9:25 a.m. – Tony Kalicki.

Mr. Kalicki stated cost benefit analysis was used every day in his profession, and was responsible for any consequences of his actions. His goal was to build a functional building for the monies available. He was familiar with resolving conflicts in his daily job and on the FinCom. He believed a middle school might be the next project, but wanted the committee to look long-range. Believing he had time to give, he wanted to serve on this committee.

9:30 a.m. – Frank ^{Danehy} ~~Daheny~~.

Mr. Danehy was familiar with resolving conflicts and differences of opinion. He had the time to give now that his children were grown and had gone through the school system. He wanted to be a part of building buildings in priority order to serve the citizens of Medway, but believed the priority seemed to be the schools. He felt after the schools, the DPW garage might be next. He believed his 23 years of living in

**- MINUTES OF THE SELECTMEN'S MEETING
AUGUST 28, 1999**

Medway made him a good candidate for the spirit of Medway. He acknowledged being chairman of the Audit Committee, a member of the Medway Lions, and his previous experience with hotel chains.

9:40 a.m. – Allan Fraser.

Mr. Fraser noted his familiarity with energy and maintenance cost as it was something he dealt with in his every day profession. He wanted to see the best building built for the cost available looking at their functions and life-time use. He felt the committee should be comfortable with one another enough to be able to debate any problems. He felt they could be a good technical advisory committee to the Board.

9:50 a.m. – Kelly O'Rourke.

Ms. O'Rourke noted her expertise in the marketing field, and that she always looked at the product and its revenue, noting the times she had to act as liaison between the marketing and the technical computer groups. She understood her term on the municipal projects ahead and was willing to give her time. She hoped looking for a site included any future projects in a combined effort. She was here because of the work she already put in on the school facilities master plan committee, knowing her children would be benefiting from her efforts.

10:00 a.m. – Diane Coulter.

Ms. Coulter said she ran her own company as a programmer, and wanted to continue making the Town a better place to live. She wanted to ensure that the Town's money spent was spent in the best way, and ensured the Board she would be a logical and rational individual on the committee. She believed, in dealing with clients in her consulting company, she knew how to balance herself and knew her boundaries.

10:10 a.m. – Since Dan Gregory was not present for his appointment, the Board voted to take the next person out of order to keep the continuity of the interviews going.

Diana Faust was next.

Ms. Faust felt her expertise on the School Committee would assist in this position. She believed the committee would oversee Town buildings, renovations and new buildings, and determining sites. She believed the committee would give recommendations informing the people of what was going on. She knew how to listen, when to intervene and give guidance. She felt she could give the commitment needed.

10:30 a.m. – Ron Recchino.

Mr. Recchino said he was a property manager and willing to work on long-lasting projects. He supervises others and knows how to resolve problems. He expressed the desire to see new buildings taken care of, and was interested in their care and maintenance. He also wanted to see the older buildings looked at and kept up.

10:35 a.m. – Robin St. Pere.

Ms. St. Pere said she had managed defense projects and done proposals. She noted she had moved to Medway recently and felt this was a good committee to get involved with. She believed this committee was set up to determine the priorities of future construction. She felt she had a lot to offer to the group.

10:50 a.m. – Dolores Morin.

Ms. Morin noted her expertise in health care. She believed she could be of help in choosing the right sites for the right cost so other structures could be there as well. She explained she had experience as benefits administrator in dealing with unions and grievances. Even though she was new to Medway, she felt she had a lot to offer as she was an open-minded individual and a good problem-solver.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 28, 1999

11:00 a.m. – Jim Hoodlet.

Mr. Hoodlet noted he was an attorney and good at trying to resolve conflicts. He was aware of the changes going on in Medway and that they were looking for sites and then an architect. He felt he could contribute a lot as the person who sees points that others may overlook. He also was new to Medway, but interested in contributing and seeing what else the committee might be involved with after the high school.

This was the end of the interview process. Mr. Williams moved that one candidate be disqualified from the running for lack of showing up for the interview, even though it had been confirmed that he had called and confirmed his appointment with the Secretary after receiving his letter of notification; Mr. Gildea seconded; all aye.

- At this point, Mr. Hartman just updated the Board, for their information, on his meeting with the Planning Board chairman this past Thursday evening.
- The Board said they would make a decision Monday night on their choices for the committee, but at this time, wanted to see among Board members where they stood. A brief discussion on how to choose the terms of the candidates ensued, and then it was decided to make that decision Monday night after Mr. Johnson suggested they look at the composition of the individuals that may be on the committee.

Mr. Gildea gave his top six choices: Brodeur, Lindsey, Kalicki, Danehy, Fraser, O'Rourke.

Mr. Williams: Lindsey, Kalicki, Fraser, O'Rourke, Faust, Hoodlet.

Mr. Dziczek: Brodeur, Lindsey, O'Rourke, Recchino, St. Pere, Hoodlet.

Mrs. Rozanski: Lindsey, Kalicki, Danehy, Recchino, St. Pere, Hoodlet.

Mr. Johnson: Brodeur, Lindsey, Kalicki, Danehy, Fraser, Hoodlet.

Lindsey was the first choice unanimous on all lists.

Next were Kalicki and Hoodlet with 4 votes, so that put three on the committee.

The Board looked at those next receiving the most votes:
Danehy, Fraser, O'Rourke, Brodeur, St. Pere, Recchino.

Eliminated were: Faust, Coulter, Morin.

Board members gave comments on those they felt deserved consideration.

The Board members then each chose three from the list of six.

Mr. Dziczek: Brodeur, O'Rourke, Fraser.

Mr. Gildea: O'Rourke, Fraser, Brodeur.

Mr. Williams: Fraser, O'Rourke, St. Pere.

Mrs. Rozanski: Danehy, Brodeur, St. Pere.

Mr. Johnson: Brodeur, O'Rourke, St. Pere.

Brodeur and O'Rourke each received 4 votes, so that put two more on the committee.

The last choice was between Fraser and St. Pere, each receiving three votes, so Board members then took their last vote, and unanimously decided on St. Pere.

Mr. Johnson moved to accept the slate as presented, Lindsey, Kalicki, Hoodlet, Brodeur, O'Rourke, St. Pere, and vote on them Monday night; Mr. Williams seconded; all aye. Mr Hartman suggested, and Mrs. Rozanski agreed, on a background check on all.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 28, 1999

Mr. Dziczek asked how they should handle questions on their voting before Monday night. Mrs. Rozanski said, if someone asks, you tell them, otherwise the names of the committee members would be revealed Monday night. She said everything was done in the open and in public, and the minutes were recorded by the Secretary.

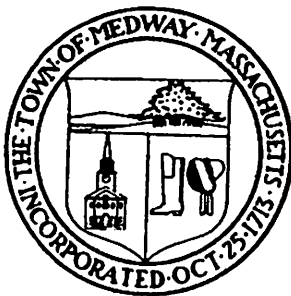
11:10 a.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Johnson seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED *as amended*
9/12/99



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

AGENDA

BOARD OF SELECTMEN

AUGUST 16, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - August 2, 1999 – regular meeting.
 3. Public comments.
- 7:15 p.m. - Michael Seery.
re: solicitor's permit for American Children's Safety Source.
- 7:30 p.m. - Bing Leong, Medway Lotus.
re: entertainment license for kareoche and D.J.
- 7:45 p.m. - Attorney Francis Doran.
re: Class II and III licenses for Apollo, 2 & 4 Main Street.
- 8:00 p.m. - Paul Wilson on behalf of Clarence Gay.
re: Masonic Temple signs.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Municipal Building Committee questions for interviews on August 28th.
 - Offer of land in Oak Grove.
 - Cycle for Haylee bicycle tour on behalf of cystic fibrosis foundation.
 7. Action items.
 - Sign GBS contract for group health consulting services.
 - Sign VHB contract for engineering on Main Street.
 - Sign assistant treasurer & tax collector bonds.
 - Sign American Stop Loss contract from LINA.
 - Sign Idylbrook Park project contract with Ronald A. Marini Corp.
 - Sign appointment slips and make a recommendation on others.
 8. For your information.
 9. Communications and correspondence.
 - Media One regional hearings.

cc: ALB
cm

Selectmen's meeting
August 16, 1999
Page 2.

10. Future agenda items.
 - Joint meeting with School Committee to fill vacancy.
11. August meetings.
 - August 28, 1999 – Sanford Hall – 9 a.m.
 - August 30, 1999 – Sanford Hall. – 7 p.m.
- 9:00 p.m. 12. Executive session.
 - re: pending litigation.

NOTE: Selectman Harry Johnson will not be in attendance.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 16, 1999

Present: Selectmen Raphaela Rozanski, Richard Gildea, Joseph Dziczek, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Harry Johnson was absent.

7:10 p.m. – Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

- Mr. Dziczek moved approval of warrant #8 for \$370,919.37; Mr. Gildea seconded; all aye. It was noted there were no capital items on the warrant.
- Mr. Williams moved approval of the regular meeting minutes of August 2nd; Mr. Dziczek seconded for discussion; clarified a question; all aye.
- There were no public comments.
- Committee reports.
- Mr. Dziczek reported attending the FinCom meeting, noting Mr. Hartman was also in attendance. He said they reorganized with Mr. Collett as chairman, Ms. Cataldo as vice-chairman, and Ms. Diebus as clerk noting there were two vacancies. Mr. Hartman said there would probably be two other vacancies.
- Mr. Williams noted attendance at the Concom meeting, basically because of Sithe being on the agenda.
- Mrs. Rozanski said she had been attending the Sithe siting hearings, some of which Mr. Gildea and Mr. Johnson have also attended. She stated two individuals had some concerns and Sithe would be meeting with them during the week.
- Mrs. Rozanski also noted she had attended the 495 Initiative Conference and more was discussed on the permitting process.
- Mrs. Rozanski said she had received a copy of a letter from the Norfolk County Commissioners on the pending open space legislation, the issue of which was still alive. Now it seemed that park lands and active recreation was to be included.
- Mrs. Rozanski also brought up the veto by the Governor on \$50 million of Ch. 90 funds and urged residents to call to override that veto. When Mrs. Rozanski said our legislators were in support of the override, Mr. Dziczek said that was important for the residents to know.
- Administrator's report.
- Mr. Hartman asked that residents be notified that the paving and sidewalk budgets were being affected by almost \$200,000 including the cuts now recommended by the Governor.
- Mr. Hartman brought up recent conversations with the Treasurer concerning the releasing of payroll checks to department heads for their employees. He stated Mrs. Sanford was referring to Ch. 40, S. 41A where the Selectmen have to vote on a policy, and that she believed it never had been done. He recommended the Board authorize such a policy. Mr. Hartman said the bargaining unit has a right to have a specific pay time. He also noted that the Police and Library usually send a representative to pick up the checks. Many times, the distribution is associated with lunchtime. Mr. Hartman reiterated the Treasurer was requesting the Board's authorization.

Mr. Dziczek moved to approve a policy to allow the Treasurer to release the distribution of checks to department heads or their designee; Mr. Williams seconded; Mrs. Rozanski suggested adding any time after 8 a.m. for pick up; Mr. Dziczek asked what if the Treasurer was not in; Mr. Hartman said the Assistant Treasurer could step in; all aye.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 16, 1999

Mrs. Rozanski asked that all the new policies of the Board be placed in a book for easy access, and to reference the date of the meeting so they don't get lost.

Mr. Hartman added that the Town bargaining unit has agreed to a memorandum of understanding, Mrs. Rozanski said that some thought has to be given to the employee not being in, and what to do with that person's check.

- Mr. Hartman stated that the **Assistant Water/Sewer Supt.** has retired. He said they have advertised for the position and a decision should be made in another week or so, even though only two people responded to the ad.
- Mr. Hartman brought up his memo to the FinCom and the Selectmen on the **FY'01 budget process** noting everyone's concern there was no one in charge, indicating his guidelines and inclusion of a suggested budget schedule. He stated the FinCom has agreed to let Mr. Hartman coordinate the budget process, forwarding budgets to the Selectmen, and then to the FinCom.

Mrs. Rozanski agreed there needed to be a procedure and continuity. Mr. Hartman stated his overall handling of the budget will allow for better use of staff and a broader picture of the whole budget. Mrs. Rozanski agreed the Selectmen's biggest policy statement of the Town is the budget. She felt that the Board should be making an estimate of the dollars coming into the Town, as we vote on monies we don't even have yet.

7:30 p.m. – The entertainment license of **Medway Lotus** was next on the agenda. The Secretary stated it was not necessary that Mr. Leong be present as it was a request for a license he previously had. She noted the license was necessary, and that hours for entertaining will be cut back per the Board's request. Mr. Williams moved approval of the entertainment license for weekdays for Medway Lotus for kareoche and a D.J., and a separate Sunday license for the same; Mr. Dziczek seconded for discussion, and then all aye.

7:45 p.m. – Attorney Francis Doran was present on behalf of **Apollo**, 2-4 Main Street, to request Class II and III licenses. He noted the property was owned by Bob Poteau, and the tenant that was there has torn up the old licenses and turned in the plates. In speaking to Town Counsel, it was agreed a signed affidavit attesting to the above and a receipt of the plates would be sufficient. Mr. Doran noted Apollo has been in existence for 20 years.

Mr. Dziczek brought up possible wetlands in the back of the property. He was concerned about possible contaminants and looked for permission as a standing right to inspect the property. Mrs. Rozanski noted ConCom does not have the right to go on private property, only to the edge of the property. However, this is commercial, and questioned if they did have the right to go back there. Mr. Dziczek suggested checking with Town Counsel, but believed the Board, as the licensing authority, had the right to check possible problems out, and did not want to lose the opportunity to inspect if need be. Mrs. Rozanski felt having a license does not stop someone from complying with problems if they occur.

Attorney Doran stated, on behalf of the owner, the Board was invited to check the property.

Mr. Hartman informed the Board, as a matter of interest, that ConCom was currently in the process of hiring an agent.

Mr. Williams moved to grant a Class II license to GAW d/b/a Town Line; Mr. Dziczek seconded, but amended to include as a condition the conducting of an inspection at will at the invitation of Mr. Doran; all aye.

Mr. Williams moved to grant a Class III license to Apollo d/b/a Apollo; Mr. Dziczek seconded, with Mrs. Rozanski including the same condition as in the Class II license; all aye.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 16, 1999

8:00 p.m. – Paul Wilson and Clarence Gay came to meet with Board to request approval of **four signs** for the Masonic Temple to be placed on Town property, and also to request a variance from the zoning by-law as to size.

Mr. Gay stated the signs were to be placed at four entrances to Town, but according to the Building Inspector, were larger in dimensions than allowed by the by-law. Mr. Hartman reiterated there were two issues, and suggested addressing their being on Town property first, and if acceptable, then discuss the size requested.

Mrs. Rozanski noted other civic organizations had signs in Town as well, and asked for some information about their organization. Mr. Gay said the Masons are a charitable organization, helping the Shriners at burn centers. To be a Shriner, they have to be a Mason. They were also opening up childrens' learning centers.

Mr. Gay referred to a letter from the Safety Officer indicating the various locations and a stipulation as to a five-foot height from the ground to the bottom of the signs for visibility. Mr. Williams moved approval of the four locations for the Masonic signs; Mr. Dziczek seconded for discussion, and asked that the location of the signs be read for those listening; all aye. Mr. Dziczek suggested using those same poles in the future for other signs.

The Board then went over the size of the signs requested, with Mr. Wilson adding they were the usual signs for the Masons, and they already had the signs. Mr. Williams moved approval and erection of the size of the four signs as proposed tonight; Mr. Dziczek seconded for discussion asking why they were requesting the signs now. Mr. Gay said they had the signs for six years but no one wanted to follow through on getting approval for them with the Selectmen.

Mr. Williams summarized: they had the signs, they were a worthy organization, and the Board was not that strict with signs. Mr. Dziczek agreed this group was no different than any other; all aye on the motion.

acting as an example the library is approval of a larger sign

Mr. Gay expressed his thanks to the Building Inspector, Mr. Hartman, Officer Watson and the Secretary.

- **Discussion items.**

- Mrs. Rozanski brought up the questions for the **Municipal Building Committee** and asked Board members if they had come up with any? Mr. Williams had e-mailed his to Mrs. Rozanski instead of sending them to Mr. Hartman. The others had not come up with their questions yet.

Mr. Hartman went over the intention of doing most of the interviews on Saturday with any spillovers if necessary to Monday night, the 30th, and making the appointments that evening.

Mrs. Rozanski again explained getting 5 good questions from everyone's 10, also inviting the public or the FinCom to submit their questions. She and Mr. Hartman would go over them Saturday morning.

- On another issue, Mrs. Rozanski acknowledged receipt of notification of the **resignation of Leeanne Dickson** from the School Committee, and since Cheryl Harvey was present, asked if a date had been set up for the joint meeting? Mrs. Harvey suggested September 2nd or 16th, noting they have posted the advertisement on cable asking for names by August 31st. Mrs. Rozanski offered the meeting did not necessarily have to be on those evenings, but asked Board members their feelings on the dates given? The 16th seemed to be fine for everyone, so the Secretary will post it.
- The Board discussed the offer of a **gift of land** in Oak Grove. Mr. Hartman explained the family had sent a letter to the Town asking if they would like the property, which is near the industrial park off of Trotter Drive. He stated this property was one of the parcels that was given away as part of a contest many years ago. Mr. Hartman noted the Board had expressed an interest in the past of consolidating some of these parcels. He stated they know where this parcel is and taxes are current.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Dziczek moved to accept the gift of this parcel 58 on map 3A; Mr. Williams seconded; all aye. Mr. Hartman noted, in conferring with the Treasurer and the Assessors, others have been acquired through tax foreclosures. Mr. Williams calculated the parcel had an assessment of about \$2,000. Mr. Dziczek asked that a thank you note be sent to the family.

- The subject of **Cycle for Haylee bicycle tour** was brought up on behalf of cystic fibrosis foundation, asking if they could bicycle through a portion of Medway on Hill Street. Mr. Hartman said, in checking with the Police, they did not feel this posed a problem.

Mr. Dziczek moved to approve their request to go through Medway on October 2nd; Mr. Williams seconded for discussion, asking if there would be police officers on duty for traffic control. Mr. Hartman said they could check, but it was noted they would provide support services, which would probably include a head lead vehicle and one at the end of the tour. He also believed the group would want to meet with the Police Chief, Lieutenant, and Safety Officer prior to the event to ensure they would have no problems. Mrs. Rozanski suggested Mr. Hartman check on the time they might be going through Town and that the path of the tour would be marked.

- **Action items.**
- The **GBS contract** for group health consulting services was presented to the Board for their signature. Mr. Hartman explained this was group health insurance for employees, including Town and School. The Town requested a proposal and two firms responded. He recommended staying with GBS, noting we have been with them for five years.

Mr. Gildea asked how much we saved by being self-insured? Mr. Hartman felt we have done well with only 303 contracts, where typically companies require 400-500 contracts to be serviceable. Mr. Hartman noted about 60 were retirees, and 75% of the participants are school. Mr. Hartman said GBS also reviews our claims, and are the management force of the insurance, helping to negotiate rates for next year with Blue Cross/Blue Shield and Harvard Pilgrim, our two vendors, of which 40 of the 303 are Blue Cross, the balance Harvard.

Mr. Williams asked if they have justified their existence? Mr. Hartman said the Town decided to be self-insured first, and then brought on the management program. Section 19 mandates an insurance committee comprised of the collective bargaining units.

Mr. Williams moved to accept GBS for group health consulting services for the three-year period of FY'00, 01, and 02; Mr. Dziczek seconded; all aye.

Mr. Hartman said he can try a workshop on insurance if they would like. He asked when this started? He believed it was back in 1987-88, and possibly on FinCom's recommendation; he wasn't sure, but about 4% of the Town's budget is on this line item.

- Mr. Hartman asked that the Board sign the **contract with VHB** for engineering services for Main Street. He stated this was the first part after Town Meeting appropriated \$30,000 for the project. He noted if they use traffic signals, Mass Highway has to first approve.

On another issue, Mr. Williams brought up the **reflectors** near crosswalks, indicating many have come off. Mr. Hartman knew about this, but said they were cheap but durable. They were basically a test, and if they work, will be buried in the pavement, and at crosswalks, would be countersunk. He noted many positive comments had been received about them. In Mr. Williams' words, this was a "feel good" project.

Back to the VHB contract, Mr. Hartman said the amount of the contract was \$11,800. Mr. Dziczek moved approval of the contract with VHB and the Town of Medway for engineering on Main Street; Mr. Williams seconded; all aye. Mr. Williams again noted the amount was appropriated and discussed and approved at Town Meeting.

MINUTES OF THE SELECTMEN'S MEETING
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- The Assistant Treasurer and Tax Collector's **bonds** were given to the Board for their signature. Mr. Williams had a problem with the word "Collector" being crossed out after "Assistant Treasurer". He believed the bargaining unit had approved the position of Assistant Treasurer/Collector. Mr. Hartman said the bond is indicated for Assistant Treasurer. He stated the Law says both should be bonded, but Marge chose this. Mrs. Rozanski said the bond is outside the collective bargaining agreement.

Mr. Williams moved to approve the bond for Barbara Walls as Assistant Treasurer for \$100,000; Mr. Dziczek seconded for discussion, asking how this could be changed to agree with the bargaining agreement? Mr. Hartman said they would have to amend the classification system or the collective bargaining agreement. All aye on the motion and authorizing the Chair to sign.

Mr. Williams moved to approve the bond for Marjorie Sanford as Tax Collector for \$200,000; Mr. Dziczek seconded, and authorizing the Chair to sign; all aye.

- Mr. Hartman asked the Board to sign the **American Stop Loss agreement** from LINA, which caps our loss of any claim at \$60,000. He said it was competitively bid and he recommended their signing. Mr. Williams moved to approve the American Stop Loss agreement; Mr. Dziczek seconded for discussion, and asked if there was any significant change from last year? Mr. Hartman stated there was none. All aye on the motion and authorizing the Chair to sign.
- The **Idylbrook contract with Ronald A. Marini Corp.** was presented to the Board. Mr. Hartman explained it had been bid out several times, and noted it would cost \$245,000 to complete the work pending successful location of a well. He stated they were currently drilling, starting on Friday, hoping to begin work immediately after the water has been located. If no water is found for irrigation of the playing fields, they would have to revisit the issue, and the contract with Marini would not be activated.

Mr. Williams moved to accept the contract with Ronald A. Marini Corp. for \$245,000; Mr. Dziczek seconded for discussion. Mr. Williams asked what the time frame was for water? Mr. Hartman said they were confident they would see water at 40 feet, but were attempting a rockwell at 400-500 deep. Mr. Williams asked if they get water, when would work begin? Mr. Hartman said at that point, they would know what kind of piping needs to be installed, with the plan to have it all done by October 31st.

To reiterate, Mr. Hartman went over the scope of the whole project: three athletic fields- a youth soccer field, a multi-purpose field, and a regular baseball diamond. There would also be a parking lot of crushed stone on the Kimberly Drive side, and a grassy, not paved, area on Wards Lane. He noted the soil mixture is not conducive to grow grass, so they have to bring in soil. Mr. Hartman said the architect is Cosmos Associates, who is also supervising construction.

With reference to the contract, Mr. Hartman said he needed to state for the record, that this was the third time they were using the standard contract design format, which they will continue to use. The Town Accountant and Town Counsel usually sign all contracts. If Town Counsel has not seen the contract, it will usually be shown to him first before coming to the Board.

Mr. Hartman repeated they will not go to Marini if there is no water. His bid is predicated on water. Mr. Hartman recommended the Board sign the agreement. Mr. Gildea moved the Board sign the agreement subject to the approval of Town Counsel; Mr. Dziczek seconded; all aye.

- Barry MacDougall, who was in the audience, had one question – he asked the reason for **tardiness of signing the bond**, since it took effect back in May? He asked that they ensure this be done on a more timely next year. Mr. Hartman stated the process starts with the Treasurer, then to the Town Clerk, then to the Board. Mrs. Rozanski agreed with the liability risk, and hoped they could look for them in May.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 16, 1999

9:10 p.m. – Mr. Williams moved to **adjourn to executive session** for the purpose of pending litigation with the Secretary staying for the session, to return to public session no earlier than 15 minutes from this time; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Gildea – yes; Mr. Williams – yes; Mrs. Rozanski – yes.

9:50 p.m. – The Board **reconvened the meeting** in open session.

- Mrs. Rozanski reported there had been a **hearing** on July 28th on **ZBA vs Planning Board**, and the Superior Court has allowed the ZBA's motion to dismiss, and on that date entered judgment dismissing the case on the merits. Mr. Williams noted there was a 30-day appeal period.
- **Back to action items.**
- **Appointment slips** needed to be signed by the Board, and recommendations made on others to the Town Administrator. Mrs. Rozanski went over the list, and asked that those that had not expressed the desire to serve again be contacted for a positive response. Mr. Hartman mentioned those he knew wanted re-appointment.

Mr. Williams said many boards are required to serve and suggested coming up with goals and objectives to see if there is any overlapping among them and possibly be combined. Mrs. Rozanski agreed there may be some committees or positions that are no longer needed.

Mr. Williams suggested that we re-advertise the vacancies that presently exist.

Hearing no objection from Board members, Mrs. Rozanski said Mr. Hartman had their recommendation to appoint Steve Reding to the ZBA, John Collett and Dawn Boyan to the FinCom, David Hoag, Barbara Maffeo and Virginia Calapa to the Open Space Committee. The others on the list will have to be contacted, and any others who are up for re-appointment.

Mr. Williams moved to re-appoint Richard Maciolek Town Counsel; Mr. Dziczek seconded; all aye.

Mr. Dziczek moved to re-appoint Harry Johnson to the Norfolk County Advisory Board; Mr. Williams seconded; all aye.

Some explanation on SWAP was given to Board members by Mrs. Rozanski and Mr. Hartman. Mr. Williams moved to re-appoint Paul Yorkis to SWAP; Mr. Dziczek seconded; all aye.

- Mr. Hartman asked the Board to sign the **contract with G & K** for business revaluation, even though it was not on the agenda. He stated he had asked the Board of Assessors to act as the review panel for this project which had been put out to bid. They, and he as Procurement Officer, recommended G & K unanimously at \$38 per parcel. Mrs. Rozanski asked that the Assessors' minutes reflect the vote taken.

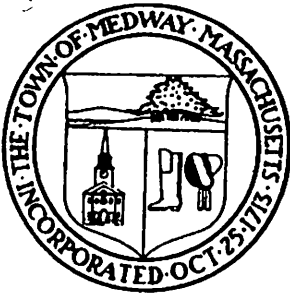
Mr. Williams moved to accept the contract of G & K to perform the revaluation for FY'00 of businesses with the recommendation of the Town Administrator and the Board of Assessors; Mr. Gildea seconded; all aye.

10:25 p.m. Mr. Gildea moved the meeting be **adjourned**; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
8/30/99 as amended



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

AGENDA

BOARD OF SELECTMEN

AUGUST 2, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - July 19, 1999 – regular meeting.
 - July 19, 1999 – executive session.
 3. Public comments.
- 7:15 p.m. - Keystone Liquor
re: transfer of liquor license to Medway Liquors.
4. Committee reports.
 5. Administrator's report.
 - none.
 6. Discussion items.
 - standing Municipal Building & Site Selection Committee applications and dates for interviews.
 7. Action items.
 - none.
 8. For your information.
 - Attorney General's approval of zoning article
 - receipt of updated Zoning By-law.
 9. Communications and correspondence.
 - two residents' letters concerning Sithe.
 - Senator Magnani's report on the budget.
 10. Future agenda items.
 - solicitor's permit.
 11. August meetings.
 - August 16, 1999 – Sanford Hall.
 - August 30, 1999 – Sanford Hall.
 12. Executive session.
 - none.

NOTE: Selectman Harry Johnson and Town Administrator Michael Hartman will not be in attendance.

CC: ALB 8/18/99
CM

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 2, 1999

Present: Raphaela Rozanski, Richard Gildea, Joe Dziczek, John Williams, Secretary M. J. Fredette.
Selectman Harry Johnson and Town Administrator Michael Hartman were not in attendance.

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

- Mr. Williams moved approval and acceptance of **warrant #6** in the amount of \$495,818.65; Mr. Gildea seconded; all aye. It was noted there were no capital expenses.
- Mr. Williams moved to accept the **regular meeting minutes of July 19th**; Mr. Dziczek seconded; Mr. Gildea abstained; aye.
- With reference to the **executive session minutes of July 19th**, Mr. Dziczek suggested holding off on their approval until Mr. Hartman returned. Mrs. Rozanski noted they could approve them, but not release them. Mr. Dziczek noted Mr. Johnson was at that meeting, and not here this evening, but moved to accept the minutes not to be released; Mr. Williams seconded; Mr. Gildea abstained; aye.
- **Public comments.**
 - Charlie Myers had **two suggestions**. One was to ask the Selectmen to provide a copy of their meeting minutes to the Library as they were open many times in the evening, and to ask other Town boards to do the same. Mrs. Rozanski did not think that was a problem, but noted they were required to give their minutes to the Town Clerk. Mr. Myers commended the Board on providing a job description, so to speak, for the Municipal Building Committee and recommended that same form of professionalism be applied to other committees. Mrs. Rozanski said they were trying to do just that, and this was a first step.

7:12 p.m. – Committee reports.

- Mrs. Rozanski reported she had been attending the **Sithe hearings** in Boston, noting there was a lot to cover. Medway does need representation and she plans on still attending the hearings, as will Mr. Johnson and Mr. Gildea on occasion. She acknowledged receiving two letters from Robert Knork and Ken McKay on Sithe, and noted she will bring their concerns to the hearings. Mrs. Rozanski stated the first hearings were detailing why they wanted to come to Medway. She noted an environmental impact report has been filed with MEPA, and there will be hearings on that as well.

7:15 p.m. – The public hearing for **transfer of liquor license** from Keystone Liquor to Medway Liquors.

Mr. Williams read the advertisement that appeared in the paper. Representing Keytone Liquor was John McDonnell; representing Medway Liquors were Dmitry Shuster and Michael Ayzenberg.

Mr. McDonnell stated he was selling the business and going out on disability. Messrs. Shuster and Ayzenberg introduced themselves and their desire and dream to operate a liquor store/package store business in Medway as they used to do in Russia. The Secretary noted there were no letters from the general public in favor or against, and all their paperwork was in order. There were no additional comments from anyone present at this meeting.

Mr. Williams moved approval of the transfer of the all alcoholic liquor license from Keystone Liquor to Medway Liquors, with the manager as noted; Mr. Dziczek seconded for discussion. Mr. Dziczek then asked Mr. McDonnell about the remaining alcohol on the premises? Mr. McDonnell stated they would be purchasing that remaining alcohol from him, and he said he would be involved in the transition period for a time. All aye on the motion.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 2, 1999

7:25 p.m. – Municipal Building Committee discussion.

Mrs. Rozanski noted that 13 individuals had returned the application and questionnaire for the Municipal Building Committee to the Office. She suggested that each Board member come up with one question they would like asked, for a total of five questions. She did not have a problem with the individuals knowing the questions ahead of time, but would ask Mr. Hartman his opinion on that. Mrs. Rozanski asked Board members to think of two questions they would pose, which they could then narrow down to one in case of duplicity. She stated she hoped Saturday, August 14th would be the date for interviews, with the remaining interviews on Monday, August 16th. She again reiterated they were trying to do the formation of this committee in a professional manner.

The Secretary said Mr. Johnson picked up the copies of applications received in the Office on Thursday of last week. She said she would be FEDEXing the remaining ones received today to Mr. Johnson on Tuesday.

Mrs. Rozanski asked Cheryl Harvey, who was present, for a brief synopsis on the criteria the School Committee established for selecting their representative. Mrs. Harvey said, once the committee was formed, it would be good if they had an engineering team already in place to start moving on the proposed high school. She asked if the Town Administrator has been charged with developing an RFP or an RFQ yet? Mrs. Rozanski said she would ask Mr. Hartman to draft it.

Mr. Dzikczek felt that Mr. Hartman will have a calendar of events and goals, so to speak, and will be taking the lead. Mrs. Rozanski agreed, and that he would probably be consulting with the Superintendent. She did not believe they should advertise for anything until the committee was formed.

- Mrs. Rozanski acknowledged receipt of notification from the Town Clerk as to the Attorney General's **approval of the zoning article** that was on the annual town meeting warrant for the property on the corner of Holliston and Main Streets.
- Mrs. Rozanski noted receipt of **Senator Magnani's report on the budget** and that no budget has been finalized yet as the Senate and the House have different perspectives on Ch. 90 and Ch. 70 funding. She stated that the Governor continues to sign 1/12th of the budget based on the FY'99 budget figures. Mrs. Rozanski again spoke about the need for the funding and the hope that there will be no cuts. She felt a whole construction season would be lost if letters of funding to be received are not made known to us in time.
- Contracts for the **sprinkler system** at the Memorial School were signed by the Chairman.

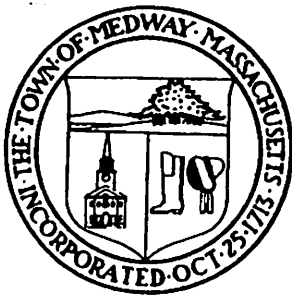
7:40 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
8/16/99



BOARD OF SELECTMEN

155 VILLAGE STREET
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AGENDA

BOARD OF SELECTMEN

MONDAY, JULY 19, 1999

SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - June 21, 1999 – regular meeting.
 - June 21, 1999 – executive session.
 - June 22, 1999 – regular meeting.
 - June 28, 1999 – regular meeting.
 - July 3, 1999 – executive session.
 3. Public comments.
- 7:15 p.m. - Cellular One and AT&T.
re: site plan approvals.
- 7:45 p.m. - Wing See Lam, Southwestern Books.
re: solicitor's permit.
- 8:00 p.m. - Paul Wilson and Paul DeSimone.
re: status/update of CRPCD plant.
- 8:30 p.m. - Ted Gay.
re: extension of site plan approval for Ben Franklin Bank.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Standing Municipal Building & Site Selection Committee process.
 - Hopkinton's presentation on MIG synopsis.
 7. Action items.
 - Sign consulting agreement for Horsley & Witten.
 - Sign liquor license for Medway Lotus, Inc.
 - Sign Library's copier/fax maintenance agreement.
 8. For your information.

cc: cm - 8/13/99
ALB - "

9. Communications and correspondence.
 - State's approval of extension for Alder Street improvements.
 - Town of Ashland's Fiscal Affairs Committee requesting support.
 - Receipt of Form 394 application from AT&T for transfer of control of cable franchise.
10. Future agenda items.
 - Transfer of liquor license.
11. August meetings.
 - August 2, 1999 – Sanford Hall.
 - August 16, 1999 – Sanford Hall.
 - August 30, 1999 – Sanford Hall.
12. Executive session.
re: potential litigation.

MINUTES OF THE SELECTMEN'S MEETING
JULY 19, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, Joe Dziczek, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Gildea was absent.

7:04 p.m. – Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of the **regular meeting minutes of June 21st** as amended; Mr. Dziczek seconded; all aye.
- Mr. Johnson moved approval of the **executive session minutes of June 21st** and their release; Mr. Dziczek seconded; all aye.
- Mr. Johnson moved approval of the **regular meeting minutes of June 22nd**; Mr. Williams seconded; all aye.
- Mr. Williams moved approval of the **regular meeting minutes of June 28th** as amended; Mr. Dziczek seconded; all aye.
- Mr. Johnson moved approval of the **executive session minutes of July 3rd** and their release; Mr. Williams seconded; all aye.
- Mr. Williams asked Mr. Hartman what the procedure was for executive session minutes approved, but not released? Mr. Hartman noted they are reviewed periodically, and when they can be released, will be brought back to the Board with his recommendation.

7:10 p.m. – There were **no public comments**.

- Mr. Johnson moved approval of **warrant #4** for FY'00 in the amount of \$1,250,379.44; seconded; all aye.

7:15 p.m. – **Eric Campbell of Cellular One and Doug Wilkins of AT&T.**

Both gentlemen were present for site plan review for their respective firms at the 113 Main Street tower. Mr. Hartman referred to his letter to the Board outlining a proposed modification to the original plan so that the Town's equipment for police/fire communications could be housed at that location. Crown Castle would allow space on the monopole and Cellular One would provide space for the ground equipment in their building. In speaking to Town Counsel, Mr. Hartman stated the Board has the authority to approve the change in building size as part of the site plan approval process. Mr. Hartman noted that, when we were ready to install the equipment, the Town would still have to go through the application process with the ZBA for our antenna.

Mr. Campbell said there was only telephone and electronic equipment being housed in the building, no water. Access was through Main Street. There would be periodic maintenance with a new gate and repairs to the fence. He said they would be doing plantings on the east side for one abutter, and did not anticipate any run-off problems. Mr. Campbell stated the emergency generator runs at 9 a.m. each day for about 45 minutes, which runs at the same time as the others. With regard to the landscaping, he said there was a one-year guarantee agreement.

When asked for his recommendation, Mr. Hartman said it was to approve the modification of the existing site plan.

Mr. and Mrs. Minze of 4 Orchard Street were the owners of the property in question for the plantings. They stated they had just received the agreement last week, which they had not signed yet. They noted that the residents at 3 and 5 Orchard Street had an agreement with Sprint and a landscaper, but since he was not paid by Sprint, refused to do the work for the Minze's unless he was paid first. Mr. Campbell agreed he would not apply for a building permit until the landscaper receives a check.

MINUTES OF THE SELECTMEN'S MEETING
JULY 19, 1999

Doug Wilkins of AT&T stated there were three differences between his company and Cellular: they are lower on the pole; there is no generator (they use batteries); and they would be located on the east side requiring just the relocation of some fencing, cutting of some trees and installing of some plantings and screening. Mr. Wilkins noted the same concern as Cellular One: lack of water to the site.

Mr. Hartman said, even though they were reviewing two site plans at the same location, he recommended they approve each separately.

Mr. Johnson moved to approve the site plan for Cellular One as presented with the amended modification to include the larger size building of 12' wide x 28'10" long to accommodate the police/fire communications as agreed upon by both parties; Mr. Williams seconded; all aye.

Mr. Johnson moved to approve the site plan for AT&T as presented to be coordinated with Cellular One; Mr. Williams seconded; all aye.

8:00 p.m. – Wing See Lam of Southwestern Books.

Ms. Lam came to meet with the Board to request a **solicitor's permit** to sell educational books on behalf of Southwestern Books. She noted she was originally from Hong Kong going to college in Texas, earning money over the summer toward her educational costs.

Mr. Williams moved approval of a solicitor's permit for Ms. Lam from July 20th to August 14th from 8:00 a.m. to 8:00 p.m., except for call-backs; Mr. Johnson seconded; all aye.

8:05 p.m. – Paul Wilson and Paul DeSimone.

Mr. Hartman explained both gentlemen were here at the Board's request concerning **Millis's request for additional capacity at the CRPCD plant.**

Mrs. Rozanski asked them if they were aware of Millis' need? Mr. Wilson replied they were the ones who sent Millis to the Board.

He went over the two tables on the hand-out the Board was given. Mr. Wilson said Medway was presently using 560,000 gallons on an average. With the expansion of the plant, Medway will receive an additional 230,000 gallons. No other towns, other than Franklin and Medway, will get an increase. He said we would end up with 335,000 gallons to go into February of 2000 with. He stated that Millis has been a good friend and cooperated with us, and if they can't get the capacity from us, they're stuck. If they have to wait for Holliston to get an increase, they will have to go through the same procedure with DEP which has taken 2-1/2 years and the modification started four years ago.

Mr. Dzikczek asked if there was an urgency? Mr. Hartman said they have about 50,000 gallons a day left.

Mrs. Rozanski stated it appeared we have extra to sell.

Mr. Johnson asked when the modification would be completed? They indicated around February or March of 2000. They were also asked until when do all the Towns keep their allocation? They stated until they break the contract. Mr. DeSimone added the cost may change, but not the agreement.

Mr. Hartman was asked about the Dover septage. He stated the Town of Dover made a one-time payment of \$225,000, and it is the only amount Medway would receive.

MINUTES OF THE SELECTMEN'S MEETING
JULY 19, 1999

On further clarification of capacity, Mr. Wilson explained the capacity belongs to the Town. The apportionment we are assessed goes to CRPCD to take care of the plant and its operation. There is still a 20/80 split on capacity/ownership between Medway and Franklin, but not the flow. Mr. Hartman added when we get all the money from all the communities, it reduces our assessment. Mr. Wilson felt we should be able to sell to whomever we want to, but we should ask Franklin if they want to participate.

Mrs. Rozanski asked Mr. Hartman to gather more information, including talking to Mark Flaherty to find out what our necessary capacity will be in the year 2015.

Mr. Johnson thought it would be beneficial to have a special meeting on ground water going into ~~the plant instead of~~ the Black Swamp. Mrs. Rozanski suggested inviting DEP to a conference or forum.

9:05 p.m. – Ted Gay, engineer for Guerriere & Halnon representing Ben Franklin Bank.

Mr. Gay came to meet with the Board to request an **extension of the site plan** for the Ben Franklin Bank approved in August of 1998. He explained the bank had not started construction yet and needed the extra time to complete the project. Mr. Hartman noted if the Board did not approve the extension now, they would have to come back for another site plan approval.

Mr. Johnson moved to accept the request of Ben Franklin Bank to extend the approval of their site plan for a bank at the corner of Elm and Main Streets to August 3, 2000, with the same conditions as agreed upon at the initial site plan review; Mr. Williams seconded; all aye.

Mr. Gay said he understood if any changes are made to that intersection, the Board would have to look at their site plan again. Mr. Hartman stated money had been appropriated at Town Meeting for a study on Main Street, but Mr. Gay had already said they are willing to accommodate the Town's concerns in that regard, and would be sensitive to the Board in that location and accommodate improvements to the road. Mrs. Rozanski noted the Board was not sure what will happen on Route 109 yet. Mr. Johnson moved to amend his motion to encumber the plan and minutes of both meetings of this discussion; Mr. Williams seconded; all aye.

Committee Reports.

- Mr. Johnson was interested in pointing out figures he had obtained from a recent issue of City and Town with reference to Chapter 70 aid, in conjunction with the Town of **Ashland** asking the Board to participate in a **forum on the reform of local aid**. He said he would support a letter from the Board being sent to Ashland indicating we would send a representative.

Mr. Williams felt this was another "feel good" coalition similar to the letter sent by Cohasset. He felt everyone wants to do something, but didn't know what they could accomplish. Mr. Johnson believed, however, that a coalition could get more done than just one single town. Mr. Williams thought that the focus points were still the State Senator and State Reps. Mr. Johnson said he was willing to be the contact if Mr. Williams would accompany him to the forum. Mrs. Rozanski indicated she was interested in the forum as well, but suggested Mr. Johnson be the contact at Town Hall.

- Mr. Williams spoke of his attendance with Virginia Calapa of the Open Space Committee at a presentation **in Hopkinton on the MIG fiscal impact study**.

He stated this was a new way of looking at feasibility of property as the Town assigns different weights/values/scores to a parcel as a logical and unemotional tool. He added there was a report being prepared for Hopkinton, and he would be receiving a copy as well. Mrs. Rozanski felt this could be adopted by Medway as well.

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- Mrs. Rozanski stated she attended the **SWAP meeting**, and the build-out analysis, including Medway, had been completed.

Mrs. Rozanski noted she had also attended the **MMA Board meeting** and no report has been submitted yet by the senate budget committee.

Mrs. Rozanski said there had been media coverage by **channel 56** on appointments, specifically Steve Reding since the Board of Selectmen were recommending his re-appointment to the ZBA because of his contribution to that board. She also noted they had brought up certain rumors.

Mr. Williams objected to the whole news story saying it was inappropriately done. He said if someone has allegations to make, they should come forward with names, not innuendoes. Mrs. Rozanski reiterated that the reporter had spoke of rumors, not allegations.
- **Administrator's Report.**
 - Mr. Hartman reminded the Board of the **Sithe hearing on July 27th** if someone wanted to attend as an intervenor. Mrs. Rozanski and Mr. Johnson will attend.
 - Mr. Hartman noted receipt of the letter from the Transportation Secretary indicated the Governor and Lt. Governor have approved the Town's request for an **extension** from June 30th to November 1st to complete the project on **Alder Street**. He also stated they have not released the retainage yet until the problem with the site and ConCom has been resolved.

Mrs. Rozanski signed the Amendment to the Agreement noted as G-9707 in the amount of \$125,157.93.
 - Mr. Hartman stated that the list the Board had of people applying to be on the standing **Municipal Building Committee** were names submitted as of Friday, July 16th, with one additional name noted this evening as being left on the voice mail on Friday. There were no additional letters received in the mail this day postmarked with Friday's date. He referred to the application he had composed with a synopsis of the charge/role of this committee.

Mr. Williams asked that the application and charge go out to the 19 people the next day if possible, and thought that the ad in the paper was good.

Mr. Hartman suggested they commence interviews shortly and ask the applicants to have their applications in to the Office by a certain date. He asked the Board if they wanted to come up with a list of questions to pose the applicants?

Mr. Johnson felt the residents should be interviewed separately in executive session so as not to influence the next individual; however, Mr. Hartman explained the State allows a screening committee to interview in executive session, not Selectmen.

Mrs. Rozanski felt if the list became a short list, possibly Mr. Hartman could interview the applicants and make a recommendation to the Board? Mr. Hartman reminded her there were 19 applicants for 6 slots, but suggested waiting until it is known how many return applications. He did feel, however, that the Board should look at the applications.

It was decided that the Secretary would sent the letters out on the 20th and copies of returned applications given to the Board in their packet on the 30th, or if necessary the day of the next meeting on August 2nd.

MINUTES OF THE SELECTMEN'S MEETING
JULY 19, 1999

Mr. Williams asked if the Board should set up a tentative interview date, say, Saturday, August 14th ? Mr. Hartman suggested a special meeting for Monday, August 9th , just for the interviews.

Mrs. Rozanski looked to Cheryl Harvey, who was in attendance, for a recommendation of the School Committee rep by August 2nd as well. Mrs. Harvey reminded the Board of the needs conference which will happen before January 1st.

At this point, the Board was thinking of interviewing on Saturday, the 14th , with the balance, if necessary, on Monday, the 16th.

- Mr. Hartman drew the Board's attention to receipt of the form 394 application for change of control of the existing cable television license from **Media One** to AT&T on July 14th. He noted a public hearing has to be held by September 12th with a deadline of response by November 12th.

Mr. Hartman further explained that Media One will still be the cable provider , but as a wholly owned subsidiary of AT&T. He added that many of the Time-Warner people will become Media One people.

- Mr. Hartman stated he may be requesting a special meeting with the Board to approve the **Idylbrook contract**. He noted recently meeting with the Park Commissioners, the designer of the project, and the low bidder. Mr. Hartman explained the company wants to start work before August 1st, so the grass can be in place by the end of September. Mrs. Rozanski asked that Mr. Hartman let her know when so it can be posted as a single item meeting.

- **Action Items.**

- The agreement with **Horsley & Witten** as the provider of environmental consulting services to the Town to assist in the review of the 40B project at 55 Summer Street was presented to the Board for their signatures. Mr. Hartman explained that Mr. Narducci has agreed to pay not more than \$2,500, with expenses being extra. He said his recommendation to the Board was to approve it.

Mr. Williams felt the phrase "not to exceed" was a misnomer, but moved to approve the agreement; Mr. Dziczek seconded; all aye.

- The Board was requested to sign the **liquor license for Medway Lotus**, already approved by the Board and the ABCC. Mr. Dziczek moved the Board sign the license; Mr. Johnson seconded; all aye.
- The Library requested the Board sign the copier/facsimile maintenance agreement for **Northeast Copier Systems** for their equipment. Mr. Hartman stated it was part of the policies and procedures, and Town Counsel has stated that even "agreements" have to be signed by the Selectmen. Mr. Hartman noted other Towns have put through a by-law with an amount to be used as requiring the Selectmen's signatures.

Mr. Williams asked if this was not a function delegated to the Town Administrator, and he said it was not, and as part of the budget process, has already been approved.

Mr. Johnson said the by-laws should be reviewed, and moved that the Board approve, and the Chairman sign, the NCS agreement; Mr. Williams seconded for discussion, and asked if there should be a process started for central procurement, i.e. one vendor for all copiers? Mr. Hartman explained it was work in progress. The vote was 3-1 in favor of

MINUTES OF THE SELECTMEN'S MEETING
JULY 19, 1999

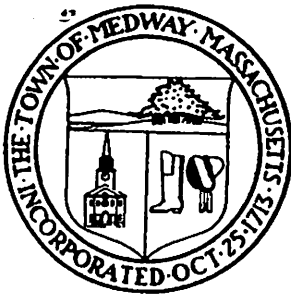
signing, with Mr. Williams voting against signing because he felt this was an unnecessary function coming to the Board.

10:30 p.m. – Mr. Williams moved the Board adjourn to executive session for the purpose of potential litigation, not to return to public session; Mr. Johnson seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Johnson – yes; Mr. Williams – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
8/2/99



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

AGENDA

BOARD OF SELECTMEN

MONDAY, JUNE 28, 1999

LOCATION: ROOM 111 OF MEDWAY HIGH SCHOOL

- 6:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
none.
 3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
none.
 7. Action items.
none.
 8. For your information.
none.
 9. Communications and correspondence.
none.
 10. Future agenda items.
Cellular One and AT&T site plan approvals.
 11. Next meetings.
 - July 19, 1999 – Sanford Hall.
 - August 2, 1999 – Sanford Hall.
 - August 16, 1999 – Sanford Hall.
 - August 30, 1999 – Sanford Hall.
 12. Executive session.
none.

cc: CM
ALB
7/20

MINUTES OF THE SELECTMEN'S MEETING
JUNE 28, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, Richard Gildea, Joe Dziczek, John Williams,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

6:10 p.m. – As there was a quorum present, Mr. Johnson opened the meeting in Room 111 of Medway High School.

- Warrants were not available yet for signing.
- Mr. Johnson asked for any public comments.
- Joe Hoban, Chairman of the Council on Aging, and Vice-Chairman Walter Sampson came to speak to the Board prior to the STM. Mr. Hoban stated he was looking for the Selectmen's support for the article on the warrant for \$15,000 for the Senior Center garage. He stated they would be seeking the balance of \$5,000 in their own endeavors. He noted they were pursuing a grant for a 20-passenger bus, so the garage would then house the bus and the van they already have.

Mr. Dziczek asked if anyone had seen the plans for the garage yet? Mr. Johnson noted that the Town Administrator would have to review all plans and contracts. He did ask if there was enough land to construct the building? Mr. Hoban responded in the affirmative.

Mr. Gildea said he knew that the grant would take the place of \$600 monthly they pay to Holmes.

Mr. Williams asked why they needed a garage? Mr. Sampson explained they have had vandalism in the past, and were concerned about that, as well as weather protection for the vehicles. Mr. Williams asked if this could wait until the Fall, but Mr. Sampson said they had already received a quote for under \$20,000 which might not hold until then.

Mr. Hartman reminded everyone that this bus would still need a driver and maintenance, and it may end up costing more than the \$7,200 yearly to run it.

Mr. Sampson added he hoped FinCom would be able to advise them from where the money could be transferred.

Mr. Johnson then moved that the motion be to recommend transferring from available funds the sum of \$15,000 for the Senior Center's construction of a facility to house a van and a bus they will be acquiring in the future; Mr. Dziczek seconded for discussion.

Asking for a vote, Mrs. Rozanski received an all aye.

- Mrs. Rozanski asked Mr. Hartman if he had any further information to provide them on the warrant articles? He stated he did not. She stated that the Board of Health had expended \$126,613 and had applications for another \$60,000 plus, out of the \$200,000 originally appropriated for septic tank repair, leaving them with plus or minus \$12,000.

Mr. Dziczek asked about the Law account. Mr. Hartman still felt comfortable with the \$8,500 he had originally recommended. He noted the bulk of Mr. Garrett's time dealt with school issues.

With reference to the School Department, Mr. Dziczek did not feel they would be asking for additional funds. He also noted he understood FinCom had \$175,000 available in funding. Mr. Hartman confirmed that figure.

Mrs. Rozanski suggested, for the next year's budgeting process, to have a workshop on budgets between the Town Administrator, FinCom and the Selectmen first, and then extending the invitation to department heads.

MINUTES OF THE SELECTMEN'S MEETING

JUNE 28, 1999

- With reference to the personnel policies, Mr. Hartman said he had re-written that section on sexual harassment the Board wanted clarified. Mr. Williams said he was satisfied with it. *He said he* asked both Unions if they had any comment, and they said they had not, but they did not put it in writing yet. Mr. Johnson said he still wanted their comments, even if it was "no comments" in writing.

Mr. Dziczek asked if an employee was not allowed to have a Union rep or attorney present at a hearing? Mr. Hartman stated, under law, that employee has the right, but it was not good to put it in the policy. He said the section is geared more for the employee, rather than how to conduct an investigation.

Mr. Hartman clarified school was separate on the policies. He also noted the compensation schedule is not intended for the two elected officials, but they are covered under the sexual harassment policy.

Mrs. Rozanski asked Board members if they should keep the record open for those comments again? Mr. Johnson suggested it just be in a follow-up format; if a "no comment" is received within three days, then it is assumed there is "no comment".

Mr. Johnson moved that the personnel policies be approved after any comments have been forwarded to Mr. Hartman as noted above; Mr. Williams seconded; all aye.

- Mrs. Rozanski stated the warrants would be signed by the Board later on in the evening.

6:45 p.m. – The meeting was adjourned to the Special Town Meeting in the auditorium.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
as amended
7/19/99

June 21, 1999

Board of Selectmen's Special Meeting

Tuesday, June 22, 1999

8:30pm

AGENDA

1. Call to Order
2. Discussion regarding Articles 19 and 20 of June 28 STM
3. Adjournment

cc: CM
ACB 7/30

MINUTES OF THE JOINT MEETING BETWEEN SELECTMEN AND SCHOOL COMMITTEE
JUNE 22, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, Richard Gildea, Joe Dziczek, John Williams; Town Administrator Michael Hartman; Secretary M. J. Fredette; School Committee members Cheryl Harvey, Steve Barrasso, Charlie Myers, Frank Varrichione, Bob Haskins, Leanne Dickson; Superintendent Art Bettencourt; FinCom members Carla Cataldo and Frank Hillery; School Facilities and Evaluation Committee members Mary O'Leary and Kelly O'Rourke; reporter Ellen Albanese; and an unknown guest.

8:30 p.m. – Mrs. Rozanski called the joint meeting of the School Committee and the Board of Selectmen in the Police Station conference room.

- She noted the difficulties FinCom was having with **Articles 19 and 20 of the Special Town Meeting warrant of June 28th**, and their request the Selectmen meet with the School Committee to see what their concerns were. She asked Mrs. Harvey to comment.

Mrs. Harvey said that, in the citizens' petition, the article was written with the committee dedicated to finding a site and their suggested makeup of the committee included members of major boards in Town. She felt they should take the concerns of all boards, and mentioned the makeup of the committee was taken from the same article that formulated the Memorial School committee article, even though at the time there was no Town Administrator.

Mrs. Harvey stated that, in the Selectmen's article, they felt the Town Hall and the Highway Garage would divide up the committee among those projects and the school projects. She said they would also not be utilizing the expertise of members of various boards, and they wanted all boards to be working together, and at the same time, having the whole Town working together.

Mr. Barrasso said he was concerned with any delays and if extra further studies would be needed, feeling they had already lost one year. He agreed they needed a dedicated committee, and shared Mrs. Harvey's concerns about the composition of the committee. He agreed not having the Town Administrator on the committee was an oversight.

Mrs. Cataldo agreed that FinCom was looking for one joint article from both boards.

Mr. Barrasso said that there was a one-year deadline time-frame to work in and still be in line.

Mr. Dziczek noted his concern for members on the committee staying for the duration, saying if some of the members on the committee are elected members, then don't get re-elected, the committee changes.

Mr. Myers believed the idea was a standing member from various Boards, with the first hurdle being the acquiring of the land this year in time for a town meeting in the Fall. He acknowledged the individual that first comes on board with this committee may not stay, but there would be others that would be considered regulars.

Mr. Dziczek noted how difficult it was to get members for all committees.

Mr. Williams stated that article 20 mirrors the citizens' petition. His main concern was, what were the changes? He did not feel there would be any problem with delays. He did not feel people on the committee would be a problem. He noted how, in Norfolk, there were five members on a building committee, and they did the Town Hall, a School, and a recreation complex as one group. He believed one group can handle multiple projects.

Mrs. Harvey said she had spoken to other members of the present building committee, and they felt it was a very large job, and demanded much of their time in decision-making. They all said they would rather do one job only.

Mr. Johnson stated he has worked on various committees, and valued institutional knowledge. He felt the Selectmen's article allows them to appoint whoever they want to. He thought they might

MINUTES OF THE JOINT MEETING BETWEEN SELECTMEN AND SCHOOL COMMITTEE
JUNE 22, 1999

not be able to get the right expertise if they limit the composition of the committee. He said the Board of Selectmen was in charge, and by article 23 of the Town's by-law, so was the Town Administrator. He preferred they stick to the law.

Mrs. Rozanski stated the FinCom has to present the articles; any amendment would have to be made on Town Meeting floor. She stated she heard some felt the Town Hall would take precedence. She said she wanted to stay with the master plan and stay with the objectives.

Mrs. Rozanski read the original letter from the School Committee asking that they move forward with the committee and the seed funding, now that the School Facilities Needs Identification and Evaluation Committee had made their recommendation. She felt they had just changed the name of that building committee, and what they would be looking for was a "blue ribbon" committee. She heard them advocating for the schools, but the Board of Selectmen has to look at the whole town.

She understood what Mrs. Harvey was saying that the School Committee has to be involved in anything for the schools. She said the educational policies belong to the school, but the management issues belong to the Selectmen.

Mrs. Harvey stated the institutional members, the Town Administrator and the Superintendent, were of primary importance. She said they don't advocate for the schools in a vacuum, and they look to the FinCom for financial assistance. She felt that members of elected Boards could be involved in the process and offer expertise, as could the citizens-at-large, and they would be handling the task at hand, not the School Committee. She said they were not trying to take any management rights away from the Selectmen; they were looking to pull everyone in a positive way.

Again, Mrs. Rozanski said the authority lies with the Board of Selectmen. The Town Administrator is here now to handle those management issues, and the master plan was formulated to bring the Town together.

Mrs. Harvey brought up the Facilities Needs Committee again and said they took a vote when they discussed the makeup of the committee. They thought it would be like the old committee, and it's too bad it was not put in their motion because they felt the schools were important.

Mr. Johnson said it was important to many to lower taxes as well, but you can't build schools without raising taxes.

Mrs. Harvey said the Fall Town Meeting on the new school has to take place no later than November 15th.

Mr. Myers said he came this evening believing, according to what the Town Administrator said at the FinCom meeting, there would be some effort toward a compromise. He wasn't hearing it. He said Article 19 does not say anything about a high school being first as Mr. Hartman stated, although he did say the Town Hall would be part of the Municipal Building Committee's projects. How about taking Article 19 and saying the high school takes the first priority among all projects?

Mrs. Rozanski clarified the Town Hall was an on-going project. She also said she spoke to Town Counsel, and Article 19 creates the Committee; Article 20 charges the Committee to move forward.

Mr. Barrasso said he would be inclined to dismiss Article 20 as it was a money article, pass Article 19 and also pass Article 21, so as you advance the school, you advance the Town Hall and the Highway Garage. He felt Article 22 needed to pass to assess land for the high school.

MINUTES OF THE JOINT MEETING BETWEEN SELECTMEN AND SCHOOL COMMITTEE
JUNE 22, 1999

Mr. Haskins said if it was all management-oriented, and say they have a "blue ribbon" committee, and funds were appropriated to that group, what is the process to determine the layout and space requirements of a school, the size of the library, gym, etc.?

Mrs. Rozanski said that was another level.

Mr. Hartman stated that the answer to Mr. Haskins' question was that State law outlines how to build a public building. Chapter 645 also states the requirements. The Superintendent, by law, is present at the needs conference. He said the first piece of the project has already been done, and that was the needs study for which we paid \$85,000. That proposal was presented to the Facilities Needs committee, and that is the base document. Mr. Hartman added that the present building committee for the Memorial School is now looking at additional issues, such as air conditioning.

Mr. Varrichione stated they all agree they want a new high school. The debate should go forward to get that going.

Mr. Johnson tried to figure out what was the difference between Articles 20 and 22? Mrs. Rozanski said none, just the name of the committee. Mr. Johnson noted the promotion of either article can do the high school. It appeared to him that Article 19 was broad enough to even take the whole School Committee. He said the Board of Selectmen is responsible for building the school and purchasing the land. He felt there was much more flexibility in Article 19, and they couldn't change Article 21 except on Town Meeting floor.

Mrs. O'Leary, as co-chair of the School Facilities Needs Identification and Evaluation Committee, said they should try to come together with the whole Town in mind. If they don't come together, the project will go nowhere. She felt that members of different committees have helped to build schools such as this in the past. She said people have always found something wrong with each school that was built, and then it passes, and in the end, the schools are fine.

Mrs. Rozanski stated the Town Administrator was hired to give the Town better management, and still felt it was better if this committee did not consist of people already on committees.

Ms. O'Rourke agreed with Mrs. O'Leary that it was important to have representation from different committees. Mrs. Rozanski stated this committee can have as many liaisons as they want. Mrs. O'Rourke felt the three-year terms were too long.

Mr. Hillery said he was not concerned about language; he was more concerned with the apparent two sides. He said he never heard what the Board of Selectmen thinks about the school project.

Mrs. Rozanski stated the Board accepted the findings of the Facilities Needs committee indicating the high school should come first. At first, a school was just discussed, but then that committee said the high school should be first, and so that was so indicated in the article they are sponsoring. Mrs. Rozanski said their main concern is money, and getting the project past the people, however, it is the people's project.

Mr. Johnson felt they were debating now.

Mr. Hillery said this seemed to be a "schools, and the rest of the Town" issue, which was hindering things. He said there may not be a true meeting of the minds here, but he was concerned about the spirit of direction, and how to bring them together.

Mrs. Rozanski agreed that the lion's share of money goes to the schools, but there were a lot of other needs out there. However, by their actions, they were taking their responsibility seriously. It was within their authority to make sound decisions.

MINUTES OF THE JOINT MEETING BETWEEN SELECTMEN AND SCHOOL COMMITTEE
JUNE 22, 1999

Mr. Barrasso said Mrs. Harvey suggested a compromise to the Board of Selectmen, and FinCom was saying there was no tone of compromise in the Selectmen's voices.

Mrs. Rozanski stated that they have said it was important to have a School Committee member on the committee for educational issues, and this project must take precedence and be first.

Mr. Williams said he still believes a standing municipal committee is best and will vote for it. He said he looked up Chapter 71 and agreed a school rep should be included on the committee. He stated that, previously, they had a separate building committee for each project as it came along and no way to prioritize. Now, because of one committee, they would be able to make sure which is first, second, etc.

Mr. Johnson reminded everyone that the Town Meeting warrant is under the purview of the Board of Selectmen, and they were here to discuss a compromise. If they were not going to do this by the law, then they were going to have to meet every time there was a decision to be made.

Mrs. Rozanski looked to Mr. Hartman for his recommendation.

Mr. Hartman gave his written recommendation to the Selectmen. He agreed with the appointment of a School Committee member to the committee, and in the language of Article 19, to charge the Municipal Building Committee with building a high school as the first priority. He stated that, at the Annual Town Meeting, funding was received to continue renovations at Town Hall. The committee has not been charged with that, and they could also decide not to charge themselves with that project. He stated that, if the School Committee is concerned with some of their needs, they can create sub-committees. The intent was to try and create a standing committee versus a permanent committee, as a permanent committee dies when a project is done. Mr. Hartman said when the Memorial School project is done, the committee is gone. The Selectmen are attempting to look at the full picture. The Facilities Needs committee looked at affordability and realized the Town could not afford it, and came up with another option. This drove the Selectmen to this decision of a standing municipal committee to look at greater issues. Mr. Hartman said he was also recommending he not being a part of this committee. He said he believed it was a conflict of interest, and Town Counsel agreed that he had a definite staff role, and he was uncomfortable being staff and voting on the committee.

Mrs. O'Leary asked who would be on this committee?

Mrs. Rozanski said that the Town Administrator and the Superintendent are administrative and important in the role they play being employed by the citizens of the Town. In reading Mr. Hartman's memo, she noted he indicated the committee should consist of a School Committee member or their designee, and six members appointed by the Board of Selectmen.

Mr. Hartman said the first thing they would be involved in was the location of a site, and then building the high school.

Mr. Barrasso felt there was no time frame indicated with the \$20,000, such as when to report to whom by what date.

Mr. Myers suggested, in Article 19, to take out "including school projects", and insert "including the implementation of the recommendation of the School Facilities Needs Identification and Evaluation Committee". They could then still be held to the time line of the report.

Mr. Gildea said if the School Committee was concerned about priorities, to add an amendment to give it the highest priority.

Mrs. Rozanski asked Dr. Bettencourt for his comments. He stated, from a management standpoint, he thought he and Mr. Hartman were together. He said he liked the language he was

MINUTES OF THE JOINT MEETING BETWEEN SELECTMEN AND SCHOOL COMMITTEE
JUNE 22, 1999

just hearing, and giving the high school the highest priority. He suggested leaving in "including school projects" and adding "with the understanding that a new high school shall be the first charge and highest priority".

Mr. Johnson agreed and so moved Dr. Bettencourt's language for Article 19; Mr. Williams seconded. Mrs. Rozanski read the above motion again, and continuing on with the balance of the wording of the article, "said committee shall be composed of seven members serving three-year terms, with one member being a member of the School Committee or their designee, and six members appointed by the Board of Selectmen"; all aye on the whole motion.

Mrs. Rozanski then stated Article 20 was fine the way it was.

Mr. Barrasso said he could support Article 19 and the dismissal of Articles 21 and 22.

Ms. O'Rourke said people in Town may not be aware of what the articles contain or the order of the school projects.

Mr. Hillery asked if the Selectmen would do the amendment on Town Meeting floor? Mrs. Rozanski said she would propose it on behalf of the Board.

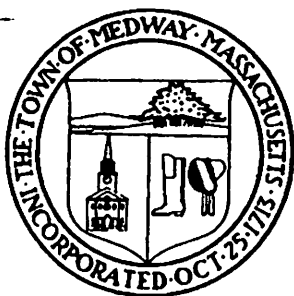
Mr. Myers expressed his appreciation and thanks to the Board of Selectmen, to Mr. Hartman, and to all in the room, for a project that was near and dear to him. He said it was good to compromise.

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

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
7/19/99



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

REVISED AGENDA

BOARD OF SELECTMEN

MONDAY, JUNE 21, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
- 7:15 p.m. - Town Accountant Arti Mehta
re: evaluation of Cindy Penney.
2. Approval of minutes.
- January 11, 1999 – executive session.
 - January 25, 1999 – executive session.
 - March 8, 1999 – executive session.
 - April 5, 1999 – executive session.
 - April 12, 1999 – executive session.
 - May 17, 1999 – regular meeting.
 - May 24, 1999 – regular meeting.
 - May 24, 1999 – executive session.
 - June 1, 1999 – regular meeting.
 - June 1, 1999 – executive session.
 - June 7, 1999 – regular meeting.
 - June 14, 1999 – regular meeting.
 - June 14, 1999 – executive session.
3. Public comments.
- 7:30 p.m. - Public hearing.
re: revised Personnel policies.
- 8:00 p.m. - David Kaeli and Jim Wieler, co-chairmen of Master Plan Committee.
re: Master Plan action item list.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
- Designation of articles for STM.
7. Action items.
- Approve two one-day licenses for St. Joseph Parish.
8. For your information.
-

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Selectmen's Meeting
June 21, 1999
Page 2.

9. Communications and correspondence.
 - Town of Hopkinton's invitation on their MIG project for June 30th (RR & MH have Audit Committee meeting).
10. Future agenda items.
 -
11. Next meeting.
 - June 28th – 6:00 p.m. Room 111;
 - Special Town Meeting – 7:00 p.m. – MS/HS Auditorium.
12. Executive session.
 - re: purpose of potential litigation.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 21, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, Richard Gildea, Joe Dziczek, John Williams,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:05 p.m. – Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of **warrant #52** in the amount of \$2,400,644.57; Mr. Williams seconded; all aye.

7:10 p.m. – Town Accountant Arti Mehta came to speak to the Board about the **evaluation of her Financial Assistant Cindy Penney**.

Mrs. Mehta explained some of what the position entailed, that she was an excellent worker, taking on additional training when available, and adheres to safety measures. Mr. Johnson moved to accept Mrs. Mehta's score of 44 for Ms. Penney's evaluation and to grant her a merit increase; Mr. Gildea seconded; all aye.

- **Approval of minutes.**
- Mr. Dziczek moved approval and release of the **executive session minutes of January 11th**; Mr. Gildea seconded; Mr. Williams abstained; aye.
- Mr. Dziczek moved approval and release of the **executive session minutes of January 25th**; Mr. Gildea seconded; Mr. Williams abstained; aye.
- Mr. Johnson moved approval and release of the **executive session minutes of March 8th**; Mr. Dziczek seconded; Mr. Williams abstained; aye.
- Mr. Dziczek moved approval and release of the **executive session minutes of April 5th**; Mr. Gildea seconded; Mr. Williams abstained; aye.
- Mr. Dziczek moved approval and release of the **executive session minutes of April 12th**; Mr. Johnson seconded; Mr. Williams abstained; aye.
- Mr. Williams moved approval of the regular meeting **minutes of May 17th** as amended; Mr. Johnson seconded; all aye.
- Mr. Williams moved approval of the regular meeting **minutes of May 24th**; Mr. Johnson seconded; all aye.
- Mr. Williams moved approval of the **executive session minutes of May 24th**, not to be released; Mr. Johnson seconded; all aye.
- Mr. Williams moved approval of the regular meeting **minutes of June 1st**; Mr. Johnson seconded; Mr. Gildea abstained; aye.
- Mr. Williams moved approval of the **executive session minutes of June 1st**, not to be released; Mr. Dziczek seconded; Mr. Gildea abstained; aye.
- Mr. Williams moved approval of the regular meeting **minutes of June 7th**; Mr. Dziczek seconded; Mr. Gildea abstained; aye.
- Mr. Williams moved approval of the regular meeting **minutes of June 14th**; Mr. Gildea seconded; aye.
- Mr. Williams moved approval of the **executive session minutes of June 14th**, not to be released; Mr. Gildea seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 21, 1999

- There were no public comments.

7:30 p.m. – Mrs. Rozanski called the public hearing on the revised personnel policies.

Mr. Williams read the ad that appeared in local papers. Mrs. Rozanski declared the public hearing open.

Mr. Hartman stated the Union had received a copy of the policies, as had each department head. Mr. Johnson recommended soliciting a “no comment” from the Union so it was part of the record. Mr. Hartman indicated the Municipal Union has no comment, and he had not heard from the Police Association. Mr. Johnson again stated he would like an official reply from both parties concerned, even if they said they didn't have a comment. Mrs. Rozanski agreed.

Mr. Hartman said that he knew the Municipal Union had made one verbal comment regarding the use of “calendar year” instead of “fiscal year”, which he had incorporated into the policies.

Mrs. Rozanski said they could hold the public hearing open for written comments.

Mr. Hartman further stated the policies act as an overlay to the Union contracts and is used only when there is no language in a specific area. He again noted the primary changes included: making everything gender neutral; the naming of the Town Administrator as Personnel Director; a change in employee status for permanent part-time employees no longer identified as working 52 weeks a year; and bereavement leave has been pro-rated.

Mr. Williams asked about the elected officials, and Mr. Hartman said the policies did not include the Treasurer/Collector or the Town Clerk as they were excluded from the classification plan.

Mr. Hartman added another section that was changed was where there was reference to the JCRB which no longer exists, but the appeal is now to the Board of Selectmen. He also referenced a section on travel expenses which never existed before, and now is there on a per diem basis after talking to other towns and the Town Accountant. Mr. Hartman noted it has to be a multi-day reimbursement. He also explained there is now a formal written family leave policy which was developed with our consultant, and modeled after federal law, and which is required if there are more than 50 people employed.

Mr. Hartman note sexual harassment policy the Board of Selectmen previously adopted was an appendix to the policies. He stated Barbara Walls was the grievance officer, and he was the alternate. Mrs. Rozanski questioned if it was permissible for him to be the alternate? He said it was. There was some vagueness and concern to the reference of “the Town”, and no time frame for the grievance process, but Mr. Hartman stated it would go directly to arbitration, and “the Town” can be determined to mean “the employer”, but he said he would try and re-write the section. Mr. Hartman also stated, until it becomes a grievance becomes a liability, it does not go to the Board of Selectmen, and it would not be an appropriate matter to share with any board.

Mr. Johnson just noted that school teachers are forever on the books, i.e. Messrs. Bertonazzi and Ranieri, accumulating benefits as if they were actually working, a benefit others do not have.

Mr. Hartman recommending adoption of the policies, and would bring back a revision on the sexual harassment policy to the Board.

Mr. Johnson recommended adoption when the Unions respond with their no comments. Mrs. Rozanski suggested closing the hearing, but keeping the record open. Mr. Dziczek moved to close the hearing; Mr. Johnson seconding asking to keep the record open for one week for written comments; all aye. Mr. Hartman said he would look for approval prior to the Special Town Meeting on June 28th and redo that section on sexual harassment.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 21, 1999

8:15 p.m. – David Kaeli and Jim Wieler, present co-chairmen of the **Master Plan Committee**, came to talk to the Board about the **action item list** that was presented at Town Meeting in May.

Mr. Wieler noted the listing was of specific items that need to be addressed, and which Boards should review and report on. It was suggested the Boards look over time frames and see if they were attainable.

Mr. Kaeli commented there was some initial review done by the people on his committee for items listed, but not all were verified. They both felt Boards should be reporting to the Selectmen on an annual basis on the status of those action items, i.e. the annual town report. Mr. Wieler also felt FinCom could use their input as part of an overall guidebook for future expenditures and their time frames.

Mr. Dziczek noted several references to the same situation, i.e. town planner, and felt some could be grouped together. Mr. Kaeli said they were listed separately so they could be handled as separate issues.

Mr. Williams felt the Selectmen could be the lead group, but let the individual groups act independently.

Mr. Kaeli believed now that the master plan has been adopted, Boards could prioritize those action items under their responsibility. Mrs. Rozanski added they could state their goals and actions, and use the Master Plan to plan their year's work.

Mr. Johnson said some of the action items have already been completed, i.e. the new maps already received by the Assessors. Mr. Hartman believed that was part of the system in place, but year two of the technology program will be GIS, which has 11 tiers, with only 1 in place right now.

Again, Mr. Kaeli suggested the Selectmen take the lead and ask Boards to respond. Mr. Dziczek suggested sending copies of the action summary presented this evening to all Boards, find out if what is referenced to a Board actually belongs with them, get a response - whether positive, negative, or neutral. He stated that, since the Master Plan Committee has been dissolved, someone should be tasked with ownership. Mrs. Rozanski stated that that responsibility belongs to the Selectmen, and can be an excellent use of liaisons.

Mr. Williams agreed with Mr. Dziczek that a letter should be sent to all Boards, asking for a response by the end of summer to the Selectmen, with a commentary in the annual town report.

Mrs. Rozanski agreed feeling it was their role to have a goal to implement the Plan. Mr. Kaeli noted he and Mr. Wieler were available if anyone needed assistance.

Mr. Williams noted he felt the Master Plan and its follow-through should be one of the goals and objectives of the Board of Selectmen that was recently brought up for discussion.

Mr. Kaeli suggested a copy of the final draft of the Master Plan be sent to all Boards with their action summary, if there were enough to go around.

9:10 p.m. – Water/Sewer Superintendent **Mark Flaherty** came in to speak to the Board and to the viewing audience about the **water shortage situation**.

Mr. Flaherty explained the painting of the tank was on schedule, but the warm hot spring and lack of rain forced them to enact the voluntary water ban on June 5th after the Highland street tank had been refilled but was near empty in 36 hours at 46 feet. He said at this level, people might experience difficulties with showers, flushing and rusty water on second floors. They would also be vulnerable to fires, and could burst a pipe or collapse a water main drawing water.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 21, 1999

Mr. Flaherty explained the water ban means: no outside sprinklers, no washing of cars, no filling of pools; only using handheld hoses for 30 minutes after 4 p.m. and before 8 a.m., using the odd/even system. Anyone not abiding the bans will be fined. He noted the ban will probably be on until July if not longer, with really no relief in sight until we get a new well.

Wilder
Mr. ~~Williams~~ understood the ban was necessary, but also felt we should be educating the kids in school on water usage. He agreed lawns were not as important as maintaining enough water for fire-fighting. Mr. Flaherty noted that a full tank is between 76 ft. and 80 ft.; 46 ft. is low or 2/3 empty with 1/3 usable water remaining.

9:45 p.m. – Administrator's report.

- Mr. Hartman noted correspondence received from **Mike Narducci** to the Board. Apparently, ConCom has changed the orders of condition, and the contractor may not have to go up Summer Street for the sewer connection but go across Mr. Narducci's property. However, the Town needs a **dedicated easement** from Mr. Narducci first drawn up by his attorney, which as of today, had not happened yet. Unfortunately, their Secretary was not present that evening so any minutes of this meeting may not be available yet.
- Mr. Hartman brought up correspondence received from the Town of **Hopkinton** inviting Medway to a **meeting on the municipal incentive grant** they received for analyzing their land use. Mr. Williams said he would go, and the Secretary would contact the Open Space Committee to see if there would be any representation. It was noted Mr. Hartman and Mrs. Rozanski had a previous commitment with the Audit Committee. Mrs. Rozanski commented that because we have a Community Action Statement, there is more flexibility now that we also have a master plan, and if we wanted to apply for our own municipal incentive grant, it would make us eligible.
- Mr. Hartman noted the correspondence received from **Marcy Thomas** stating she would not seek re-appointment to the ConCom, but instead asking to be an **Associate Member**. Mr. Hartman did not believe that standing exists for ConCom, but Mrs. Rozanski said it might be in the statute. Mr. Dziczek suggested the Board show their support, but it was recommended Mr. Hartman check with Town Counsel first.
- Mr. Hartman then brought up research conducted by Administrative Assessor Paul Keefe on behalf of the Board of Assessors. He felt there may be some **defects** in the notice from the **Lee's** in that some of the **property** may not be in 61A, and some of the land may not be owned by the Lee's. Town Counsel will be going to Dedham tomorrow to check the land records and suggested Mr. Hartman hold off talking to the Lee's until he had completed his research.
- **Committee reports.**
- Mrs. Rozanski said she and Mr. Johnson attended the **Selectmen's/Alderman's conference** this past weekend. Mr. Johnson said one of the sessions attended was led by the Chief Engineer for Highway. He learned speed bumps were passe; a lot of lights and four-ways are illegal; signs at crosswalks are recommended; and they have the authority for lights on Route 109. After listening to other Towns' situations, Medway seemed to have fewer traffic problems.
- Mr. Johnson said another session focused on schools. He said it is felt there is not equal funding and distribution of those funds, and there was much anger against MCAS.
- Mr. Johnson also said he attended a week-long session with the **DOR and the valuation of power plants and transmission lines**. He said it seems there have untruths generated on stranded costs, which ended up being 1/3 of everyone's bill, denoted by "trans" meaning transition, not transmission. He felt it might be wise to have an expert evaluate the Sithe plant. He and Mr. Keefe are now looking for names of those who could do that for the Town, and then assess the plant if they get new information, noting we are a principal in the State for transmission.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 21, 1999

- Mr. Johnson said the State is nearing a decision on the **land banks**, and they will probably not be adopting Norfolk County's proposal, but he felt there would still be additional tax money on new homes.
- Mr. Dziczek brought up the subject of a **Town calendar**, similar to the School calendar, and asked that we still keep that in mind as a future possible project.
- Mr. Dziczek also wanted to be assured that Town boards receive copies of the documents sent in by the **State Ethics Commission**.
- With reference to **sexual harassment** and Town employees understanding what is involved, Mr. Hartman noted that employees attended a training session on that subject a while back.

Mrs. Rozanski suggested the possibility of Mr. Hartman coming up with a policy on orientation of new employees.

- Mr. Dziczek asked if Mr. Hartman had any further information on **maintenance of school grounds**? Mr. Hartman said he had given the figure to the Superintendent of what he had been able to estimate, but School is not able to break out costs like we do. The maximum amount he could come up with was \$20,000 for supplies, but now it is a policy decision. He did not know if there was anything else the staff could do. Mr. Dziczek asked him not to give up, and suggested a joint meeting. Mr. Hartman said they had developed a budget, the policy-makers decide if this is the way to go, and then the staff works out a plan. Mrs. Rozanski commented if there is no funding, it is not viable. Mr. Hartman agreed; both sides say they are interested but there is no funding, so then they would have to go to FinCom. Right now, it was a dead issue.

Mr. Johnson concurred. There is funding in the School budget, so it should be a simple thing of transferring the funds from one account to the other, but neither side wants to give up – one, funds, and the other, manpower. Mr. Dziczek said the Schools will only do so much on the outside. He asked what it would take to maintain? He noted we came up with the figure of \$125,000 – what does that include?

Mrs. Rozanski asked Mr. Dziczek what part of that figure was the School's maintenance plan, and she thought he was going to meet with them and come up with a proposal? Mr. Hartman said he had spoken to the Superintendent and they only have \$20,000, and they don't have an exterior maintenance plan.

Mr. Dziczek said he would continue to work on this.

- Mrs. Rozanski said that the School Committee still has concerns about the **articles on the warrant**, so she has called a meeting for the next evening at 8:30 p.m. at the Police Station. It would be a single-item agenda on articles 19 and 20 on the warrant. Mr. Hartman said that FinCom had suggested there be a joint meeting between both Boards to hopefully reach a compromise. Mrs. Rozanski stated it would be a Board of Selectmen's meeting, with Mr. Hartman adding both Boards have posted the meeting.
- Mrs. Rozanski brought up the only action item on the agenda which was approval of **two one-day liquor licenses** for St. Joseph Parish. Mr. Dziczek moved approval of both licenses for wedding receptions on July 17th and July 24th; Mr. Gildea seconded; all aye. Mr. Hartman added they were checking further with the ABCC on a ruling for granting a liquor license to the Parish instead of all the one-day licenses.

10:30 p.m. – The Board went over the articles on the **Special Town Meeting warrant**, designating the individuals to speak on each article.

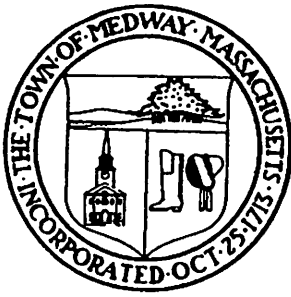
MINUTES OF THE SELECTMEN'S MEETING
JUNE 21, 1999

11:00 p.m. – Mr. Dziczek moved the Board **adjourn to executive session** for the purpose of potential litigation, not to return to open session; Mr. Johnson seconded; all aye. The vote: Mr. Gildea – yes; Mr. Dziczek – yes; Mr. Williams – yes; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED *as amended*
7/19/99



BOARD OF SELECTMEN

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

AGENDA

BOARD OF SELECTMEN

MONDAY, JUNE 14, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
- 7:15 p.m. - Karen Alves and Alder Street neighborhood reps.
re: Alder Street traffic situation.
2. Approval of minutes.
- May 17, 1999 – regular meeting.
 - May 24, 1999 – regular meeting.
 - May 24, 1999 – executive session.
 - June 1, 1999 – regular meeting.
 - June 1, 1999 – executive session.
 - June 7, 1999 – regular meeting.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
- Designation of spokesperson for each warrant article for special town meeting on June 28th.
7. Action items.
- Sign three Orders of Conduit locations for Bell-Atlantic.
 - Sign Police Association contract.
 - Sign Common Victualler's license for Richard Cassidy's "Johannah's Ice Cream", 87 Holliston Street.
8. For your information.
-
9. Communications and correspondence.
- COA's invitation to retirement party for Ruth Curtis.
 - Town of Cohasset's request for signing a petition on the State's lack of funding for education costs.
10. Future agenda items.
- Public hearing for revised personnel policies.
 - Master Plan action item list discussion with David Kaeli and Jim Wieler.

cc: AL BA CM 6/25/99

Selectmen's Meeting
June 14, 1999
Page 2

11. June meetings.
 - June 21st
 - June 28th – 6:00 p.m. Room 111; Special Town Meeting – 7:00 p.m. – MS/HS Auditorium.
12. Executive session.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 14, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, Richard Gildea, Joe Dziczek, John Williams;
Town Administrator Michael Hartman; Secretary M. J. Fredette.

7:05 p.m. – Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of **warrant #51** in the amount of \$722,797.97; Mr. Dziczek seconded; all aye.
- The Board decided to defer review and approval of **minutes to next week**.
- There were **no public comments**.
- **Administrator's report**.
- Mr. Hartman discussed the completion of the library renovations noting they still have \$20,000 in planned expenditures. A list had been provided to him and the Town Accountant of what remains to be done. He stated there was no specific time frame for close-out, but it would probably be sometime during the next fiscal year.

Mr. Johnson thought there was a time constraint for reimbursement, but Mrs. Rozanski said the renovations were not part of a grant even though they have applied and are still hoping some reimbursement will be possible.

- Mr. Hartman brought up the letter sent by the Millis Board of Selectmen asking Medway to keep Millis in mind for any potential **additional sewage capacity** the Town would be willing to sell to them. Mrs. Rozanski suggested Mr. Hartman bring their interest to the District's attention. Mr. Hartman said he would come up with a recommendation as to how the Board should pursue this issue for the future, since the Town should make sure they have sufficient capacity before selling any off to other towns. He added almost 50% of the Town's capacity had already been sold, and we now own 11% of the existing capacity, and 20% of what is coming on line with the current expansion. This was not related to the Holliston expansion which was on hiatus for a while but still working with DEP. Mr. Hartman added as both towns come in line with the I/I program, both towns will have some additional capacity. Mr. Johnson suggested Mr. Hartman get a report on the number of gallons per month and per year going through the system, and any improvements on infiltration by Medway and some of the neighboring towns.

7:20 p.m. – Karen Alves, Peter Badger and Ken Halloran came to speak to the Board about the **traffic on Alder Street**.

Mr. Hartman went over his letter to the Board concerning the Staff's recommendations. Staff included the Police Chief, Fire Chief, Town Counsel, the DPS Director, and himself, all of which were present except for Town Counsel. He explained that Police had been stationed for two days at the intersection of Trotter Drive and Alder Street from 6:00 – 9:00 a.m. on 5/19 and from 2:45 – 5:45 p.m. on 5/24. On the 19th, 11 cars had come through the intersection and on the 24th, 8 cars. Overall, less than 3 cars per hour. Mrs. Rozanski asked the three reps if they ever saw the Police? They said they had not, at least during the time just mentioned. Mr. Hartman went on to state that all those who drove through were interviewed, and most were residents who lived in the area.

Mr. Hartman stated that their recommendations included: no closing or gating of the road; that additional "truck traffic prohibited" and "no through trucking" signs be placed; that there would be further enforcement by sending a police officer to each business in the industrial park asking that employees not use Alder Street; and lastly, to take the existing terrain and re-establish a berm that would be four feet in height, with four feet of evergreens placed there.

Mrs. Alves felt the police survey that was done was not of a typical day. She and the residents were also concerned about the projected 4,000 commuters coming into the industrial park. Mr. Williams asked how

MINUTES OF THE SELECTMEN'S MEETING
JUNE 14, 1999

many employees were employed there at this time, which was a figure not readily available. Mr. Halloran knew there were six businesses, but did not know the number of employees. Mr. Johnson said he had received a few phone calls from residents who lived near the intersection of Alder Street and West Street, and, to them, it seemed most of the traffic were vehicles of parents of children catching a school bus. But, then again, there were conflicting reports of some of the traffic coming from Granite Street. Mrs. Alves stated those residents would not have seen the traffic she sees. Chief Lambirth noted that the officer stationed at the cul-de-sac of Alder Street and Trotter Drive would have seen the traffic. He was told informally that the officer did not see a single commercial vehicle, but he will still send a letter to all the businesses seeking the cooperation of employees and their suppliers.

Lee Henry felt, out of the recommendations they jointly made, the most important would be re-establishing the terrain which would camouflage the intersection.

Rep. Barbara Gardner was recognized by Mrs. Rozanski, who said she had been contacted by the Alder Street residents. She noted she felt partly responsible because of the PWED grant, but said she was surprised to hear from them and encouraged the Board to consider their concerns. Rep. Gardner suggested they review the recommendations made 2-1/2 years ago, see what's working, see what's changed, and see if there are some workable solutions.

Mr. Apgar of 5 Blue Ribbon Lane felt traffic has doubled over the past eight months, with vehicles driving at the 35 mph limit still being dangerous, encouraging a lesser speed limit. Mr. Hartman said it was posted for 20 mph, but would try and get an additional sign.

Mr. Henry noted the road was 18 feet wide on the paved section, although the layout is 60 feet. They could take some of that additional width to widen the road and put in sidewalks.

Sandy Shaw of 2 Fox Run Road noted she does not allow her child on Alder Street because of the amount of commuter traffic. She stated she has called UPS and FEDEX on some of their speeding trucks.

Linda Pacholec of 13 Fox Run Road stated she had seen truck traffic during the time it is posted no trucks allowed.

Chief Lambirth said this issue goes back to 1994. There are not sufficient officers to handle all enforcement in the Town. They can, however, make phone calls if they have license numbers and/or the name of the company on the truck violating the hours on the posted signs.

Jim Barden of 7 Fox Run Road stated many cars were exiting Trotter Drive to Route 109.

Mrs. Rozanski said they are still hoping to put up a traffic signal at that location.

John McNamara of 15 Paddock Lane asked questions about what it took to abandon a road, with Mr. Hartman adding there was a process that had to be followed. Mr. McNamara then asked if it took the same process to gate a road, and had they totally abandoned the idea of the gate? Mrs. Rozanski stated the Board voted several times on that. Mr. Hartman felt that gating was the same as abandoning a road; it becomes private and the homeowners own the liability to the street. Mrs. Rozanski added it was not a simple procedure.

Mrs. Alves went back to earlier discussions. She noted how the design firm recommended the gate, but the Board denied that, and came up with the alternate of the berm. The granite curbing was agreed by all at the 75% public hearing but disappeared on the 100% plan. She asked why they could not revisit the 75% plan?

Mrs. Rozanski felt it was the Board's intent to separate the intersection with a cape cod berm and gravel to the entrance. Mr. Johnson reminded residents Alder Street was a public way; not an emergency exit.

Mr. Halloran felt signs were not enforceable so why bother spending money putting up additional signs?

MINUTES OF THE SELECTMEN'S MEETING
JUNE 14, 1999

Mr. Hartman referred back to Board minutes wherein the decision of granite curbing was not mentioned. Mrs. Rozanski agreed the plan shows the graveled area, but not the granite curbing, even though she knew there was to be some type of separation.

Mr. Badger told the Board they were not aware of the 100% meeting.

Mr. Henry made mention that the State had to approve a plan, and they may have made a modification. Mrs. Alves felt, however, that the residents' needs should also be met.

Mrs. Rozanski believed they could still go ahead with their recommendations, but she would like to see the 75% and 100% plans. Mr. Hartman felt the only way to address the situation now was to sit down with the IDC and the Consultant.

Mr. Halloran asked if speed bumps had been discouraged? At first, Mr. Hartman thought the Board had vetoed the idea, but in looking at the minutes, realized it had passed. He noted that the staff had reviewed the option of speed bumps and recommended we not use them.

Mr. Halloran felt consideration was being given to developers on Fox Run and Lost Hills, along with the grant for Alder Street. He asked when would they receive consideration?

Mr. McNamara brought up there were a number of gated places in the Commonwealth. Mrs. Rozanski agreed knowing that was so in Cambridge and Dedham.

Mrs. Rozanski noted there should be some kind of finish to the cul-de-sac, and gravel, and a finished edge.

Mr. Halloran asked to be notified when they met with the IDC. Mrs. Rozanski agreed asking the Secretary to take note of that request.

Mr. Halloran also confirmed with the Police Chief that residents can report to the Police Department when commercial traffic goes through the area.

Mr. Badger expressed his appreciation for all the work done. He noted his disappointment that the gate would not be approved, but felt the berm or edging was second-best at this point.

Mr. Apgar asking about a sidewalk without paving, i.e. a graveled area along the side of the road? Mr. Hartman said it could be done, but it would have to be with Town dollars as it would not be eligible for Chapter 90 reimbursements. He would try and come up with an estimate, but they have to meet standards, and a gravel sidewalk does not meet standards.

Mr. Dzikczek felt some of their issues were prevalent in other areas of Town as well where there are no sidewalks such as Oakland and Holliston Streets. He did not feel they would get support at Town Meeting for abandoning the road.

At this point, Mrs. Rozanski felt this was a good time to end the discussion. Mr. Dzikczek asked if they could vote on the Administrator's recommendations? Mr. Williams first asked about cost, which Mr. Hartman said was minimal except for trees. Mr. Henry concurred with maybe \$200 overall.

Going back to the gate, Mr. Johnson said he could remember the Acting Highway Superintendent Bob Power vigorously opposing closing the road with a gate. Mr. Henry agreed they have consistently advised against the use of a gate. Mrs. Rozanski stated closing the road is not an option; they would have to mitigate without it.

Mr. Dzikczek moved to adopt the Staff's recommendations as provided this evening in the Administrator's memo dated June 8th for Alder Street; Mrs. Rozanski suggested the motion be to approve and implement the recommendations; Mr. Dzikczek so moved; Mr. Williams seconded; all aye.

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JUNE 14, 1999

Mr. Hartman asked if the Board had interest in his pursuing a sidewalk of some type? Confirming that people did travel to the intersection of Alder and West Streets, Mr. Johnson felt there should be a sidewalk. Mr. Hartman asked for a direction from the Board as he felt it would be relatively expensive. Mrs. Rozanski asked about just a path? Mr. Henry said they could develop their own standards and modify the width, but someone has to maintain it. Mr. Williams was not in favor of a sidewalk at this time as there were other areas in the same situation. He was more interested in what happened between the 75% and 100% plans. Mrs. Rozanski suggested finding out where there were sidewalks in town first. Mr. Hartman noted the intention of connecting existing sidewalks to other sidewalks, but now there are no funds.

8:35 p.m. – Mr. Hartman went back to his report.

- Mr. Hartman stated the **Council on Aging** had approached him because when the COA was expanded three years ago from 7 to 11, the by-law did not address the length of terms, just the number of members. Therefore, instead of having staggered terms, the majority of the Board's terms are due to expire at the same time. Mrs. Rozanski asked Mr. Hartman to write up a policy or procedure.
- **Committee reports.**
- Mr. Dziczek said he attended the last **School Committee meeting**, and from that, requested more communication between both boards. He hoped that the Superintendent and the Administrator could work out a proposal on the building committee.
- Mr. Williams said he was asked by the **Town Clerk** to note she and her Assistant would be out of town at the Town Clerk's conference Wednesday through Friday. He was bringing this up since dog license renewals were due on the 15th, and some residents might be concerned. Mr. Dziczek asked about coverage for the office? Mrs. Rozanski suggested the Administrator see how he could be of assistance. Mr. Hartman said that generally people would go to the Assessors' office or his office to inquire for help. If a floater had been approved, that person could have been utilized in this situation although there are certain things that could only be done by that office staff.
- Mr. Hartman also noted he had had an informal discussion with Town Counsel. He said he was correct in stating the possibility exists that he could not have a **voting and staff role** on the building committee. Counsel would be researching this further and getting back to him.
- Mr. Johnson stated he and Mr. Gildea and Mrs. Rozanski had attended the **Norfolk County Selectmen's Association meeting**. He brought up the Sithe project and how evaluations were going on all week. Everyone seemed confused with no concrete answers and how it impacts the different towns. At issue was if Sithe could be taxed for the cost of the plant. At present, they were taking courses with the DOR to determine some of those answers.

Mrs. Rozanski noted hearing Treasurer Shannon O'Brien speak. She also said construction reform hearings would be heard on the 16th, as well as the home rule petition.

8:50 p.m. – Action items.

- The three **orders of conduit location** for Bell-Atlantic were brought up. Mr. Hartman said his recommendation was to approve all three. He stated all involved Route 109 and were to have been accomplished by July 1st. He explained public hearings had been held, abutters notified, and one resident had been in attendance with the Bell-Atlantic rep present.

Mr. Williams moved to approve the petition for conduit at Main and Holliston Streets; Mr. Johnson seconded; all aye.

Mr. Williams moved to approve the petition for conduit at Main and Industrial Park Road; Mr. Johnson seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Williams moved to approve the petition for conduit at Main Street and Richard Road; Mr. Johnson seconded; all aye.

- Mr. Hartman noted the **Police Association contract** which had been ratified needed to be signed and executed by the Board. It had already been signed by the Police Association. The Board signed the contract as well.
- Mr. Johnson asked if anyone was going to the **Selectmen/Alderman Association meeting** on the 18th and 19th? Mrs. Rozanski stated she was. Mr. Johnson asked the Secretary to make arrangements for him as well.
- The **common victualler license** for Richard Cassidy, Johannah's Ice Cream, d/b/a Brooke's Longshot was brought up. Mr. Hartman explained that Mr. Cassidy did not realize he needed the license, assuming the food handler's license was all that was required. Mr. Hartman said, with Town Counsel's advise, had issued a temporary license to Mr. Cassidy.

Mr. Johnson moved to approve the common vicuttaller license for Mr. Cassidy's Johannah's Ice Cream; Mr. Gildea seconded; all aye.

- The retirement party/dinner for **Ruth Curtis** was brought up. All five Selectmen said they would attend.
- The letter from the **Town of Cohasset** requesting the Board's support for signing a petition on the State's lack of funding for education costs was addressed. Both Mrs. Rozanski and Mr. Johnson felt it should be supported. Mr. Williams agreed it did not hurt to sign and send the petition, but he took a dim view of filing petitions with no concrete proposals to go along with them, especially no mention of ed reform.

Mr. Williams did not feel property taxes were enough. Mr. Johnson stated local proper tax is primary and should include local receipts. Mr. Williams attributed property taxes to 57% of the Town's budget; state aid 24%, and local receipts 14%.

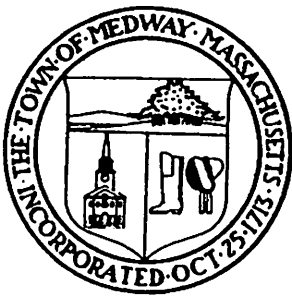
Mr. Johnson moved to join the Town of Cohasset to approve the petition and sign as co-petitioner; Mr. Dziczek seconded; all aye.

- Mrs. Rozanski asked Board members if they wished to discuss the **warrant articles** and a spokesperson for each? Mr. Johnson moved they table this until next week as an action item; Mr. Dziczek seconded; all aye.

9:15 p.m. – Mr. Johnson moved the Board adjourn to executive session for the purpose of potential litigation, not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Gildea – yes; Mr. Johnson – yes; Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj



BOARD OF SELECTMEN

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

AGENDA

BOARD OF SELECTMEN

MONDAY, JUNE 7, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
- 7:15 p.m. - Helen Luccio and Mary O'Leary.
re: re-activating the Affordable Housing Committee.
- 7:30 p.m. - John Boczanowski
re: revised site plan approval for 33 Alder Street, J. F. Industries.
- 7:45 p.m. - Nick Richard, Southwestern Books.
re: solicitor's permit.
2. Approval of minutes.
- May 10, 1999 – regular meeting.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
- None.
7. Action items.
- Acknowledge receipt of site plan for AT&T, 113 Main Street.
- Approve and sign STM warrant.
8. For your information.
- None.
9. Communications and correspondence.
- Planning Board's letter of May 27th requesting a meeting.
10. Future agenda items.
- Alder Street traffic situation.
11. June meetings.
- June 7th, 14th, 21st
- June 28th – 6:00 p.m. Room 111; Special Town Meeting – 7:00 p.m. – MS/HS Auditorium.
12. Executive session.
- none required.

cc: ALBA cm 6/25/99

MINUTES OF THE SELECTMEN'S MEETING
JUNE 7, 1999

Present: Selectmen Raphaela Rozanski, Harry Johnson, Joe Dziczek, John Williams, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Richard Gildea was absent.

7:05 p.m. – Mrs. Rozanski called the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of **warrant #50** in the amount of \$759,270.15 as read by Mr. Williams; Mr. Dziczek seconded; all aye.
- Mr. Hartman reported the **water ban** had been lifted as of June 4th, and they were back on an odd/even schedule of only watering for 30 minutes either before 8:00 a.m. or after 4:00 p.m.
- It was moved and seconded to approve the **minutes** of the regular meeting of May 10th as amended; all aye.
- **Action items.**
- Mr. Johnson moved to acknowledge receipt of a **site plan for AT&T** to be located at the tower at 113 Main Street; Mr. Dziczek seconded; all aye.

7:15 p.m. – **Public comments.**

- **Cheryl Harvey**, Chairman of the School Committee, brought up the on-going discussions between her committee and the Selectmen relative to the **proposed new school building and building committee**. She asked that a member of the School Committee be on the building committee as per Ch. 645, and the School Building Act 3810(4) which required reps of the applicant to have one or members of the School Committee as part of the building committee, and one or more members of the building committee and superintendent or his designee to be in attendance at any meetings they may have.

Mrs. Rozanski asked Mr. Hartman to check with Town counsel in this regard, and how the Town Administrator's job description relates to this committee.

Mr. Williams said he and Mr. Dziczek were in attendance at the last School Committee meeting, and agreed that there are requirements for the formation of the building committee, referencing Ch. 70. He said it would be good if both groups came to some agreement before town meeting and some dialog was held between the two. Mrs. Rozanski said there would be a recommendation from FinCom; however, Mr. Williams stated FinCom does not recommend policy. He also said he had a suggestion to make on the formation of the committee, but Mrs. Rozanski asked that he share that with the Board later on. Mrs. Harvey said she would appreciate the Town Administrator reviewing the information she was providing.

7:20 p.m. – **Helen Luccio, Director of the Housing Authority and Mary O'Leary, a member of the Housing Authority** came to meet with the Board concerning the reactivation of the **Affordable Housing Committee**.

Mrs. O'Leary asked that this committee be brought back to act as a screening committee for contractors and developers. She noted over the past couple of years there had been no activity, so the committee was simply not reappointed as far as she knew.

Mrs. O'Leary said the original committee was organized in 1988 with established guidelines, partly provided by HOP, which helped them to formulate a mission statement, which she read some of. She felt if the committee was in place, it would be helpful for all.

When asked how many should be on this committee, Mrs. Luccio felt there about seven last time including, two reps from the Housing Authority, one member of the Board of Selectmen, one banker, one person from the real estate industry, a citizen-at-large and one lawyer. Advertising for members of the committee

MINUTES OF THE SELECTMEN'S MEETING
JUNE 7, 1999

should be through the Selectmen, but then referrals would be to them. Both Mrs. Luccio and Mrs. O'Leary would be interested in serving on the committee as the reps from the Housing Authority.

Mr. Johnson asked them if they were proposing the Selectmen appoint a committee consisting of membership as was set up with the previous committee? They agreed, noting it had been successful the first time, which was the affordable housing complex built by Tom Roche off of Lovering Street on Heritage Drive. Mrs. Luccio wanted to make sure they knew there was a distinct difference between subsidized housing, such as at Mahan Circle, and affordable housing, such as at Heritage Drive.

Mrs. O'Leary did not feel a budget was necessary, as builders would be seeking them out as a screening committee. Those developers with comprehensive permits would also approach them with their plans, and then probably have to go to the ZBA, but would like to have the endorsement and recommendation of the Affordable Housing Committee in hand before they met with them.

Mrs. Rozanski was assured this committee would still report to the Selectmen.

Mrs. O'Leary stated the committee also assists builders in determining what the Town's needs were so they had a better picture of what would be acceptable. She said there were many programs out there, many very new, so they would have to re-educate themselves on what was available.

Mrs. Rozanski proposed the mission statement as a good place to start, and that some of the mission statement of the 1988 committee was a good step in the right direction.

Mr. Dziczek wondered if the formation of the committee would prompt more affordable housing complexes, and would they give a recommendation when chapter lands are offered to the town for their option of first refusal? Both Mrs. O'Leary and Mrs. Luccio said they would not be reactionary or pro-active, but would be feeling their way first to see what is being called for.

Mrs. Rozanski suggested, once formed, they have regular meetings, even if on an annual basis, to keep the committee as an active on-going committee. She also recommended a report in the annual town report, whether they have done anything or not.

Mr. Williams asked what the committee would have, or could have, done with the Deerview Meadows project? Mrs. O'Leary said the number of units was a problem. The committee could have worked with the developer on the number. They would also tend to be less adversarial as their support would be sought.

Mr. Williams asked what was the difference between fair housing and affordable housing? Mrs. O'Leary said fair housing is ensuring there is no discrimination and there is adequate housing.

Mrs. Rozanski asked if they wanted an eight-member board, but Mr. Dziczek suggested the membership be an odd number for voting purposes.

Mrs. Rozanski asked that Mr. Hartman put a proposal together with an organizational structure. She also welcomed the name of anyone who would like to be on this committee to call the Town Administrator's office.

Both Mrs. Luccio and Mrs. O'Leary said a town meeting vote was not required to reactivate this committee, with Mr. Johnson agreeing since it did not require an appropriation.

7:40 p.m. – John Boczanowski came to meet with the Board on a revised site plan for J. F. Industries located at 33 Alder Street.

He stated he was adding an office area approximately 14 feet by 40 feet at the front of the building which will enhance the looks of the building as well. He was not adding anything else and did not have any impact on anything else.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 7, 1999

Mr. Johnson asked about setbacks, and Mr. Boczanowski said it was closer to the road by 14 feet, but there was still enough setback.

Mr. Dzikczek moved to approve the revised site plan as submitted by Mr. Boczanowski; Mr. Johnson seconded; all aye.

- **Nick Richard of Southwestern Books** did not show up for his appointment with the Board to request a solicitors permit.

- **Committee reports.**

- Mr. Johnson brought up information provided by the Norfolk County Advisory Board which indicated that **house bill #3941** was still much better than two other taxes proposed. Those included a 3% property tax surcharge and a 1% transfer tax. He again asked for the residents' support on the house bill.

Mrs. Rozanski asked Mr. Hartman to send the legislators a letter of support from the Selectmen, with a copy to the Secretary of Administration and Finance.

- Mrs. Rozanski reported that Medway's MAPC rep, **Mary Ellen Lavenberg**, is the new treasurer of the **MAPC** (Metropolitan Area Planning Council).
- Mr. Johnson thanked Mrs. Rozanski for the material she provided to the Board from her attendance at the last **MMA meeting**

He asked that she carry back to that Board his opinion that the use of public funds for municipal employees was not right.

Mrs. Rozanski noted that the tobacco settlement was large, and because of that, any health benefit programs towns want to receive funds for, stand a good chance of approval.

Mr. Johnson noted the proposed teachers early retirement plan included in the packet, and as written, he would be opposed to it.

Mr. Johnson also did not like the special ed regulations outlined. Mrs. Rozanski noted a letter had been sent from the MMA board on that same issue.

Mr. Johnson reiterated his dislike for the MBTA assessment and the way Medway was getting taxed for the approximate \$60,000. Mrs. Rozanski felt it should be exempt from prop 2-1/2, but stated if Chapter 90 funds get cut, there is no way the Town can make it up, and it would be a double-hit to the Town's property taxes.

- **Administrator's report.**

- Mr. Hartman said the **Alder Street** traffic situation would be discussed next week, and the Alder Street residents will be informed and both Chiefs.
- Mr. Dzikczek commented he liked the way the **reflectors in the crosswalks** showed up. Mr. Hartman said that was a part of making the crosswalks more visible, and were not costly but durable. He felt it was better than painting the whole crosswalk which made it slippery during the winter.

Mr. Johnson asked that the buckets/barrels be placed at the crosswalks again to remind motorists of their presence. Mr. Hartman said he would on that as well. Mrs. Rozanski felt it was the Safety Officer's job to keep the Board advised of any other problems.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 7, 1999

- With reference to the **guardrail at the high school**, Mr. Johnson said he has only heard good things from residents as to the limitation it has placed on exiting vehicles.
- Mrs. Rozanski said she understood this year's **graduating class donated trees** to beautify the front of the high school as their class gift. She felt it was a great idea. Mr. Dziczek commented, if the Town assumes the management of school property, they can have the Park and Highway Departments take care of those trees.
- Mrs. Rozanski brought up the **special town meeting warrant**.

Mr. Williams shared his proposal of an amendment of the two school building articles with the Board. Mrs. Rozanski suggested having Mr. Hartman review them before the Board discussed them any further. Mr. Williams asked if the Board would be meeting with the School Committee before the special town meeting to discuss them? Mr. Williams stated that the town would take a dim view on two competing sets of articles. Mrs. Rozanski asked Mr. Hartman to report back to the Board on his review next week. Mr. Hartman believed he was hearing the Board's interest was in the two elected bodies sponsoring something jointly.

Mr. Dziczek said he would like to see figures on the articles, not just "a sum of money". He suggested just putting an estimated figure instead of "a sum".

With reference to the Law article, Mr. Hartman said the total could be as high as \$18,000 because all the bills were not in yet. He stated the warrant is probably going to have to be posted as it is, but by the town meeting comes, there will be figures to present. He noted the School Committee was not sure of their figure yet either, but it could be as high as \$60,000.

Mr. Johnson said the extra leftover fiscal year money ends up going into free cash. He said this is where you get your bond rating from, and they like to see 5% leftover fiscal year money.

- Mrs. Rozanski acknowledged the **letter from the Planning Board** dated May 27th asking for a meeting to review the **home rule petition** when it is scheduled for committee. She suggested the Board think about the petition, what their position should be, whether or not they would present anything to the committee, and how they would present it at the hearings if they attended.
- Mr. Dziczek acknowledged the letter from the Library Trustees on the **Tuchinsky estate**. Mrs. Rozanski read the letter stating over \$100,000 had been donated to the Library. At the same time, she noted that the estate had also named St. Joseph Church as a beneficiary as well. Mrs. Harvey noted the same amount had been donated to the schools for student scholarships too.
- Mr. Hartman stated that Water/Sewer Superintendent Mark Flaherty had just come in to the meeting to let everyone know that the **water tank level** is down to 52 feet and posing a potential problem again. He said they will have to institute another mandatory water ban if people keep over-watering. Mr. Hartman reminded residents not to water longer than 30 minutes, and to water before 8:00 a.m. in the morning and after 4:00 p.m. in the afternoon, and absolutely no filling of pools or washing of cars.

8:25 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED 6/21/99

MINUTES OF THE SELECTMEN'S MEETING
JUNE 1, 1999

Present: Raphaela Rozanski, Harry Johnson, Joe Dziczek, John Williams, Town Administrator Michael Hartman. Selectman Richard Gildea was absent.

7:00 p.m. – Mrs. Rozanski opened the meeting in the Town Administrator's conference room in Town Hall.

- Mr. Johnson moved approval of **warrant #49** as read in the amount of \$1,772,232.15; Mr. Dziczek seconded; all aye.
- Mrs. Rozanski noted the Planning Board was having a **public hearing on their revised rules and regulations**, including site plan approval on June 15th. Mr. Hartman said he would comment and then provide the Board a copy of that letter.
- Mrs. Rozanski noted receipt of a copy of a letter from the Planning Board to ZBA member Steve Reding dated May 25th.
- Mrs. Rozanski also acknowledged receipt of a letter from the Planning Board to the Selectmen dated May 26th with reference to the Board's letter dated May 18th asking the **Planning Board to withdraw from pending action** since Town Meeting had voted not to fund an appeal. She asked Mr. Hartman if they had joined the ZBA? Mr. Hartman stated Attorney Robinson had not returned to the Office yet from vacation, but would file an affidavit upon his return.

Mr. Johnson acknowledged a copy of the letter of **disinvitation** sent to all present Planning Board members, past member Jim Sia, their Secretary, and the Planning Board's agent. Mr. Hartman agreed they have all been put on notice.

- Mr. Hartman brought up the **construction work on Summer Street**. He told the Board that the contractor was laying sewer during the hours of 7:00 a.m. and 4:00 p.m. He said the trench was 22 feet deep in places, and the Police Department had advised him that, at this pace, he will never be done. The Police Department was recommending they either close the road, work from 7:00 a.m. to 7:00 p.m., or both. Mr. Hartman indicated another recommendation is to put a metal plate down over the trenches and a snow fence around the work area. He noted the contractor was spending two hours to dig the trench up in the morning, and two hours to fill it at night, thereby losing four hours of work each day. Mr. Hartman stated he has checked with the DPS Director and the Water/Sewer Superintendent, and they agreed the contractor could go bankrupt at this rate with the extra time and effort involved. He said the contractor had anticipated going cross-country over Narducci's property at the outset, but now cannot. From a safety and traffic standpoint, closing the road except to emergency traffic, would be the route to follow in the Town's best interest.

Mrs. Rozanski said the Board would need a plan of how traffic would go through. Mr. Hartman said he could have it for Monday's meeting. Mr. Johnson suggested testing his plan so he would have an idea to tell the Board how it was working on Monday.

Mr. Hartman added, if the 7-7 schedule was adopted, the contractor can then keep the trench open and do 12 hours of work each day. He believed the area affected was just Summer Street up to Highland Street.

Again, Mrs. Rozanski wanted to be assured safety measures and a plan for routing traffic were available.

Mr. Dziczek suggested letting Mr. Hartman try his plan and see if it works. If it doesn't, he will know if there are problems because they would be calling him.

Mr. Hartman said he would implement something and let the Board know how it works out.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 1, 1999

- Mr. Hartman referred to the correspondence he sent to the Treasurer dated May 27th concerning the wire transfer. He also asked the Board to review the Ware decision where, in the past, most towns operated through a home rule petition. Now, through a majority vote of the Board, they can establish a policy exempting individuals receiving stipends from receiving group health coverage. He also asked the Board to note his memo on maintenance of school grounds per Mr. Dzikczek's request.

Mr. Dzikczek asked about the amount of money for equipment? Mr. Hartman stated they should not count on funds that the Town did not have in hand. He said they should be fully funded up front. Mr. Hartman had not considered contracting out for services.

Mr. Hartman further went on to state his experience indicated that nothing angers school personnel more than not having athletic fields that are not up to standard. Without equipment, his estimation of funds was \$115,000

Mr. Dzikczek asked to see a further breakdown of the full-time staff, wanting to make sure there was not a duplication of personnel, i.e. what would they be doing? When are seasonal personnel utilized and for what purpose? How many hours? Mr. Hartman said seasonal help includes two people at a grade six, for 3,000 hours, at \$10 an hour, full-time. Mrs. Rozanski asked that he identify resources.

Insofar as snow removal was concerned, there was no cost savings.

Mr. Hartman indicated he had not spoken to the Superintendent or the Director of Operations as to what they put in their budget.

Mr. Dzikczek again asked for a further breakdown in seasonal help, supplies, and equipment. Then they can see what they were getting.

Mr. Hartman commented how Mr. Aldrich had to chase down youth group personnel to get the necessary funding. Mrs. Rozanski agreed he should not be doing this. She asked if an account (gift) could be set up, which would be under the Park Department's authority, and then gets dispersed.

Mr. Hartman noted that the fields are the only things the Park Department mows, and yet we are talking taking over all of it. The mowing of the fields takes up about 50% of their time.

Mr. Dzikczek said he did not want to hear people saying they are already doing the work, and now they want additional money. They are trying to come together. The Town is doing something in this operation; what is that; and how does it relate to what the Schools are doing?

Mr. Hartman said the proposal is to do everything except lining the fields, which the Athletic Department wants to do.

Mr. Johnson suggested trying to determine the number of man hours to do the work. He asked how can they evaluate a program if you don't know what is being done now? They should know how much it costs. They also don't have the time factor for snow removal at crosswalks and doorways. Mr. Hartman noted they never did sidewalks at the schools. He also indicated it might be difficult for the School Department to break out indoor and outdoor maintenance.

Mr. Dzikczek remarked how he got concerned with maintenance when he looked at the grass at the schools during summer and how it did not get cut. Again, Mr. Hartman said he would speak to the Superintendent and the Director of Operations. He also noted if they reach an agreement or understanding to do the sidewalks at the schools, it will get done in time. He stated the Superintendent was interested in pursuing this issue and other projects. Mr. Hartman said he would work on ballpark figures for the Board.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 1, 1999

8:55 p.m. – At this time, the Board discussed articles for the special town meeting warrant on June 28th.

Conversation first went to the articles on a **municipal vs. school building committee**. Mr. Hartman reiterated that Town Counsel had endorsed the standing municipal committee. Mr. Johnson commented he did not like the Moderator appointing three citizens-at-large.

Cheryl Harvey, who was present, asked – in this interpretation – would Town boards not be included in this committee and/or send liaisons? Mr. Hartman said he chose this language because, in the past, too many people have come and gone. With seven citizens-at-large, it is similar to a blue ribbon committee, affecting the Town as a whole, and that would be his recommendation.

Mrs. Rozanski noted that the School Committee could endorse an individual.

Mr. Williams asked if the committee could be charged with a particular project? Mr. Johnson indicated they were not saying this committee would be charged with only one thing. Mr. Hartman noted this would still require an appropriation at town meeting. Mr. Johnson agreed the Town would be deciding on the school issue; not this committee.

Mr. Williams wanted to be assured that different committees could still initiate their requests and be listened to.

Mr. Dziczek added this committee will know which lands are available for building, and which are not. Mrs. Rozanski agreed this committee will look at the Town as a whole.

Mrs. Harvey was also concerned about the length of term of this committee.

Mr. Hartman noted the State requires 30-35 acres for a high school, and 25-30 acres for a middle school.

Mr. Hartman stated, as a professional, neither he nor anyone at the schools should be on this committee. His role is in a staff function, and not as an active member of the committee. Participation could possibly be seen as a conflict of interest. He did mention to the Board, however, that non-voting members do count as part of a quorum.

Mrs. Rozanski felt that the entire committee should be appointed by the Board of Selectmen with three-year terms.

- The Board briefly discussed the **remaining articles** on the warrant.
 - Mr. Hartman will elaborate a little further on the Quinn bill.
 - The Board asked for a further breakdown on the Town Hall renovations appropriation.
 - Mr. Hartman noted that, at this point, he did not know how much Law expenses would come to.
 - Mr. Hartman mentioned that the DPS Director would like to encumber some paving money and roll it over into the next fiscal year.

Mrs. Rozanski said she did not have a problem with it as long as it was detailed and approved by the Town Accountant.
 - Mrs. Rozanski asking if they should have a resolution on stipends? Mr. Johnson suggested waiting for another time. Mrs. Rozanski went along with his suggestion.

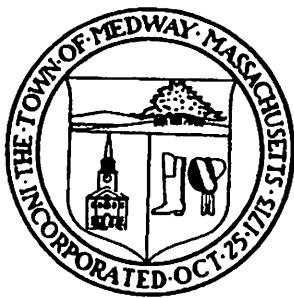
MINUTES OF THE SELECTMEN'S MEETING
JUNE 1, 1999

9:45 p.m. – Mr. Johnson moved to **adjourn to executive session** for the purpose of discussion of acquisition of property, not to return to public session; Mr. Williams seconded; all aye. The vote: Mr. Johnson – yes; Mr. Williams – yes; Mr. Dzikczek – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED 6/21/99



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

AGENDA

BOARD OF SELECTMEN

MONDAY, MAY 24, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
- 7:15 p.m. - Attorney Neil Roche and Bing Leong, Manager.
re: continuation of public hearing for transfer of liquor license from
China Lotus to Medway Lotus.
2. Approval of minutes.
- none.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
- Re-assignment of Selectmen as liaisons to certain boards (only
elected?)
- Scheduling only two meetings a month if possible (beyond summer?)
7. Action items.
- Approve three one-day liquor licenses for St. Joseph Church.
8. For your information.
- No meeting May 31st; Memorial Day parade at 10 a.m.
9. Communications and correspondence.
- Attendance at Medway Business Council meeting.
10. Future agenda items.
- Discussion of warrant articles.
- Housing Authority re: affordable housing committee.
11. June meetings.
- June 7th, 14th, 21st (may be able to skip one meeting)
- June 28th - 6:00 p.m. Room 111; Special Town Meeting - 7:00 p.m. -
MS/HS Auditorium.
12. Executive session.
- none required.

cc: ALB + CM 6/25/99

**MINUTES OF THE SELECTMEN'S MEETING
MAY 24, 1999**

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

7:00 p.m. – Mr. Johnson opened the meeting in Sanford Hall of Town Hall.

- Mr. Williams read the amount of **warrant #48**. Mr. Johnson noted he found an item that needed to be discussed further, probably in executive session. He moved to accept the warrant as read in the amount of \$1,469,493.17; Mr. Dziczek seconded; all aye.

7:07 p.m. – Attorney Neil Roche and Manager Bing Leong were present for the continuation of the public hearing on the transfer of the liquor license from China Lotus to Medway Lotus.

Mrs. Rozanski asked Board members if they had any other questions. Mr. Dziczek brought up Chief Lambirth's letter with reference to keno and kareoche. Mrs. Rozanski noted those were different issues, as this hearing only had to do with the liquor license.

Mr. Hartman brought up the outstanding monies owed, but after consultation with Town Counsel, it was believed there were no funds that could be collected at this time. Mr. Johnson again brought up the point that Mr. Leong was manager of China Lotus and part owner. Mr. Roche stated Mr. Leong's share was 29%, and others owned the balance.

Mr. Hartman again reminded the Board that the license should be contingent upon the Board of Health signing the food handlers license on Wednesday and the Building Inspector issuing a certificate of occupancy.

Mr. Dziczek asked to have separated who owns the property and who owns the new corporation. Mr. Roche said the owners were Phillip Wong and Flora Chu of Super Team LLC, 425 Main Street, Malden. Mr. Dziczek felt if there were any improvements to be made to the property, that it would be good to speak to the owners, not just the tenants. Mr. Roche stated, for the record, that the new tenant will own Medway Lotus Inc. The sole stockholder and only officer is Mr. Leong's wife, Susan.

Mr. Johnson still voiced his concern about a water bill that remains unpaid, and how it would be difficult to run a restaurant without water. He felt others would have had their water shut off by now. Mr. Roche reminded him that the Town has a claim on that water bill. Mr. Johnson reiterated the property owners are still the same; they are the ones that received the water bill at the time bankruptcy was filed; and those owner are not the ones that went bankrupt. Mrs. Rozanski agreed it puts the tenant in jeopardy if the Water/Sewer Department was to turn off the water to the owner.

Mr. Hartman stated that the Town currently has creditor status in the bankruptcy proceedings. Mr. Roche agreed the Town should pursue the claim, but the bottom line is to transfer the assets. He further added that the previous corporation and the new corporation only own some equipment and the license; the other items were owned by Wong and Chu. Mr. Leong has no interest in the real estate.

Mr. Hartman said that Town Counsel knows this individual does not own the building, but it still does not address Mr. Johnson's concerns, and the personal property tax remains unpaid according to the Treasurer.

Mr. Williams stated that the petitioner for the license is not culpable for the water bill, and moved that they go on the merits of the license; Mr. Dziczek seconded. Mr. Roche reminded the Board the license still has to be approved by the ABCC. Mrs. Rozanski suggested approved the license contingent upon proper execution by the Building Inspector; Mr. Hartman suggested also adding subject to the Board of Health's food handler's license; so moved and seconded; all aye.

Mr. Dziczek asked Mr. Leong to check into any requirements for the sign name change with the Building Inspector as well.

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After the public hearing, Mr. Leong stated he has been paying rent since January, and has also promised the landlord he would pay the water bill before he opens.

7:35 p.m. – Public comments.

- Gerry Lindsey of 69 Summer Street came to speak to the Board about the incident that had occurred this day with regard to a **gas pipe having been perforated** in the midst of construction on **Summer Street**. He thanked the Fire Department for their prompt response with the gas leak and the evacuation of the neighborhood.

He did want to bring one thing to the Board's attention. He had filed a complaint at Noon with OSHA, and told this to Bay State Gas. He knows that the contractor has a permit from the Town to put sewer in, but if he was digging 16 feet down, he should be following all regulations. He did not believe there was any earth support in the trenches, and felt going 16 feet down, the asphalt fell on the gas main, and with no ladder in the hole, it could have been dangerous. Perhaps someone should have been more aware, especially with a street opening permit, and the multiple water and gas connections. He noted OSHA came out to Medway 35 minutes after he called. He noted his many years of experience and presently working on the Big Dig.

- **Cheryl Harvey**, present chairman of the School Committee, told the Board that they had circulated a petition at Medway Pride Day and found much support from those there to have a committee formed for the proposed new school. On that basis, she was **submitting two citizen petitions** articles for the warrant on June 28th. She said they had gotten over 200 signatures on each article which indicated to her the Town's support in embracing the project and the articles.

Mr. Hartman indicated the Board had asked him to talk to Town Counsel about the formation of the committee. Mr. Dzikzek felt, one way or another, the articles would be on the warrant, which can be amended on Town Meeting floor by the School Committee and then the Town can vote on them. In the articles being submitted, it was decided who should be on the committee; the Board of Selectmen may feel differently. Mrs. Harvey stated this was the way the Memorial School was built.

Mrs. Rozanski said there were new ideas coming from the State and the Board wanted to look at all these ideas; they had not decided which way to go yet.

Mr. Johnson referred the Board and the Chairman of the School Committee to the Town By-law #23, which will indicate who is in charge of all buildings. If you wanted to change this, you would have to change the by-law. Regardless, Mr. Hartman said you still need a building committee, and was going to suggest to the Board that they have a meeting prior to the closing of the warrant to discuss items such as this. Again, Mr. Hartman reiterated the School Committee doesn't build buildings; the Town builds buildings.

Mrs. Harvey noted the Town Administrator was not included in the Committee because the committee was composed similar to the composition for the Memorial School when there was no Town Administrator. She noted the articles could be submitted as citizens petitions, but they would rather do articles as submitted on behalf of both boards.

Mrs. Rozanski stated if they submit the articles to the Town Clerk for verification, they will appear as they are shown, and they will be the last articles on the warrant, but the Board will be discussing this issue further.

8:00 p.m. – Committee reports.

- Mr. Johnson reported attending the **Norfolk County Advisory Board** meeting. He noted that Foxboro, Franklin and Dedham were welcomed at that meeting. He said that the Open Space bill is still being discussed, and there is still some hope, but the legislature is trying to broaden it.

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With reference to the MBTA, he felt Medway was going to be assessed. He noted it would help towns like Millis, who might end up paying \$65,000 instead of \$250,000, but not for towns like Medway who have to pay an assessment that never had an assessment before. Mrs. Rozanski agreed it would be a burden on property taxes, but towns that receive that services and contiguous towns are involved.

Mr. Johnson said their next meeting will involve the budget for Norfolk County.

- Mr. Dziczek noted that all Board members showed up at **Pride Day**.
- **Administrator's report.**
- Mr. Hartman again suggested the Board hold a **special meeting** before the deadline of article submission of June 2nd.
- Mr. Hartman noted he was aware of the upcoming **municipal incentive grant** deadline for Sanford Mill Conservation area, and was working on it, with hopes for completion by the end of the fiscal year.
- **Discussion items.**
- Mr. Johnson and Mrs. Rozanski reported attending a meeting in Bellingham on the **495 build-out**. Mrs. Rozanski felt this was a good subject for an all boards forum. She noted there was a map of the six towns along the 495 corridor, with the possibility of interchanging on the grant. Also discussed was the water demand and levels in the aquifer.
- Mrs. Rozanski brought up the subject of **liaisons** again. She felt the function of liaison was different now, and the role was more communication. Mr. Hartman reiterated that departments that were assigned to him should not have liaisons as the contact should be through the Town Administrator. Mr. Williams agreed the Board used to be liaisons to many boards in the past; now they have the Town Administrator. Mrs. Rozanski felt, however, that questions should be asked directly of the Board members. Constituents should be able to call Board members as well. Again, Mr. Hartman said it would not be appropriate under the By-law. Mrs. Rozanski felt that was true if contact was administrative in nature. They would be more for listening and communication.

Mr. Dziczek believed Board members could sit in on meetings with no voting power; however, Mrs. Rozanski said Board members should be able to present a program if they wanted to. Mr. Dziczek thought Board members can go to meetings to learn, and 99% of the time, things will take care of themselves with the Town Administrator. Questions posed by FinCom, for example, could possibly not be answered until the Town Administrator was present.

Mrs. Rozanski noted that Mr. Williams had sent her a list of what he would prefer to liaison to. In reference to action items of the master plan, she picked out 39 times the Selectmen were mentioned as part of the process. She again felt communication and access to a governing body were important. On that basis, she took the Chair's prerogative to make these designations. Mr. Dziczek did not have a problem with his designations. Mr. Johnson deferred to whatever his Board members preferred. Mr. Williams only asked for the right of liaison for communication, not interference. Mrs. Rozanski agreed micro-management was out of order, and all administration belongs with the Town Administrator, but policies belong with the Selectmen. Mr. Williams commented it was easier for Mr. Hartman to do his job if there were no liaisons for those that report to him. Mr. Gildea agreed with Mr. Williams, and asked Mr. Hartman if that was how he felt? Mr. Hartman said he had clearly stated that it was not appropriate to have liaisons for departments under the Town Administrator. Mr. Johnson believed Mr. Hartman could keep the Chairman informed as a principal source of reference.

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Mrs. Rozanski gave an example of the Fire Department inviting her to attend a session as a reason for having specific liaisons. She said she again felt it was the Chair's prerogative to assign those liaisons. At this point, it was decided no motion was necessary.

- Mrs. Rozanski asked the Board if they had looked over the **summer schedule** and did they want to amend or adopt it? Mr. Williams moved the Board adopt the schedule as prepared by the Chairman; Mr. Dziczek seconded; all aye.
- Mr. Johnson said he knew everyone signed the **warrant**, but wished that other Board members would review it. He felt that they should give more than five minutes to the issue, and not just rubber stamp the document.
- With reference to the Town Administrator's request for **another meeting**, Mrs. Rozanski suggested June 1st at 8:00 p.m. in the Administrator's conference room. The Board agreed.
- Mr. Hartman mentioned his suggestion for **fewer meetings** as outlined in his memo to the Board last week. Mr. Dziczek said it would be helpful to have a calendar of events for the year of things that were normal and anticipated to avoid conflicts. Ideas thrown out were: schedules with FinCom; Pride Day; annual town meeting; annual town election; eligibility for roadway access permits; burning permits availability, etc. Some of this could also be incorporated into the annual town report.
- **Action items.**
- The three requests from **St. Joseph Parish** for **one-day liquor licenses** were brought up. Mr. Johnson moved to accept the request for a one-day liquor license permit for June 26th from 6:30 p.m. to midnight; Mr. Dziczek seconded; all aye.

Mr. Johnson moved to accept the request for a one-day liquor license permit for June 5th from 6 p.m. to midnight; Mr. Williams seconded; all aye.

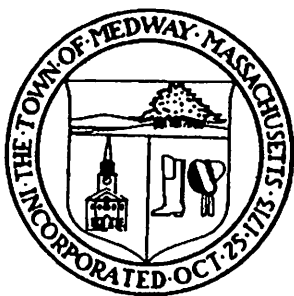
Mr. Johnson moved to accept the request for a one-day liquor license permit for May 29th from 1 p.m. to 7 p.m.; Mr. Williams seconded; all aye.
- With reference to the annual **Medway Business Council meeting**, no one felt they could attend as it was on the same night as the Selectmen's meeting.
- Mr. Johnson wanted to acknowledge the concern of a resident who wished to appear before the **Conservation Commission**, but was told the Commission may not be meeting because of inadequate funds for the Secretary's salary. Mrs. Rozanski felt that was not a good reason for the Commission not to meet. Mr. Johnson agreed some action should be taken, and that even without a secretary, they should meet.

8:55 p.m. - Mr. Johnson moved the Board adjourn to **executive session** for the purpose of strategy 'as it relates to litigation with the Planning Board and the Zoning board, not to return to public session; Mr. Williams seconded; all aye. The vote: Mr. Johnson - yes; Mr. Williams - yes; Mr. Gildea - yes; Mr. Dziczek - yes; Mrs. Rozanski - yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED 6/21/99



BOARD OF SELECTMEN

155 VILLAGE STREET
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AGENDA

BOARD OF SELECTMEN

MONDAY, MAY 17, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting and re-organize.
1. Approve and sign warrants.
- 7:10 p.m. - Paul Keefe, Administrative Assessor.
re: evaluation of Jean Masnik.
- 7:15 p.m. - Elaine Lazaarus, Hopkinton's Planner.
re: open space matrix grid.
- 7:30 p.m. - Attorney Neil Roche and Bing Leong, Manager.
re: public hearing for transfer of liquor license from China Lotus to
Medway Lotus. (has not received food handler's license from Board of
Health yet-their next meeting May 26th)
- 8:15 p.m. - Bob Heavey, Water/Sewer Commission Chairman.
re: evaluation of Mark Flaherty.
- 8:30 p.m. - Karen Alves and neighborhood representatives.
re: Alder Street.
2. Approval of minutes.
- April 29, 1999 – regular meeting.
 - May 3, 1999 – regular meeting.
 - May 3, 1999 – executive session.
 - May 6, 1999 – regular meeting
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
- Re-assignment of Selectmen as liaisons to certain boards.
 - Scheduling only two meetings a month if possible.
 - Time-Warner's license being transferred to Media One.
 - Setting goals and objectives for Selectmen.
 - ZBA memo on telecommunication facilities.
 - Municipal building committee.
 - Staffing booth at Medway Pride Day, May 22nd, 10 a.m.-4 p.m.

cc: ACBA cm 6/25/99

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7. Action items.
 - Open warrant this evening; suggestion for closing: Wednesday, June 2nd at 4:30 p.m., for review and signing week of June 7th, for posting June 14th.
 - Attendance at Norfolk County Selectmen's Association meeting/dinner.
 - Referral of audit to Audit Committee.
8. For your information.
 - Special Town Meeting – June 28th, 7:00 p.m., Medway Middle/High School Auditorium; Selectmen's meeting prior to STM at 6:00 p.m., Room 111.
9. Communications and correspondence.
 - Recycle for Gold seeking Town's support.
10. Future agenda items.
 - Discussion of warrant articles.
11. May meetings.
 - 7:00 p.m. – May 24th – Sanford Hall.
12. Executive session.
 - none required.

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

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

- **The first order of business was reorganization** and Mrs. Rozanski asked for nominations. Mr. Dziczek nominated Mrs. Rozanski for Chairman; Mr. Gildea seconded. Mr. Williams nominated Mr. Johnson for Chairman; there was no second. Mrs. Rozanski is Chairman; *voted all ye.*

Mr. Dziczek nominated Mr. Johnson for Vice-Chairman; Mr. Gildea seconded; all aye.

Mr. Dziczek nominated Mr. Williams for Clerk; Mr. Johnson seconded; all aye.

- **Mrs. Rozanski recognized** former Chairman and member of the Board of the **Selectmen James Brodeur**. She presented a certificate to him on behalf of the Board and thanked him for serving on the Board for the previous three years.
- **Warrant #47** for \$542,884.97 was approved and signed by the Board. Mr. Johnson noted two payments that had been held back were released.

7:05 p.m. – **Administrative Assistant for the Board of Assessors Paul Keefe came to speak to the Board about the evaluation of Data Entry Clerk Jean Masnik.**

Mr. Keefe noted that the Board of Assessors had already approved his evaluation of Mrs. Masnik. Mr. Keefe mentioned the extra courses she had taken for more knowledge of the Assessors' office and for improvement of her position. Mr. Johnson moved to accept Mr. Keefe's evaluation and to grant Mrs. Masnik a merit increase; Mr. Gildea seconded; all aye.

7:10 p.m. – **Elaine Lazarus, Planner for the Town of Hopkinton, came to speak to the Board about an open space matrix grid that had been prepared for that Town.**

Ms. Lazarus stated that the Town began the evaluation study in 1996 which was completed in June of 1997. After the grant was awarded, they gathered officials together to embark on the project. It took six months, but they developed a list of criteria and a ranking list. Eighteen out of the twenty properties listed were walked. Fifteen people assigned values on water resource protection, suitability for open space, a habitat for wildlife, and municipal facilities.

Mrs. Rozanski asked if they only did chapter lands? Ms. Lazarus said yes, on a municipal grant. She also noted the Board of Selectmen hired a grant writer for a cost of \$2,000-\$3,000, and then received a grant for approximately \$15,000 to do the matrix grid.

Mrs. Rozanski stated the Board was interested in acquiring properties as they became available, but they needed to know how to proceed forward. Again, Ms. Lazarus said the grant covered the study of most categorized properties.

Virginia Calapa, co-chairman of the Open Space Committee, stated the Open Space Committee had recommended the matrix grid and a public meeting to discuss the issue.

Mrs. Rozanski asked Mr. Hartman if he would attempt to apply for a grant? He stated they could hire the grant writer to write up the grant, without going out for an RFP or RFQ. He noted there was \$2,000 still left in the Consulting account to hire a grant writer to write a grant proposal.

Mrs. Calapa noted there was still a municipal incentive grant that could be applied for, and a calendar of important dates should be highlighted.

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Mr. Dzikczek moved the Town Administrator go forward with identifying a grant writer for not more than \$2,000; Mr. Williams seconded asking for this to be brought up with the Board next week; Mr. ~~no~~; motion carries 4-1-0. *Johnson opposed*

7:45 p.m. – Attorney Neil Roche and Manager Bing Leong came to a public hearing called for the transfer of a liquor license for Medway Lotus, formerly China Lotus.

Mr. Williams read the ad that appeared in the paper, and the hearing was opened.

Mr. Roche stated he represented Mr. Leong and that China Lotus declared bankruptcy which was adjudicated under chapter 7. The trustees have all the proceedings, and Mr. Leong was the successful bidder, with the transferring of all the assets to Medway Lotus, with the sole stockholder being his wife, Susan.

Mr. Roche stated that Mr. Leong was not interested in the 2 a.m. closing time for Fridays that accompanied the previous license, but would go along with the 1 a.m. closing time other establishments adhere to. He noted that the Board of Health has basically approved the food handler's license, but the Board would not be meeting until May 26th to sign the license.

Chief David Lambirth was present and said he had no problems with Mr. Leong over the 18 years he had known him. He did voice his objection to the 2 a.m. closing time as he felt it took away from the family atmosphere of a restaurant. He felt management was very cooperative nonetheless. Mrs. Rozanski asked if there were any complaints on record? The Chief said no, only some on parking, which seemed to be a spin-off on the closing hour.

Mr. Johnson stated he took a dim view of anyone who owes the Town money, and in this case, owed the Water/Sewer Department \$3,032.57, plus police details, plus money to the Treasurer. Mr. Roche stated there was \$25,000 in funds that can be allocated. Mr. Johnson noted that Mr. Leong had also been the manager when it was the China Lotus, so what was the difference in a name change?

Mr. Gildea asked how Mr. Leong can be held responsible? Mr. Roche said he was not; he was not the owner of record. Mr. Williams also felt Mr. Leong should be held more accountable. When asked if Mr. Leong had been the principal stockholder, Mr. Roche noted he was one of the owners, and owned about 29%. Mr. Leong said other relatives owned the business as well.

A resident in the audience, Claire Mongiat of 124 Milford Street asked for a new fence between her property and the restaurant.

Mr. Hartman said his recommendation to the Board, before they transferred the license, except for police details, was to collect the outstanding monies owed.

Mrs. Rozanski said the hearing should be continued for two weeks, to see if the money issue could be straightened out, and to table the issuance of the licenses. She noted the licenses could be issued subject to outstanding funds being clarified. Mr. Hartman reminded the Board their licenses should be issued subject to the Building Inspector's issuance of a certificate of occupancy. She then suggested postponing the hearing until next week.

The Board agreed, and May 24th at 7:15 p.m. was scheduled. Mr. Hartman said he would speak to the Building Inspector the next day about the fence issue.

8:10 p.m. – Approval of minutes.

- It was moved and seconded the minutes of the regular meeting of April 29th be approved; Mr. Williams abstained; aye.

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- Mr. Dziczek moved the minutes of the regular meeting of May 3rd be approved; Mr. Johnson seconded; Mr. Gildea and Mr. Williams abstained; aye.
- Mr. Dziczek moved the executive session minutes of May 3rd be approved and be released; Mr. Johnson seconded; Mr. Gildea and Mr. Williams abstained; aye.
- Mr. Williams moved the minutes of the regular meeting of May 6th be approved; Mr. Dziczek seconded; all aye.

8:15 p.m. – Water/Sewer Board Chairman Bob Heavey came to speak to the Board concerning the evaluation of Mark Flaherty.

Mr. Heavey stated Mr. Flaherty was unique and treated all projects exceptionally, taking advantage of any seminars available. Mr. Johnson moved to accept the evaluation of Mr. Heavey and to grant Mr. Flaherty the merit increase; Mr. Williams seconded; all aye.

- Mr. Heavey took this opportunity to mention that the water ban was still on at least through June 1st, unless you had well water, and you were free to do as you wished. He also noted there were fines that would be imposed.

8:30 p.m. – Karen Alves came to speak to the Board about the traffic on Alder Street, along with other neighborhood residents including Peter Badger, Ken Halloran and Janet Riera.

Mr. Johnson noted he had viewed the site and interviewed neighbors as well.

Mrs. Alves explained the problems the neighborhood incurs with truck traffic and high-speed driving. She felt there should be a buffer between the industrial and residential areas. She also couldn't understand why people chose to use Alder Street when they could use Trotter Drive.

IDC Chairman Paul DeSimone was also present, and Mrs. Rozanski asked him about the grant received in October of 1996 for \$923,000, with the State throwing in an additional \$50,000 for a traffic study, for a total of \$973,000. Mr. DeSimone recounted the public hearing held in December of 1997. He also noted meeting with Mr. Hartman and how the 100% plan did not show the 4" curbing which was on the 75% plan. He did not feel there was supposed to be any changes between the 75% and 100% plans. He felt the grant specifically addressed that area.

Mr. Hartman did not believe any decision was made in December of 1997. He said the final plan was bid out when he arrived here, and was already signed off by the IDC and the Selectmen.

Mrs. Rozanski said she seemed to recall conversations to keep some kind of curbing there and some signage the Board agreed to. Mr. Hartman said there were signs restricting the time and direction on Alder Street and no through trucking. For the record, he said the Board of Selectmen, on December 15, 1997, did not make a decision but committed to additional signs and a temporary barrier. He agreed curbing was shown on the 75% plan, but not the 100% plan.

Mrs. Alves agreed the actual intersection has been improved. Mrs. Rozanski felt that the gate would be allowable since the curbing was not there. Mrs. Alves said they have estimated over 4,000 commuters would be coming in to the area in the near future, and it needs to be addressed. Mr. Hartman stated that Town Counsel's letter precludes a gate.

Mrs. Alves said that the Selectmen can petition the County to discontinue the road.

Chief Lambirth stated he was surprised to hear what he was hearing. They record complaints, and none have been received. He said his officers have not seen commercial traffic when on the road. He noted that "no commercial traffic" signs were posted on Fox Run Road and Blue Ribbon Lane. Again, no

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complaints of speeding or excessive trucking had been received. If anything, they had received good reports, not bad. Mrs. Alves said they gave up calling with complaints.

He felt that Mr. Halloran also said they have tried to get people to stop speeding on their own.

Mrs. Rozanski asked Mr. Hartman if the project in that area had been completed yet? Mr. Hartman said everything has been completed but the punch list, including two signs. What is being requested is not within the specs. He also did not want to see Alder Street abandoned as a public way, but possibly designated as not a truck route.

Mrs. Alves said they can't identify the commuters. She understood that better enforcement would occur during the summer, but it didn't.

DPS Director Lee Henry was present and noted he believed the restriction is on through traffic for trucks only. Mrs. Alves said it was not working.

Mr. Johnson asked if there had been a traffic count in the past five years? Mr. Henry said there had been several done. Mr. Johnson suggested another since new businesses have moved in. Mr. Badger asked about stronger restrictions. Mrs. Rozanski felt that part of the problem may have been the curbing.

Mr. DeSimone reminded the Board he needed to make a final report to the DOT. He thought when he left the meeting in December of 1997, a compromise had been reached. What he thought was going to happen, didn't. He felt they were led to believe one thing, and got another.

Mr. Hartman said they cannot close the road except through proper procedure. They can try to deter traffic. The contractor built what the Town had specified.

Mr. Johnson moved that the Town Administrator and the DPS Director look at the possibility of putting speed bumps at the entrance of Trotter Drive and Alder Street, at Blue Ribbon Lane and Alder Street, and at Alder Street and West Street; Mr. Dziczek seconded for discussion, and said he would oppose the number of speed bumps. Mr. Johnson said he was trying to look at Alder Street. Mr. Dziczek noted, historically, the Town is against speed bumps, as is the Highway Department when it comes time to plow. To a vote, Mr. Williams opposed; motion carries 4-1-0.

Mr. Hartman asked if there were any other alternatives? Mr. Johnson suggested Mr. Hartman, in cooperation with the business community, ask that letters be sent to suppliers advising them of the proper way to get in, especially for trucks.

Mrs. Alves said the commuter traffic is still a more serious problem, and asked if they could revisit the curbing issue? Mrs. Rozanski suggested more signs. Mr. Johnson felt they should look also beyond the speed bumps; Mrs. Rozanski agreed. Mrs. Rozanski suggested asking the Town Administrator pull some of the above suggestions together, and said they would close this meeting now and ask the Town Administrator to come back to the Board with his research and a plan. She made mention she knew curbing was the Board's intent. Mr. Hartman noted the plan date was March of 1998.

Mrs. Alves requested a quick follow-up. Mr. Hartman said there would be no progress this week, but he would try for a report in writing on June 7th or 14th addressing commuter and truck traffic.

Chief Wayne Vinton noted that the Parrellas have asked their employees not to use Alder Street. There were now four other businesses in that area.

Mr. Henry said he was on the Board of Selectmen when the \$50,000 was brought up, and that was for a traffic study, not mitigation. Mrs. Rozansi said it was to be mitigation.

Mr. Halloran just noted they were trying to protect the kids in the neighborhood.

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Mr. Gildea suggested putting the speed machine in the area. Chief Lambirth said he doubted if they can restrict commuter traffic.

Mr. DeSimone referred Mr. Hartman to the traffic study done of four streets in October of 1997.

9:35 p.m. - Public comments.

- Mrs. Rozanski took the Chairman's privilege of bringing up a letter sent by Steve Reding to all Boards. Mrs. Rozanski stated Mr. Reding should be commended for the work he has done for the Town and in the varied roles he plays. She read part of his letter which explained the disease of ALS he was dealing with, and noted that the Board had reaffirmed his appointment.

9:40 p.m. - Committee reports.

- Mr. Johnson referred to documentation from Norfolk County concerning the open space bill before the legislature.
- Mrs. Rozanski and Mr. Johnson said they had attended the Planning Board meeting.

9:45 p.m. - Administrator's report.

- Mr. Hartman noted that Mary O'Leary and Helen Luccio were on the agenda for June 7th to propose resurrecting the Affordable Housing Committee, as a new committee to develop a local plan. The other committee had dissolved about ten years ago.
- **At this point, Mr. Johnson felt the Board needed to move on Town Meeting's apparent feelings with regard to the Planning Board pursuing their present course of action of appealing the ZBA decision on the Narducci case.** He moved that the Board send a letter to the Planning Board asking that they cease and desist in their efforts in this regard, and to withdraw on their petition to Norfolk County Superior Court; Mr. Dziczek seconded the motion and to authorize the Chair to sign. Mr. Hartman clarified Mr. Johnson would like to see some affirmative action on their part just at Superior Court. Mr. Williams asked why should they bother to send a letter; they already know how the Board feels? Mr. Dziczek felt they should give them Town Meeting's direction. Mrs. Rozanski said there was a difference between withdrawing counsel and withdrawing a case. All aye on the motion.
- **Mr. Hartman brought up the HVAC contract which needed to be signed by the Board for the School Department.** He said it had been revised and changes incorporated after being sent to Town Counsel for comments. He felt it was a time-sensitive matter and has to be done by August 15th, with plans to start as soon as school gets out. Mr. Hartman also stated it was the contractor's risk not to have the signature of the Town Accountant and the Town Counsel, but we were protected, and asked the Board to sign. Mr. Williams moved to accept the additional Memorial School contract and authorize the Chair to sign; Mr. Dziczek signed; all aye.
- **Mr. Hartman noted the Memorial Day parade was scheduled for 9:30 a.m. from the VFW, with the Chair being asked to bring greetings.**
- **Discussion items.**
- Mrs. Rozanski brought up the subject of **liaisons**. The Secretary mentioned that some liaisons may not be needed any longer since they come under the jurisdiction of the Town Administrator. Mr. Hartman agreed where there is a department head he appoints, he felt it was duplicative.

MINUTES OF THE SELECTMEN'S MEETING
MAY 17, 1999

Mrs. Rozanski felt there were certain administrative functions that the Board plays a role in, and could be helpful to facilitate communication. She asked the Board members to review the list and let her know during the week which ones they would like.

- Mrs. Rozanski also brought up a **schedule for the summer** and asked Board members to review it.
- **The transfer of license from Time Warner to Media One** was brought up. Mr. Hartman stated the Board had not taken any action yet. Insofar as comments were concerned, only one negative comment was received from Medway Cable Access, but it was basically a concern around the issues of equipment which have been resolved.

Charlie Myers, who was present, said overall, he felt positive about the transfer. Mr. Hartman stated his was his recommendation that the Board approve the transfer, as it did afford exciting possibilities in Town that were not available from Time Warner.

Mr. Dziczek moved to approve the transfer of license from Time Warner to Media One and to sign the letter authorizing same; Mr. Williams seconded; all aye.

- Mrs. Rozanski brought up the possibility of setting **goals and objectives** for the Board, but felt that was something that could be done more as a role of the Board.
- The Board acknowledged receipt of the **ZBA memo on telecommunications towers** for AT&T and Cellular One and site plan approval that will be coming before the Board. The ZBA had indicated it might be preferable to discuss both site plans at the same time to ensure a final attractive appearance in the area. Mr. Hartman reminded the Board that when site plans involve tenants, they need to involve the owners of the property as well.

Mr. Dziczek moved the Administrator send a letter to the Planning Board requesting the owners of properties be involved in the site plan process with them, as will the Board of Selectmen; Mr. Williams seconded; all aye.

- The subject of a **municipal building committee** was brought up. Mr. Hartman felt the committee should be a "municipal", rather than a "school" building committee in consultation with Town Counsel, as Town Counsel pointed out the School Committee does not build buildings, the Town does.

Mr. Johnson agreed it would be a good idea, but it might be difficult to find that committee. Mrs. Rozanski asked about length of terms, and felt this should still be explored further with Town Counsel. Mr. Johnson said he was not objecting to this committee when it was a specific job or building. Mr. Hartman noted when the Memorial School is done, the committee will cease to exist.

- **Pride Day** on May 22nd was brought up. Board members were asked to let the Secretary know if and when they were available for the municipal booth. Mr. Dziczek asked that information be available to the public, i.e. a form for volunteer sign-ups, copies of the master plan, a list of vacancies that need to be filled, annual town reports, etc.
- Action items.
- Mrs. Rozanski brought up the **warrant for the special town meeting**. Mr. Johnson moved the warrant be opened this evening, and closed at 4:30 p.m. on Wednesday, June 2nd; Mr. Dziczek seconded; all aye.
- Mrs. Rozanski asked the Board about attendance at the **Norfolk County Selectmen's Association** meeting on June 10th. At this point, Mrs. Rozanski, Mr. Gildea and Mr. Johnson will attend.

MINUTES OF THE SELECTMEN'S MEETING
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- The **audit** was discussed, and Mr. Hartman said it now needed to be referred to the Audit Committee for the exit interview. He noted there were five members on the Audit Committee, and the Treasurer and Accountant usually attended for their input and back-up information. He said the Town Administrator is now a member of the committee as well.
- A request from **Recycle for Gold** for the Town's support was received again this year. Mr. Dziczek again moved the Board support this endeavor, which is the towing away of unwanted vehicles at no cost and yet raises funds for Special Olympics; Mr. Williams seconded; all aye.

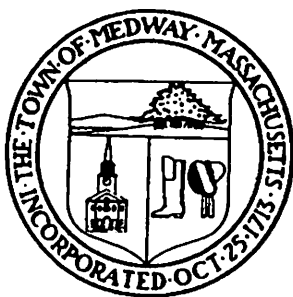
10:45 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
as amended 6/21/99



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

AGENDA

BOARD OF SELECTMEN

MONDAY, MAY 10, 1999

LOCATION: ROOM 111 OF MEDWAY HIGH SCHOOL

- 6:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - April 26, 1999 – regular session.
 - April 26, 1999 – partial executive session.
 3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Lee property under 61A.
 7. Action items.
 - Reorganize.
 - Any further discussion on warrant articles.
 8. For your information.
 - Melanson's Financial statement and Management letter for review
 9. Communications and correspondence.
 - Rep. Gardner's letter on Ch. 70 regional school finance hearings.
 - State's comments on E-mail.
 10. Future agenda items.
 - Choose members for Building Committee.
 - Choose date for special town meeting.
 - Residents of Alder Street.
 - Hopkinton planner on open space.
 - Certificates for students for award-winning art.
 - Medway Lotus, Inc. alcohol license transfer.
 11. May meetings.
 - 7:00 p.m. – May 17th – Sanford Hall.
 - 7:00 p.m. – May 24th – Sanford Hall.
 12. Executive session.
 - none needed.
- 7:00 p.m. - Adjourn to annual town meeting.

cc ALBACM
6/11/99

MINUTES OF THE SELECTMEN'S MEETING
MAY 10, 1999

Present: Raphaela Rozanski, Harry Johnson, Joe Dziczek, John Williams, Town Administrator Michael Hartman. Selectman Richard Gildea was not in attendance.

6:05 p.m. – Vice-chair Raphaela Rozanski opened the meeting in Room 111 of Medway High School.

- Mrs. Rozanski said the first order of business was to re-organize the Board. Mr. Dziczek nominated Mrs. Rozanski for chairman; there was no second. Mr. Johnson asked if they should wait to re-organize until Mr. Gildea could be present, and the Vice-Chair could fill in for the time being. Mr. Williams agreed with this, and suggested the subject of re-organization be tabled until next week, and Mrs. Rozanski be chair pro tem until that time.
- Mr. Hartman brought up the litigation involving Al-Miraj and said the hearing that had been postponed was held last Friday. He understood withdrawal slips had been signed. Mrs. Rozanski suggested this be an agenda item for next week. Mr. Hartman added this should more appropriately be before the Planning Board as it is under their authority to access the account. He felt the quickest way to get this moving was to get the contractor to do the work. This will be discussed at a future date.
- Mr. Johnson moved approval of the minutes of the regular meeting minutes of April 26th; Mr. Dziczek seconded; Mr. Williams abstained; aye.
- Mr. Dziczek moved approval and release of the partial executive session minutes of April 26th; Mr. Johnson seconded; Mr. Williams abstained; aye.
- With reference to the Narducci case, Mr. Hartman stated a copy of the letter the Selectmen sent to the Planning Board was given to Mr. Narducci per his request. He also stated the Planning Board's attorney has not withdrawn yet.
- Mr. Williams noted that Medway high school student Alexis Ohanian sang at the opening Red Sox game.
- Administrator's report.
- Mr. Hartman stated that they have received the plan for the Lee property and can now say they have had legitimate notification. The Water/Sewer Board is encouraging purchase of the property as it is the secondary backup site for a well if the first site doesn't work out. He noted if Water/Sewer requests purchase, DEP has to approve the site; however, if the Town owns the property, DEP does not have to approve the site.

Mr. Hartman said the figure is \$380,000 for sixty plus acres. Mr. Johnson said he would want an appraisal done anyway. He did not feel the offer was a clear offer, as Mr. Hartman stated, it was contingent on 15 house lots. Mr. Johnson also felt they would be crossing the wetlands twice and there were two easements across the property – the gas line and high tension lines.

Mr. Hartman stated Open Space has not acted on the offer yet, but it is still a Board of Selectmen decision. Mrs. Rozanski asked that a time line be set up for the activities involved.

Mr. Hartman suggested a committee be appointed by either the Board or himself. Mrs. Rozanski suggested putting a recommendation into the proposal, i.e. procedure and protocol, even if we have the right of first refusal. Mr. Hartman reminded the Board they would have to have a public meeting to discuss the purchase. He would try and have the schedule worked out for the meeting of the 17th with a flowchart. He also noted ConCom has \$180,000 in their land fund.

- Mr. Hartman said the Police union ratified the new contract Friday afternoon, and a copy will be given to him very soon.

MINUTES OF THE SELECTMEN'S MEETING
MAY 10, 1999

- Mr. Hartman noted the FinCom had allocated \$200,000 for salary increases on the Town side of the budget, and we would be spending less than that amount.

- Mrs. Rozanski asked if there should be a hearing on the audit? Mr. Hartman said the next step was to have the auditors come in and do an exit interview, which, in the past, was done with the Audit Committee. He felt they have had a series of inner control measures put in place, and the house is in order. Mrs. Rozanski suggested further action on this be taken up next week.

Mr. Hartman noted for the Board, however, that the management letter this time includes all the management's responses. He did want the Board to know he had some concerns with the Treasurer's Office and reconciliations.

- With reference to the warrants, Mr. Johnson had a problem with two bills and asked that they be held out. They were \$2,650 for Universal Engineering Corp. and \$9,274 for Millennium Mechanical Services. With the exception of those two, he moved approval of the warrants; Mr. Dziczek seconded; all aye.
- Mr. Dziczek brought up the additional funding for the Planning Board, and wondered if that \$5,000 could be transferred to the Selectmen's account instead of the Planning Board? Mrs. Rozanski felt it could not be done as it was to be raised and appropriated, and they could not transfer something that was not there.

Mrs. Rozanski brought up stipends under article #15 and felt it was defective in improper wording. She said she wanted to restore the stipends, ~~not exempt the elected officials from eligible~~ insurance. Mr. Hartman pointed out she had requested that. Mrs. Rozanski noted Town Counsel will research other towns if the Board requests him to do so. She said she would mentioned this tonight with the thought of bringing this back again at another special town meeting with the intention of restoring what was once there.

With reference to the school audit, Mrs. Rozanski said it was the logical progression since 1/3 of the Town had been audited, now was the time to do the other 2/3. This was under the authority of the Board of Selectmen to do, especially if they were going forward with a new school. Mr. Hartman noted there was no statutory requirement for an audit, but they do need the Town Accountant's Schedule A. He also recommended the school audit as well. Mr. Hartman stated it is part of the By-law for the Town Administrator to advise the Board of general finances of the Town, and if they are going to spend as much money as it is anticipated they will be doing, they should do that school audit. He felt the scope was similar to the Town's audit.

- Mr. Johnson moved there be a special town meeting on June 28th; Mr. Williams seconded; all aye. The Board agreed they would discuss the opening of the warrant next week. Mr. Hartman noted one of the Board's articles on the warrant should be a transfer of funds to the Law account. On that issue, Mr. Hartman said he spoke to Town Counsel and he suggested Mr. Hartman write to Attorney O'Neill advising him the Town Accountant will not approve payment of bills to him out of the consulting budget because they would not be proper expenditures, and to send a copy of the letter to the Planning Board.

6:50 p.m. – Mr. Dziczek moved the meeting be adjourned and to proceed to the annual town meeting; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

**not cost the taxpayers
excess dollars if elected
officials were eligible for*

APPROVED

*as amended
6/7/99*

MINUTES OF THE SELECTMEN'S MEETING
MAY 6, 1999

Present: Raphaela Rozanski, Richard Gildea, Harry Johnson, John Williams, Town Administrator Michael Hartman. (Selectman Dziczek came to the meeting later.)

7:10 p.m. – Vice-Chairman Rozanski called the meeting in the Town Administrator's conference room and welcomed newly sworn-in Selectman Williams.

- Mr. Hartman first brought up the situation with the Planning Board and the ZBA. He summarized the events as to where they were after the pre-hearing conference in Boston on April 29th, and gave the Board a copy of the letter from Don Springer to Mr. O'Neill of McGregor dated May 5th. He referred specifically to the paragraph where Mr. Springer stated the Planning Board prevailed. Mr. Hartman then referred to Al Robinson's letter to the ZBA dated May 4th where Attorney Robinson stated the Planning Board did not prevail.

Mr. Hartman further went on with the Planning Board's request to have intervenor status, but instead were granted "friend of the court", amicus curiae, but not until after the court decision is rendered which Attorney Robinson noted is standard. He also notes Attorney Robinson's belief, along with Narducci's attorney and seemingly Mr. Lohe agrees, that 40B pre-empts 40A – they have no standing.

Mr. Hartman noted a statement from Attorney Robinson that indicates if the Superior court case is dismissed, Narducci will probably withdraw his appeal and go forward with the town houses, not the single family homes, which the attorney for Narducci, Mr. Freeman, agreed on.

Mr. Hartman then went back to the issue of the Planning Board wishing to retain McGregor as a consultant for under \$1,000. In discussing this with Town Counsel, Mr. Hartman said McGregor would still be under the Town Administrator; they just don't have to go out to bid. Referring to the Town Accountant's letter received tonight, she has stated that the Planning Board can only spend money for engineering expertise and she would not approve any invoices from McGregor for consulting.

Mrs. Rozanski asked if the Board is aware of McGregor's services, are they bound to pay? They have to respond to the Planning Board's letter to McGregor and tell them they cannot work for the Town. Mr. Johnson suggested referring to the Town Administrator's previous letter to McGregor, and that in checking with Town Counsel, any work by their firm for the Town has to be cleared through the Board of Selectmen and the Town Administrator.

Mr. Hartman also noted that Town Counsel has recommended not withdrawing the appointment of Mr. O'Neil of McGregor as special counsel, but to indicate to him there is no further funding. Mr. Johnson confirmed this does not withdraw the case from the court. Again, Mr. Hartman reiterated what Town Counsel said: the Planning Board had the right to spend funds from their consulting budget, but the wrong action was not securing the services of a consultant through the Procurement Officer. He suggested writing the Planning Board telling them they did not have the right to pick that consultant. Mr. Johnson suggested citing the law referencing utilizing the Procurement Officer.

MINUTES OF THE SELECTMEN'S MEETING
MAY 6, 1999

Mr. Hartman also stated that, under law, legal counsel for the Planning Board is Town Counsel, and Town Counsel has not stated yet to him if the Planning Board needs a special counsel. Mrs. Rozanski felt Mr. O'Neil should know the Town Accountant won't honor his invoices. Mr. Hartman stated that the Town Accountant will clearly state, if necessary, at town meeting that the Planning Board's budget does not include legal counsel. He said he would speak to Town Counsel and get his advice on how best to inform Mr. O'Neil procedurally. He will also contact John Collett and advise him of the status of the situation. Mr. Johnson again suggested citing the documents received.

Mrs. Rozanski agreed consulting should go out with an RFP through Mr. Hartman. Mr. Hartman reiterated that the Planning Board does not want him to do any procurement for them, and if he tries to, there will be confrontations.

- Mrs. Rozanski reported attending the Mass. Selectmen's Association meeting where the situation with the MBTA was discussed. She said the MMA intends to try and fight the attempt to use property taxes for the expansion of the T. She said the Board needs to support them and recommending sending a letter to Sen. Magnani and Rep. Gardner in agreement with MMA, and sending a copy to the MMA of that letter.

She also noted there are two early retirement bills for police and teachers up for discussion, which have been put into a study committee. Mrs. Rozanski stated the MMA wrote a letter to the Governor asking that he sign nothing yet until they have been allowed to coordinate and study the issues further.

On Chapter 90, she stated the Town would not be getting authorization letters until September, but it looked as if the possibilities for funds could be from \$288,000 dropping to \$200,000 to \$95,000. Mr. Hartman felt the Town would be O.K. for one to two years with the funds appropriated so far, but not beyond that. Mr. Johnson's advice was to keep talking to people on this subject.

- With reference to the Holliston Street and Main Street intersection for new lights, Mr. Hartman said he has learned the intersection would have to be rebuilt to three lanes of traffic. There would still have to be a site plan review even with a ZBA exemption. He also stated that Mass. Highway has said all four lights would have to indicate left hand turns, straight aheads, and right hand turns. Mr. Hartman noted, receiving \$30,000 at town meeting, would only be short-term for design work from Holliston Street to Pond Street, not the intersection. They have been asked to include the intersection on the TIP list as phase three.

Mrs. Rozanski suggested the possibility of a PWED grant and matching funds, which could maybe bring it to the Town in three months. Mr. Hartman said, so far, the recommendation is for no left hand turns at Gould's Plaza and Drybridge Crossing, with one main light at the main entrance to the shopping center. Mrs. Rozanski suggested keeping the Medway Business Council informed as they are supporters of improving the road.

Mr. Hartman hoped, if they received the \$30,000, to get the design work for the restriping done on Main Street this construction season. The funds would also include telling us the best locations for crosswalks.

MINUTES OF THE SELECTMEN'S MEETING
MAY 6, 1999

- The Board then discussed the proposed changes to the Police agreement, with Mr. Hartman stating they had reached a tentative agreement. If the Board can agree with the proposals and there are three votes in the affirmative, the Police union would have a ratifying meeting tomorrow afternoon, and if positive, would be submitted to the Board for ratifying Monday night. He provided the Board with a synopsis of what they had agreed upon.

The synopsis included the areas of the Quinn bill, clothing allowance, details, wage increases, shift differential, and longevity.

Mr. Hartman reiterated some of the information already provided to Mr. Johnson and Mr. Dziczek on Monday night, May 3rd, since Mrs. Rozanski and Mr. Williams were not in attendance at that time, i.e.:

- Quinn bill does not take effect immediately, 50% reimbursement.
- Clothing allowance up from \$650 to \$950.
- Detail increase of \$1.00.
- Wage increase of 4% the first year which is same school unions receiving (i.e. average Sgt - \$47,000; teachers \$50,000); second year 2%/2% split; third year 3%.
- With reference to health insurance, he will re-open that issue next year if need be.
- Shift differential – this has usually been in dollars, should be in a percentage of 6%.
- Longevity – this has also been in dollars, should be in a percentage. Mrs. Rozanski asked that this be shown both in percentage and dollars.

Mrs. Rozanski did not have a problem so far, as long as it was an irrevocable agreement.

Mr. Johnson brought up details again. He entertained a motion that this issue be dealt with and studied in the next contract and in discussion with other towns. Mr. Hartman noted there were certain restrictions in certain towns. Mrs. Rozanski agreed this was a good project for the Board of Selectmen to pursue. Mr. Johnson considered it a local initiative. Mr. Hartman informed the Board that the towns and boards of selectmen want to make sure their recommendations are regulated and control is under the contract. Mr. Johnson still wanted to try and change the system of details.

Mrs. Rozanski went back to the Quinn bill. She stated if the State decides not to contribute, even though it does not go into effect if funded until July 2000, that section is out of the agreement.

Mr. Johnson moved to accept the negotiated settlement with the Police union as negotiated and presented; Mr. Williams seconded; all aye 4-0.

8:30 p.m. – Mr. Dziczek joined the meeting at this time. Upon hearing of the above action taken, he said he would be willing to go on record in support and make the vote unanimous 5-0.

- The Conservation Commission was meeting next door in Sanford Hall, and Marcy Thomas passed on to Mr. Hartman a statement for the article on the warrant at town meeting about funds being set aside for open space and park and recreation. The statement basically said that the request was for an open space fund, not including park and recreation; the Selectmen were not in favor of this. Mr. Hartman will reiterate this to Ms. Thomas, if time permits after the meeting.

MINUTES OF THE SELECTMEN'S MEETING
MAY 6, 1999

- Mr. Johnson brought up the memo the Board received from Steve Reding concerning possible comments being made by the Planning Board about his health, and that he should not be re-appointed to the ZBA. He was disturbed to have heard about such remarks, and if the allegations were true, he would have to pursue legal action.

Board members were surprised to read his comments, and Mrs. Rozanski said, at this point, she felt all would vote to re-appoint him. Mr. Hartman asked the Board if he should ask Town Counsel if there is appropriate action? Mrs. Rozanski said, if the comments were witnessed and the Selectmen felt this was not a proper action of the Planning Board, she would pursue it. Mr. Johnson asked if this was harassment? Mr. Hartman said he will ask Town Counsel if the Board should take affirmative action.

- Mr. Hartman asked the Board if the summer schedule, as agreed to with the municipal employees union, could start this June 1st? He noted that the new contract takes effect in July, and the Board was being asked to consider starting the new summer schedule prior to the contract taking effect only for the month of June, as the contractual agreement will cover the summer schedule in July.

Mr. Dziczek moved to adopt the summer schedule hours for the month of June, instead of starting in July, leaving the details to the Town Administrator; Mr. Williams seconded; all aye. Mr. Hartman noted, if both sides agree in writing, it is not a violation of the contract.

- Mrs. Rozanski suggested the Board think about meeting every other week during the summer. If agreeable, this should be approved before mid-June.
- Mrs. Rozanski said she had a certificate for Mr. Brodeur, which the Board could give to him. She asked if he could be called to come to the Selectmen's meeting on Monday, the 10th, prior to the annual town meeting so the certificate could be presented. Mr. Hartman again suggested the Board think of adopting a process and ceremony in the future for outgoing and incoming Selectmen. Mrs. Rozanski asked that it be verified at what point in time does a Selectman gets sworn in.
- Mr. Dziczek asked that the Board think about liaisons for the meeting on the 17th. He also suggested the possibility of coming up with a calendar of events for the year.
- Mr. Johnson wondered why health insurance for school employees is not under the school's budget? Mrs. Rozanski said it was part of the formula; part of the foundation. Mr. Johnson felt that should be pointed out in the overall picture. Mr. Hartman noted it has been pointed out that school is 61% of the budget, which is not accurate since it does not include debt service (\$900,000) or health insurance (\$900,000 out of \$1.2 million).
- Mr. Dziczek said he was very interested in trying to get outside maintenance of the schools taken care of. He has spoken to School officials and FinCom, and will also be speaking to volunteer groups. Mr. Hartman mentioned that \$250,000 was coming from the non-educational area for this. Mr. Dziczek said he will try and find out how much they spend on their property and put it in a pot; he will try and find out what youth groups put in; and then find out how much it costs to be presentable. He noted, over history, the Town has done some yard work for the school. Mr. Hartman noted that park mows the athletic fields during the playing season.

MINUTES OF THE SELECTMEN'S MEETING
MAY 6, 1999

- Mrs. Rozanski brought up the consulting budget under the Selectmen, and felt they needed \$5,000 seed money. Mr. Hartman agreed they have drainage problems and they the services of an engineer to evaluate some of those problems. He said he gave the FinCom examples of areas that need to be reviewed, but they still chose not to fund us. Mrs. Rozanski noted the Board of Selectmen have authority over public ways and they should pursue this.

Mrs. Rozanski spoke of the Planning Board's consulting budget, and maybe the Board should ask that some of their funds be transferred. Mr. Hartman pointed out their Consultant is working on a fees for service basis, with no insurance being provided by the Town, and there is no contract. Mr. Hartman said, even if had they had a full-time planner, they would still need a consulting engineer. If the Town wanted, he would write up a job description.

With reference to funds, Mr. Hartman said, as of April 30th, there was a \$33,676 surplus remaining out of \$45,000, and for FY'00 have asked for \$55,000. He said they should be recovering their consultant's salary through fees. Mr. Johnson agreed it didn't make sense to be giving them additional money when they haven't even spent what they were given. Mr. Johnson asked that Mr. Hartman write up something to give to the FinCom Monday night to consider.

- Mrs. Rozanski brought up the article on stipends on the town meeting warrant and felt they should pursue getting a favorable recommendation. Mr. Hartman said they should reference a home rule petition if they wanted to keep it going. Mrs. Rozanski noted the article can be amended on town meeting floor.
- Mr. Johnson brought up the article submitted by the Board of Health for a "pay as you throw" system. He was concerned that not enough information had been provided yet to ensure this was the way to go. Mr. Hartman stated it could be implemented without going to town meeting by the Board of Health.

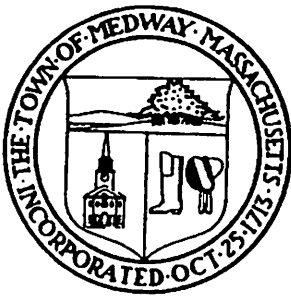
10:00 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
5/17/99



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

AGENDA

BOARD OF SELECTMEN

MONDAY, MAY 3, 1999

LOCATION: TOWN ADMINISTRATOR'S CONFERENCE ROOM

- 6:30 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 -
 3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 -
 7. Action items.
 - Administrator's evaluation.
 8. For your information.
 - Reminder – Pre-Town Meeting on May 5th.
 - Reminder – Annual Town Meeting on May 10th.
 - No meeting on May 31st, Memorial Day.
 9. Communications and correspondence.
 - E. Parrella Company's appreciation for work done on Alder Street.
 10. Future agenda items.
 - Choose members for School Building and Site Selection Committee.
 - Choose date for special town meeting.
 - Discussion of articles for June special town meeting warrant.
 - Residents of Alder Street.
 - Hopkinton planner on open space.
 - Certificates for students for award-winning art.
 - Medway Lotus, Inc. alcohol license transfer.
 11. Next meetings.
 - 6:00 p.m. – May 10th - Room 111 of Medway High School.
 - 7:00 p.m. – May 17th – Sanford Hall.
 - 7:00 p.m. – May 24th – Sanford Hall.
 12. Executive session.
 - collective bargaining.

NOTE: Selectman Gildea will not be in attendance.

cc: cm 6/4/99
cc: AUB
5/21/99

**MINUTES OF THE SELECTMEN'S MEETING
MAY 3, 1999**

Present: James Brodeur, Raphaela Rozanski, Harry Johnson, Joe Dziczek, Town Administrator Michael Hartman. Selectman Gildea was not in attendance.

Mr. Brodeur opened the meeting in the Town Administrator's conference room at 6:50 p.m.

Mr. Brodeur stated he had done a composite for Mr. Hartman with the evaluations submitted by himself, Mr. Johnson, Mr. Dziczek and Mrs. Rozanski. He went over the scoring which fell into the following categories:

E = exceeds expectations;

M = meets expectations;

MN = meets expectations – improvement recommended;

B = below expectations.

A plus or minus can also be used.

Organizational management:

Staff development – M

Leadership – M+

Supervision – M+

Job organization – M+

Execution of policy – M+

Short term planning – M+

Planning for the future – M+

Budget – M+

Sharing of information – M-

Goal based performance – M

Use of professionals – M+

Board of Selectmen communications – M

Written communication – M+

Response to Board of Selectmen – M

Technology – M+

Intergovernmental and community relationships:

Media relations – M

Community relations – M

Boards and commissions – M+

Community perception – M

Professional reputation – M+

State and federal relationships – M

Intergovernmental relations – M

Personal and professional characteristics:

Imagination – M

Objectivity – M+

Drive – M+

Judgment and decisiveness – M+

Integrity – M+

Self-assurance = M+

Productivity = E

Stress management – M+

Initiative and risk taking = M+

MINUTES OF THE SELECTMEN'S MEETING
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Composite performance ratings:

Organizational management = M+

Intergovernmental and community relations = M

Personal and professional characteristics = M+

Overall score is M+.

In going over strong points, Mr. Brodeur listed:

Effective personnel management;

Ambitious, hard-working;

Willing to assist all boards.

In going over weak points, Mr. Brodeur listed:

Mass. Procedures and laws;

Positive news releases;

Grant involvement.

Under comments, Mr. Brodeur noted:

They had expected some apprehension and resistance from people, but it did not happen; maybe some appointments shouldn't have been made without more input, but it was part of the job;

suggestion of a bi-monthly newsletter.

Individually, Mrs. Rozanski said under media relations, the role is not defined. Under community perception, she sees the strong points with employees, but the community hasn't embraced him yet. Strong points were his skills, knowledge and energy. Weak points being communication and risks with the community. For commendation, he seeks training. As a suggestion, she said more planning and presentation for problem solving.

Individually, Mr. Johnson said some of the questions, i.e. does the Town Administrator motivate; is he respected but fair; does he get enthusiastic responses; he did not know the answers to so he gave him M. If he doesn't hear anything, then it must be going well. The only weak area is Mass. regulations experience, statutes, and by-laws of the Town. Mr. Johnson said, not only is Mr. Hartman learning, the Board is learning too. He felt, all in all, they will see improvement. If it keeps up, we'll be well off.

Mr. Hartman felt, for himself, his expectations were moving on target.

Individually, Mr. Dziczek said his strong point was facilitation. He also expected some conflicts, but has not heard of any problems especially with the Police Department. With the FinCom, he understood the role Mr. Hartman had to take and the suggestion of another way to operate better. He believed the FinCom was coming around. He understood Mr. Hartman was acting as a go-between with boards, and has learned a lot in a short time, and assumed other roles as well. He understands Mr. Hartman can't know everything; has suggested a newsletter; and recommends a brief overview of the different meetings he is involved in.

On protocol, Mr. Johnson suggested if anything goes beyond the Town, that it is brought back to the Town first.

Mr. Dziczek asked with reference to staff development, who is staff? Mr. Hartman felt the department heads were his staff, along with the Secretary.

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As a suggestion of something for the future, Mr. Dziczek said, should the Town Clerk and Treasurer be appointed; what is management's opinion; which is best; then debate it.

Mrs. Rozanski said she expected Mr. Hartman to come up with his own proposals, and show proactive vs. reactive.

Mr. Johnson agreed there could be areas of dangerous political ground, but if Mr. Hartman can show something should be changed, great.

Mr. Brodeur asked if Mr. Hartman had any comments.

Mr. Hartman said for clarification, once a project has been assigned to him, if the project requires continued intervention with another level of government, it does not require another level of protocol, i.e. Route 109 and Route 126. Mr. Hartman said some levels should be under an Administrator's report. Mr. Hartman noted there is not enough time to always write up a report every week; maybe once a month. He assumed the Board just wanted to be kept in the loop. Mr. Brodeur added, or to let the Board be aware if he is involved in something new.

Mrs. Rozanski left the meeting.

Mr. Dziczek moved approval of warrant #45 in the amount of \$597,970.96; Mr. Johnson seconded; all aye.

7:30 p.m. – Mr. Dziczek moved the Board adjourn to executive session for the purpose of negotiations as it relates to collective bargaining; Mr. Johnson seconded; all aye. The vote: Mr. Johnson – yes; Mr. Dziczek – yes; Mr. Brodeur – yes.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
5/17/99

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.

Mr. Brodeur opened the meeting in the Town Administrator's conference room at 7:06 p.m.

- Mr. Johnson moved to approve the regular session minutes of March 15th; Mrs. Rozanski seconded; Mr. Brodeur aye; Mr. Gildea and Mr. Dziczek abstained.
- Mr. Johnson moved to approve and release the executive session minutes of March 15th; Mrs. Rozanski seconded; Mr. Brodeur aye; Mr. Gildea and Mr. Dziczek abstained.
- Mr. Hartman brought up the subject of Sithe and a formal letter that he would be sending to them requesting \$30,000 for a consultant to review the technical data Sithe had submitted. Once Sithe agrees to send the \$30,000, he will do up a RFP for a consultant.
- Mr. Hartman brought up the conference being held with the Housing Committee on the Narducci case this morning, and said he had not heard the results yet. Yesterday, he stated he spoke to secretary Jane Fitzin, and she had stated there was a quorum of the Board at Tuesday's meeting, but because Ms. Borgatti did not feel well, the meeting was adjourned early. They did not discuss the Board's requests to them before adjournment; therefore, Mr. Hartman sent letters out on Wednesday as agreed to Monday night.
- Mr. Brodeur brought up Mr. Hartman's evaluation, and asked Board members if they had completed their individual evaluations of the Town Administrator? Mrs. Rozanski, Mr. Dziczek and Mr. Brodeur had. Since he wanted to do a composite as required by contract, Mr. Brodeur suggested meeting Monday night at 6:30 p.m., which would give the other board members time to get their evaluations to him by Sunday night so he could do the composite. Mr. Gildea said he could not come Monday night; Mrs. Rozanski would prefer not to, but since Mr. Brodeur stated the results of the evaluation have to be done in public session, and that was his last night, recommended they meet.
- Mr. Brodeur gave the Board members a copy of a letter Mary O'Leary had sent to members of the School Facilities Needs Identification and Evaluation Committee.
- Mr. Brodeur went over the new proposed changes to the municipal employees agreement. The changes included:
 - evaluations will be completed by the appointing authority;
 - longevity after 10 years effective 7/1/00 on their anniversary date;
 - non-salaried employees have to choose between overtime and comp time per FLSA subject to appropriation after 40 hours;
 - standard hours for Town Hall on Fridays closing at 1:00 p.m. from June through August, but working Monday nights to make up the time;
 - 3 personal days to 4;
 - reimbursement tuition of \$1,000 per person;
 - new matrix schedule going from 8 steps to 5.

Mr. Hartman explained new employees would start at step 1, after 6 months go to step 2, then every year thereafter jump a step until after 4 years, they have maxed out unless reclassified. This eliminates competition among individuals, brings employees to a more standard pay grade, and still allows supervisors to do evaluations, but with a different

MINUTES OF THE SELECTMEN'S MEETING
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evaluation form allowing goals and objectives to be incorporated. Mr. Hartman stated the Union had voted to ratify the contract as presented.

Mrs. Rozanski moved to accept the contract as presented; Mr. Johnson seconded; all aye. The contract was signed by the Board.

- Mrs. Rozanski moved to adopt the same salary matrix schedule for non-union employees; Mr. Dziczek seconded; all aye.
- Mr. Hartman brought up the non-union employees who had received merit increases and asked if their increases could be retroactive to their anniversary dates as union employees. He had estimated the amount would be around \$2,300. Mr. Johnson moved to allow merit increases for non-union employees approved by the JCRB and the Selectmen to be effective their anniversary date rather than July 1st of the fiscal year; Mrs. Rozanski seconded; all aye.
- Mr. Hartman said he was negotiating with Police union, and hopes to come to an agreement before the annual town meeting as funds were being used up quickly.
- The Board briefly discussed the MBTA wanting to include Medway. Mr. Hartman noted Franklin and Norfolk don't have to contribute anything and they have stations; however, Millis is not receiving any services and has been unsuccessful in trying not to pay their assessment of \$117,000. He noted debate begins May 3rd.
- Before adjourning, Mr. Hartman suggested the Board consider changing the process for outgoing Board members and welcoming new Board members. He felt it would be good to have the swearing-in ceremony with families present, all done before the annual town meeting.

7:50 p.m. – The meeting was adjourned.

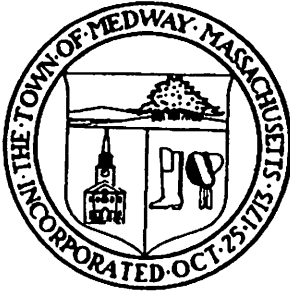
Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED

5/17/99



BOARD OF SELECTMEN

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

AGENDA

BOARD OF SELECTMEN

MONDAY, APRIL 26, 1999

LOCATION: SANFORD HALL OF TOWN HALL

Prior to opening of meeting:

- 6:45 p.m. - Don May and other residents of Willow Green/Pheasant Run area.
- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - March 15, 1999 – regular meeting.
 - March 15, 1999 – executive session.
 - March 22, 1999 – regular meeting.
 - March 29, 1999 – regular meeting.
 - March 29, 1999 – executive session.
 - April 5, 1999 – regular meeting.
 - April 12, 1999 – regular meeting.
 3. Public comments.
- 7:15 p.m. Andrew Leverone, Student Painters. *no show*
re: request for solicitor's permit.
- 7:30 p.m. Chief Wayne Vinton. *cancelled*
re: presentation of certificates of appreciation to Kristen Wong and Melinda Hodge and teacher Lynn Lumentti for Statewide Arson Watch Reward Program Poster Contest achievement.
- 7:45 p.m. Missy Dziczek, COA Director.
re: evaluation of Marguerite Fitzgerald.
- 8:00 p.m. Bill Fisher, Board of Health Agent.
re: evaluation of Jackie Ammering.
- 8:15 p.m. Don Springer, Planning Board Chairman.
re: evaluation of Jane Fitzin.
- 8:30 p.m. Marjorie Sanford, Treasurer/Collector.
re: evaluation of Barbara Walls.
- 8:45 p.m. Lee Henry, DPS Director.
re: Chapter 90 funds.
- 9:00 p.m. Wendy Rowe, Library Trustees Chairman.
re: sign permit approval for Library.

*cc: m8/4/99
cc: AUBS/14/99*

4. Committee reports.
5. Administrator's report.
6. Discussion items.
 - Utilization of community service workers.
7. Action items.
 - a. Acknowledge site plan for Cellular One.
 - b. Further discussion on school master plan (set date of special town meeting – June 21st or June 28th).
 - c. Attendance at Medway Business Council meeting (deadline to advise is April 28th.)
8. For your information.
 - Reminder - no Board of Selectmen's meeting on May 3rd at this time.
 - Reminder – Pre-Town Meeting on May 5th.
 - Reminder – Annual Town Meeting on May 10th.
9. Communications and correspondence.
 - Francis Donovan re: preservation projects.
 - Planning Board's vote on Notice of intent for Lee property.
10. Future agenda items.
 - Choose members for School Building and Site Selection Committee.
 - Discussion of articles for end-of-year special town meeting warrant.
11. Next meetings.
 - 6:00 p.m. – May 10th – Room 111 of Medway High School.
 - 7:00 p.m. – May 17th – Sanford Hall.
12. Executive session.
 - potential litigation
 - collective bargaining
 - further discussion on the Planning Board's appeal of the ZBA decision for the Narducci comprehensive permit.

NOTE: Selectman Brodeur will not be in attendance.

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

6:55 p.m. – Prior to the regular session of the Selectmen's meeting, residents of the Willow Green/Pheasant Run neighborhood asked to meet with the Board in Sanford Hall of Town Hall to voice their concerns with developer Al Miraj, the subject of which has been in litigation over three years.

Dan May of 33 Dogwood Lane was the spokesperson for the group. He stated they have gone as far as they could with the Planning Board, and now needed to go another step further. They were upset the developer did not do what was required, including:

- unfinished drainage work leaving standing water which has been documented by the Planning Board;
- roads have big holes and curbing is getting worse, as well as the streets not yet being accepted by the Town;
- general clean-up and landscaping, including the removal of tarps and haybales, some work of which has been done by residents;
- safety problems, namely the standing water in some places 2-3 feet deep, even asking the Fire Department to help with pumping.

Mr. May did not feel Al Miraj had any motivation to do anything, even though he felt it was in the developer's best interest to do the work himself. He noted the 63 families in the neighborhood, each paying on the average of \$4500 in taxes. He was aware there was a court hearing on April 28th and implored that no more extensions be given the developer.

Ken Beatty of 29 Dogwood Lane felt he was living on an island surrounded by the standing water. He had no kids himself but still was concerned for the many children that lived there.

Greg Fingar of 26 Dogwood Lane said they have all just had about enough and wanted some support from the Town.

Mr. May spoke about the good relationship with the Planning Board and knew they did the best they could, but there should be bond money available the Town could access. They were all suffering real individual damage.

Mrs. Rozanski told them they had the Board's support, that was why Town Counsel was going to the hearing on the 28th.

Mr. Hartman added that the hearing was an assessment of damages. The Judge will determine how much of the bond can be used to make repairs. Town Counsel will also request there be no further delays again.

When asked how long it would take if the Town was able to access the bond, Mr. Hartman said it depends on what needs to be done. If the work can be done in-house, then they don't have to write up specs and go out to bid. It does depend on the scope of work, supplies and expertise involved, with possibly 1/3 being done by a private contractor and 2/3 in-house.

Mrs. Rozanski stated once they have the go-ahead, the work will proceed in some direction.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Dziczek noted, for the record, about 25 residents were in attendance.

Mr. Johnson said he was aware of the situation and that Mr. May had asked for the Fire Department's help. He supported Mr. Hartman's handling of the situation as being in the best interest of the residents, and to protect their land if an engineer has to be brought in to see if drainage work has to be done.

Mr. May felt the repairs looked simple and thought the bond money should cover the work. Mr. Hartman stated the goal is to take care of them this construction season. He reiterated his knowledge of the three delays so far, the last being a 60-day extension, and Town Counsel's opposition to any further extensions.

Mr. Dziczek re-emphasized the Board's position, and suggested Mr. Hartman check to see if they could recoup any of the Fire Department's costs. Mrs. Rozanski suggested that be mentioned to Town Counsel, but Mr. Hartman felt that was a separate action.

Anthony Eovine of 22 Dogwood Lane asked for clarification of what an unaccepted street was, which Mrs. Rozanski explained. Mr. Johnson added since it was still considered a private road, they have no authority on that road as they would then be on private property. Mr. Hartman added, if there were sufficient funds left in the bond, they could try and recoup some of the plowing and sweeping costs, but that is not necessarily a condition of the bond.

The residents thanked the Board for listening to them, and Mr. May passed around a brief synopsis of their concerns. They also gave the Board some pictures of the standing water problems they had incurred, for Town Counsel's use at the hearing.

7:25 p.m. – Mrs. Rozanski called the meeting and live taping began.

- Mr. Johnson moved approval of warrant #44 in the amount of \$718,993.54; Mr. Gildea seconded; all aye.
- With reference to the regular meeting minutes and the executive session minutes of March 15th, Mrs. Rozanski suggested they be held over until Mr. Brodeur could be present, as both Mr. Gildea and Mr. Dziczek were not present at the meeting on the 15th, and would abstain from the vote.
- Mr. Johnson moved approval of the regular meeting minutes of March 22nd; Mr. Dziczek seconded; all aye.
- Mr. Dziczek moved approval of the regular meeting minutes of March 29th; Mr. Gildea seconded; all aye.
- Mr. Johnson moved approval and release of the executive session minutes of March 29th; Mr. Dziczek seconded; all aye.
- Mr. Johnson moved approval of the regular meeting minutes of April 5th; Mr. Dziczek seconded; all aye.
- Mr. Johnson moved approval of the regular meeting minutes of April 12th; Mr. Dziczek seconded but with an amendment; Mr. Johnson seconded the amendment; all aye.

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7:30 p.m. – Public comments.

Pete and Jo Ann Manijak of 17 Center Street voiced their concern for work being done at the end of Center Street. They had spoken to Lee Henry and written a letter stating there was a turnaround at the end of their street already and now they were putting one at the end of the parking lot instead of re-seeding the area. He did not feel two turnarounds within 100 feet of each other were necessary, and asked that the Board reconsider what was being done.

Mr. Hartman said this was really not a matter for the Board to consider. The parking lot is for the teachers and utilized by other people using the fields on the weekend. On an insurance walk-through by a representative, we were advised it was not wide enough. Mr. Henry will be discussing this further with MIIA the next day and see what is required.

Mrs. Manijak said the area at the end was to be accessed only for emergencies. They were led to believe it was not mean to a "through" area. Mr. Hartman said the area in question was not part of the public way; it is part of the public parking lot. They can close the north end, depending on what the insurance company says, and just widen the entrance.

Mr. Johnson hoped they were working with the School Building Committee. Mr. Hartman indicated they said it was to be an emergency road. Mrs. Rozanski agreed if this was part of another project, it needed to be looked at in conjunction with that and with that Committee. If it is a public way, that should involve the Board. Again, Mr. Hartman said he did not believe MIIA would be opposed to a single entrance. Mr. Johnson asked that Mr. Hartman keep Mr. Manijak updated.

Mr. Manijak also asked that "no parking" signs be placed in the turnaround, and that a speed limit sign be placed as well. Mr. Hartman believed the speed should be 20 mph.

7:45 p.m. – Andrew Leverone of Student Painters did not show for his appointment with the Board for a solicitor's permit.

- Chief Wayne Vinton's appointment with the Board for awards for fire posters was cancelled and will be rescheduled for May 17th.

7:47 p.m. - COA Director, Missy Dziczek, was present for the evaluation of Marguerite Fitzgerald, their bus driver and bundle carrier. Ms. Dziczek noted that COA Chairman, Joe Hoban, had filled out the evaluation and wrote the recommendation.

Mr. Johnson moved to take the recommendation of the COA Director on the evaluation of Ms. Fitzgerald with 47 points, and to receive a merit increase; Mr. Dziczek seconded; all aye.

7:50 p.m. – Cathy Chenard, Chairman of the Board of Health, came to speak on the evaluation of Secretary Jackie Ammering. Ms. Chenard explained how Ms. Ammering took it upon herself to do data entry, and will be attending classes on GIS.

Mr. Johnson moved to accept the evaluation of Ms. Ammering with 52 points, and to approve the merit increase; Mr. Gildea seconded; all aye.

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7:55 p.m. – Administrator's report.

- Mr. Hartman noted the letter he wrote to the Lee's concerning their notice on Chapter 61 land. He said both the Assessors and Town Counsel picked up there was no plan attached to the notice. No action yet until the plan is received.
- Mr. Hartman said there was a letter on the table tonight from the School Building Committee. The item referenced, amending the agreement with the architect so he could consult with Town Counsel, had been tabled by the Board. This letter is the result of that consultation, as well as a signature page for the Board. Upon approval, the Board of Selectmen would execute for the additional scope. He noted Town Counsel had suggested this wording.

Mrs. Rozanski asked how much work had been done? Mr. Hartman indicated most of it. Mr. Dziczek noted this action was just setting the record straight. Mr. Hartman clarified the Committee inadvertently changed the scope, and now we were getting it in proper order. Mrs. Rozanski wanted to be assured the papers were in order before anything gets paid. Mr. Johnson hoped this passed the scrutiny of the audit so we can get reimbursed. Mr. Hartman believed this addresses an oversight.

Mr. Dziczek moved to sign the document approving the additional scope of services in accordance with the existing standard form agreement as put forth is the School Building Committee's letter dated April 24th and the signature page; Mr. Johnson seconded; all aye.

- Mr. Hartman noted the letter received today from David Kaeli of the Master Plan Committee looking for support from the Board and other boards as well.

Mr. Dziczek moved the Town Administrator write a letter, on behalf of the Board and signed by the Board, for support and endorsement of the master plan and its adoption at the annual town meeting, and for other Boards to consider the same action; Mr. Johnson seconded; all aye.

- Mr. Hartman noted the Board had allowed the hearing for Time Warner to be closed tonight at 10:00 p.m. to allow residents to write letters of concern. He said the only letter received was from Medway Cable Access opposed to the asset exchange agreement because of outstanding issues. Mr. Hartman said he was familiar with the terms of the contract and they have until the end of the year to comply. Mrs. Rozanski said the letter will be part of the official hearing.

8:05 p.m. – Committee reports.

- Mr. Dziczek stated the JCRB would be meeting on the 29th, and it will probably be their last if the JCRB is abolished.
- Mr. Dziczek also said the FinCom would be meeting on the 29th as well, and on May 5th for pre-town meeting. He said most departments have taken cuts or are down to last year's level. Again, the FinCom is to present a balanced budget at town meeting even if they don't like what they're doing. Mr. Hartman was aware the book would be going to the printer today and should be mailed over the weekend. Mr. Dziczek believed the Choate Park would be continued, but fees may have to be increased.

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- Mr. Johnson said Norfolk County Advisory had a hearing in Boston on HB3941, and it looks like a clear win of a 3% surtax coming directly back to the Towns. For Medway, it would be from \$88,000 to \$100,000. It can be implemented immediately.
- Mr. Johnson also went to the MBC breakfast and spoke to Margaret O'Meara about the problems on Route 109. He said we would have to do most of the work. He felt something should still be done with the crosswalks, as he thought some were in the wrong places, i.e. Papa Gino's, but needed to be painted anyway.

Mrs. Rozanski asked who determines where crosswalks are put? Mr. Hartman said it was up to the Board of Selectmen. Mr. Johnson felt moving it fifteen feet one way or the other wouldn't hurt. Mr. Hartman said they would be installing plastic reflectors soon. He also said one of the articles on the warrant is for the engineers to look at the Route 109 corridor for design problems, and to determine the safest location for crosswalks. That proposal is still alive with bonding with FinCom.

Mr. Johnson said he wants to see the Board make a decision soon; they can't wait three years. Mr. Hartman said that is true if it is reconstruction. In meeting with Mass. Highway, it can be done as soon as possible if it is not reconstruction. Mr. Johnson said, for the time being, he wanted to at least see barrels back in place. He also encourages the Police Department to keep a surveillance on the road even if it is a priority.

Mr. Dziczek asked that Mr. Hartman report back to the Board on the crosswalk situation, and to continue conversations with the DPS Director and the Safety Officer. Mr. Hartman said he would do that and also look at signage with Mass. Highway on a short-term basis. Mrs. Rozanski agreed they should direct the Town Administrator to report back to the Board in three weeks so they can move on any enforcement issues.

8:20 p.m. – Planning Board Chairman Don Springer came to meet with the Board concerning the evaluation of Secretary Jane Fitzin. He stated nothing new has changed in her job, but is amazed at what she does. They were able to get her position upgraded, and felt she would be hard to replace if she left. With reference to #6, Mr. Springer wrote N/A because he did not feel it was her job to find additional things to do; she worked under the Board's direction. Mr. Dziczek moved to accept the evaluation of Ms. Fitzin with 49 points and to approve a merit increase; Mr. Johnson seconded; all aye.

8:30 p.m. – Treasurer/Collector Marge Sanford came to meet with the Board concerning the evaluation of the Assistant Treasurer/Collector Barbara Walls. She stated Ms. Walls is always there and never late. She indicated she was continuing her education on her own, and is never afraid to ask questions. When asked if Ms. Walls could step in for Mrs. Sanford, she stated if she was there, she could not; otherwise, if she was not there, she would have all the powers of the office. Mr. Johnson moved to accept the evaluation of Ms. Walls as written with 48 points, and to approve a merit increase; Mr. Dziczek seconded; all aye.

- ***Back to committee reports.***
- Mrs. Rozanski stated that she, Mr. Dziczek and Mr. Johnson went to the Good Government Banquet for Elsie Robinson.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 26, 1999

- *Action items.*

- The Board discussed the letter from District Court in Wrentham concerning utilizing community service workers. Mr. Hartman believed the individuals have not been jailed, but must do so many hours of community service. He felt it was best to pick out a project to be done, determine how many individuals are needed, the number of hours required to complete the project and then contact the First Justice. He asked the Board if they would like him to follow up on this? Mr. Johnson felt the service could be utilized by churches, schools, non-profit organizations, and other groups in the community. Mrs. Rozanski wanted to know what typical offenses the individuals had incurred to get this punishment, and to get more specific information for them. Mr. Hartman felt there would be work for them to do since seasonal work at the parks had been eliminated. Mrs. Rozanski also suggested coming up with a list of potential projects, and before anyone comes to Town, the Board would like to see a proposal.
- Mr. Dziczek moved to acknowledge receipt of the site plan for Cellular One for a wireless communication facility on a ZBA special permit at 113 Main Street; Mr. Johnson seconded; all aye.

8:40 p.m. – Wendy Rowe, Chairman of the Library Trustees, came to meet with the Board as the sign they were requesting for the Library, 20 square feet, was larger in size than the Zoning by-law allows, which is 6 square feet. The Building Inspector had denied the building permit and suggested they contact the Selectmen for approval of his denial. Ms. Rowe explained it was a granite sign that would not obstruct any views as it was only two feet high and ten feet long. Mr. Dziczek moved to approve the request of the Library for a 20 square foot sign, two feet by ten feet; Mr. Gildea seconded; all aye. Ms. Rowe asked if someone can volunteer their services to do the footings for them, or at least offer some knowledge or assistance? It was requested she contact the Town Administrator on this.

8:45 p.m. – Lee Henry came to meet with the Board to go over chapter 90 funds. He explained MMA had sent in a survey, where it is indicated remaining balance was \$97,606. This figure had been obtained from the amount authorized which was \$288,405, minus projected expenditures through June 30th of \$190,799. However, Mr. Henry clarified that \$60,000 had already been allocated toward the paving of Clark Street, leaving only \$37,606 as unused. Mr. Henry explained he has to first make the request to the State, and once it is approved by Mass. Highway, we spend the dollars up front. When the project is completed, he submits a request for reimbursement. With respect to reimbursements coming back to the Town, Mr. Henry said he is not aware if they came in or not, but the Treasurer should know. Mr. Hartman stated, as of February 23rd, nothing had been received for the last couple of years.

Mr. Henry stated that every DPW Director is pleading with the Board of Selectmen to use their Office to convince the Governor and the Legislature that a \$50 million bond for two years is devastating, especially when there is no mention of cutting funds on bridges or the Big Dig. He stated funds are ultimately coming out of Town dollars, and 40% of our dollars are going towards engineering for those bridges. He stated if the State is going to cut funds, then cut them equally.

Mr. Henry ^{said} that Medway streets would be completed on Chapter 90 funds which are allowed to accumulate, so that the Town can go with larger projects. Mr. Dziczek felt it was important to keep the five-year plan as a lot of road need to be done. Mr. Henry said they have covered the second year of the paving plan. Again, Mr. Hartman said the funds have been committed, but not

MINUTES OF THE SELECTMEN'S MEETING
APRIL 26, 1999

spent yet. Mr. Henry added Medway's share of Chapter 90 has grown, and the inventory is continually updated.

Mr. Johnson recalled when the Town wanted to put some funds aside each year for paving and sidewalks. Mr. Henry said they attempted to start that this year, but now they were not getting all the money. Mrs. Rozanski said the Board needs to have a plan to fund projects. Mr. Henry noted Mass. Highway is lobbying with a bill to try and get projects done.

- ***Back to action items.***

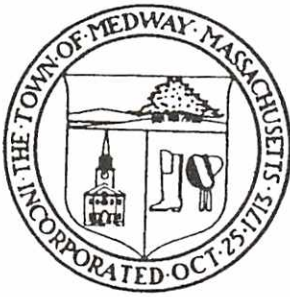
- The Board noted they need to set a date for the end-of-year special town meeting in June.
- With reference to the Medway Business Council dinner on May 4th, Mr. Dziczek said maybe; Mr. Gildea, Mr. Johnson and Mrs. Rozanski all yes.
- The Board noted the letter sent by Francis Donovan to the Board concerning Town funds that may be going for preservation projects for churches. Mrs. Rozanski felt Mr. Donovan may have misunderstood as no municipal funds had been committed as far as they knew; however, anyone can apply for grants.
- The Board acknowledged receipt of a memo from the Planning Board recommending purchase of the Lee property, however, no action can be taken at this time.

9:20 p.m. – Mr. Johnson moved the Board adjourn to executive session for the purpose of potential litigation and collective bargaining; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Gildea – yes; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
5/10/99



BOARD OF SELECTMEN

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

AGENDA

BOARD OF SELECTMEN

MONDAY, APRIL ¹²5, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - March 13, 1999 – Summer Street informational session.
 3. Public comments.
- 7:05 p.m. Elaine Lazarus, Hopkinton Planner. *cancel*
re: open space matrix grid.
- 7:15 p.m. Linda Reynolds, Memorial School Building Committee Chairman.
re: approval of additional scope to contract with SMMA for an extension of Clerk of the Work's services.
- 7:30 p.m. June Murray, Board of Assessors Chairman.
re: evaluation of Paul Keefe.
- 7:45 p.m. Don Springer, Planning Board Chairman.
re: agreement with attorney; request increase in Law budget.
- 8:00 p.m. School Facilities Needs Identification & Evaluation Committee.
re: recommendation on school master plan.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 -
 7. Action items.
 - Sign Simplex agreement for Library for fire alarm system testing and inspection.
 - Approve and sign annual town meeting warrant.
 - Repeat request for residents to write to their legislators on excise tax monies coming back to the Town.
 - Re-affirm vote taken with reference to Route 109 orders of taking at February 22nd Selectmen's meeting: "Move the Board approve and sign the order of taking and the plan, to authorize the Clerk to sign the notice of taking, and to have them recorded at the Registry of Deeds".

cc:cm
6/4/99

8. For your information.
 - Reminder - no Board of Selectmen's meeting on April 19th.
9. Communications and correspondence.
 - Packet of info from David Hoag relative to master plan data quality.
10. Future agenda items.
 - Willow Green development residents
11. Next meeting.
 - 7:00 p.m. – April 26th – Sanford Hall.
12. Executive session.
 - potential litigation
 - collective bargaining

**MINUTES OF THE SELECTMEN'S MEETING
APRIL 12, 1999**

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

7:11 p.m. – Mr. Brodeur opened the meeting in Sanford Hall of Town Hall.

- **Mr. Johnson moved approval of warrant #42 totaling \$998,676.45; Mr. Dzikczek seconded; all aye.**
- **Mrs. Rozanski moved approval of the minutes of March 13th; Mr. Johnson seconded; all aye.**
- **Public Comments – none.**
- **Mr. Hartman noted the Hopkinton Planner, Elaine Lazarus, had canceled for tonight and will reschedule.**

7:15 p.m. – Linda Reynolds, Chairman of the Memorial School Building Committee, came to speak to the Board. Mr. Hartman noted there was an additional scope for SMMA, which is an amendment to the contract as an extension for work that has actually been done. Ms. Reynolds stated they got the additional funding, and now needs the Board's signature. A letter sent around September 12th explained the situation. The Secretary was asked to look for a copy of the letter; she could not locate it. Ms. Reynolds further stated there were clauses in the architect's contract that covered liquidated damages, as well as one for the general contractor. Mr. Brodeur asked about a punch list? Ms. Reynolds said it was done. Mr. Dzikczek questioned if this was an additional \$750,000 tacked on to the original \$10 million? Mr. Hartman commented only the Selectmen can approve it. Mrs. Rozanski asked where it was in the contract? Mr. Hartman indicated there should have been a letter of understanding between the architect and the Selectmen. Mrs. Rozanski suggested Mr. Hartman talk to Town Counsel. Mr. Hartman said he would do that – first he would ask about extending the scope with SMMA. Mrs. Rozanski questioned if they went beyond the scope, would there be a reimbursement? Ms. Reynolds indicated she was trying to do that.

Ms. Reynolds then brought up extending the engagement of John Boczanowski as Clerk of the Works for an additional \$2,500. She noted it was within the \$750,000. Mr. Dzikczek moved to extend the Clerk of the Works contract for an additional \$2,500; Mr. Johnson seconded; all aye.

Mr. Johnson mentioned to Ms. Reynolds the \$10,000 termite control bill for 3 hours worth of work they withheld for payment last week. Ms. Reynolds felt it was two years coverage, and they come out each month to treat the school, but would check further with Mr. Verdolino.

Mrs. Rozanski also brought up the high cost of electricity at the schools with maybe lights on in the parking lots that were not needed. Ms. Reynolds stated she understood the lights were for security. Mr. Johnson stated the cost was two times greater than the Burke and McGovern Schools combined.

Supt. Art Bettencourt, who was present, said there are ventilation and electrical systems that are working as they should be, along with computer technology that requires energy. He had not seen the numbers, but believed they met the standards, and didn't feel the cost was high because of lights. Mrs. Rozanski asked that a copy of the energy costs be sent to Dr. Bettencourt.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 12, 1999

7:45 p.m. – June Murray, Chairman of the Board of Assessors, was present to discuss the evaluation of Paul Keefe. She noted that her comments had been approved by her Board. Mr. Brodeur's only comments were to change her score on #10, 11, and 12 by one point each because, by definition, if they are N/A, the score should be "3". It would still give Mr. Keefe 45 points, and still eligible for a merit increase. He would then recommend the Board's evaluation be the same as Mrs. Murray's. Mr. Dziczek so moved and to approve the evaluation with 45 points; Mr. Johnson seconded; all aye. Mr. Johnson moved to grant a merit increase; Mrs. Rozanski seconded; all aye.

7:55 p.m. – Don Springer, Planning Board Chairman, came to meet with the Board concerning their appeal of the ZBA's decision. Mr. Springer gave the copy of the original agreement between the attorney and the Town for the Board's signature to Mr. Brodeur. He asked if all Board members had received a copy of the appeal? They had. Mr. Brodeur stated that Town Counsel had reviewed the format and had some comments. Mr. Hartman explained since the agreement was in the form of a contract, Town Counsel has the right to review to it, and the Town has the right to submit a revised contract to McGregor. Mr. Brodeur said, if the Board was so inclined, they could vote to approve the agreement tonight subject to the changes made by Town Counsel. Mr. Hartman commented that section 8B does not provide sufficient information to validate the vote made on March 29th. The Board still does not have that information two weeks later.

Mr. Dziczek said he read over all the material and is not sure if the ZBA acted illegally or improperly. If it would provide a subdivision with just 20 units smaller, he was not sure this was worth pursuing. Mr. Brodeur stated the Board has the information. Should we stop the process now and revise the contract for legal services? Mr. Hartman stated his letter sent on March 30th said there had to be a significant probability of success before we proceeded further. He said you can pay the attorney for as far as he has gone. Mr. Brodeur said his fee was part of the \$5,000 allowed, but you can't pay the bill until you have the revisions Town Counsel has put in the agreement. Mr. Hartman explained the Town owes for the work done with or without a contract. They filed; there is an expense. Mr. Brodeur asked if they should get a vote on the wording, and request McGregor to revise their contract to Town Counsel's recommendation? Mr. Dziczek asked if they should move to approve the changes? Mrs. Rozanski said no.

Mr. Hartman stated his recommendation is to adhere to what Town Counsel has recommended. He asked to be sent back to the vendor and say the agreement is not good enough, and these are the changes. Mrs. Rozanski moved to authorize the Town Administrator to effect negotiations for the Board of Selectmen to sign a contract with McGregor; Mr. Dziczek seconded. Mr. Johnson said he would like clarification. He voted against it originally, and is in disagreement with the action being taken. Mrs. Rozanski noted she voted against it as well. Mr. Johnson further stated he cannot go with the changes because he was not in favor of one board suing another board.

Mr. Hartman said relative to the work being done, the attorney has the letter of appointment with the rates of appointment, and they filed an appeal, and we should pay for what has been done. Mr. Brodeur noted they were still within the \$5,000 to more convince us of a winnable case. Mrs. Rozanski said the contract should be a settle-up document.

Jan Morris, Chairman of the Zoning Board, was present and said he was confused. Who authorized the appeal? Mr. Johnson said on Monday night, the 29th, it was thought they had only another five days to file the appeal so the Board had to make a decision.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 12, 1999

Barry MacDougall, who was in attendance, brought up their asking an attorney if there are grounds and if they could win. He said, they will never get that letter. He recommending they get over the idea that growth is costing the taxpayers.

Mr. Brodeur again briefly went over the letter to the attorney that Mr. Hartman wrote. To which, Mrs. Rozanski stated, Mr. Hartman has confirmed he has received no communication from McGregor and neither have the Selectmen.

Mr. Brodeur suggested this be discussed further in executive session.

Mrs. Rozanski made a motion to pay the bill when it is received from the attorney, assumedly \$4,474, for services already rendered that they are obligated to pay; Mr. Dziczek seconded. Mr. Johnson again said not to exceed \$5,000. Mr. Hartman asked if the motion also includes to tell them not to proceed further unless they are convinced they can win; all aye.

Mr. Brodeur again said the revisions have to be sent back to McGregor. Mrs. Rozanski said there was no direction here, and suggested a joint meeting with the ZBA and the Planning Board. Mr. Brodeur added they have two Counsels; let's have both Counsels at the meeting.

Mr. Johnson moved to consider the use of the State to arbitrate, and to ask the Division of Local Services to assist in this matter before it goes any further with direction if not advice; Mrs. Rozanski seconded; all aye.

Mr. Johnson moved to authorize the Town Administrator to set up a meeting immediately with the three boards participating; Mr. Gildea seconded; all aye.

Mr. Morris stated this was non-binding on the applicant. He has already filed an appeal. The State has to answer him in 30 days. Mrs. Rozanski said they have to decide which way they're going. Mr. Dziczek said his intention was to see if they had a winning case, and if they couldn't convince the Board, it was over. When he gave his vote on the 29th, he wanted a second opinion. The Town has to win in the end. Mrs. Rozanski felt it would be over in 30 days, one way or the other. Mr. Springer mentioned that the Community & Housing Development would be discussing this whole thing again on May 11th on their terms.

Dick Coakley, who was in attendance, asked about the spending of \$5,000 if a case was winnable. He asked if there was a precedent that could be cited for a case such as this, which attorneys usually look for as a reference. Mr. Springer believed this was the first time anyone has gone to court.

8:40 p.m. -- Members of the School Facilities Needs Identification and Evaluation Committee came to meet with the Board concerning their charge to evaluate a school master plan that was presented. Mr. Brodeur noted there had been seven meetings held among themselves and one with the School Committee. He turned the meeting over to Barry MacDougall and Mary O'Leary, co-chairpersons.

Mrs. O'Leary began the presentation accompanied by Kelly O'Rourke, their recording secretary.

Ms. O'Rourke said they looked at the study and took it apart. They tried to take into consideration if the recommendations were warranted; was the timeline warranted; and what were the financial aspects.

[illegible]

Mr. Rogers and neither have the 24th been
 Yes, he asked stated Mr. Hartman has returned to his service of communication from
 the 19th again briefly went over the matter to the attorney and Mr. Hartman would, in which

The program suggested this be discussed further in a future session.

Thrombocytes (platelets) are small blood cells that are vital for the process of hemostasis (blood clotting). They are produced in the bone marrow and circulate in the bloodstream. Thrombocytes are responsible for the formation of blood clots, which help to stop bleeding and prevent excessive blood loss. They also play a role in the inflammatory response and the healing process.

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan of action. This involves identifying the steps that need to be taken to solve the problem and determining the resources that will be needed to implement the plan. Finally, the last step in the process is to implement the plan and monitor the results. This involves putting the plan into action and tracking the progress of the solution. Once the problem has been solved, the final step is to evaluate the results and determine if the solution was effective. This involves comparing the results of the solution to the original problem and determining if the problem has been resolved.

[illegible]

Other government agencies, such as the Environmental Protection Agency, also have a role to play in addressing the problem of hazardous waste. EPA has been instrumental in developing the RCRA and Superfund laws, and in enforcing them. EPA also provides technical assistance to states and localities in managing hazardous waste. Other agencies, such as the Department of Health and Human Services, the Department of Energy, and the Department of Defense, also have responsibilities in this area.

[illegible][illegible]

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the following aspects:

**MINUTES OF THE SELECTMEN'S MEETING
APRIL 12, 1999**

Ms. O'Rourke said, over the last 8 to 9 weeks, they met and discussed the issues, including input and spreadsheets from the Treasurer to determine the tax base. Charlie Myers was also helpful and someone from the Consulting Group came. They toured all the schools, looking at populations and growth projections, and Dr. Bettencourt provided information on accreditation and Ch.645 which discussed space per student.

She stated clearly they had a problem with student capacity. With the financial aspect, they had to keep in mind there are other capital projects as well. She stated they felt the original plan was well thought out, but they did not feel it was feasible for cost to the taxpayers. Portable classrooms, she noted, is not a reimbursable expense.

They came up with plan #2. Their first priority would be a new high school, then the McGovern School, then the Middle School, then the Burke. Each of the phases would not overlap on the other, but they would be sequential. They felt it would be best to extend the borrowing time to the year 2039. It would cost more in the end, and more dollars for portable classrooms, but the cost would be spaced out over a greater length of time and it would get the Town out of the space emergency.

Their scope was strictly on the tax base for the school projects; not the cost of land; not water/sewer; no other portable classrooms. Plan #2 is almost one-half of the plan, as the original was to end around the year 2006; plan #2 ends around the year 2020. She stated the figures were increased, but not the total, and it would still be reimbursable at 69%. The figures do not include anything else.

Ms. O'Rourke asked, do we need to take action – yes. She stated the figures are real. The motion of their Committee was to amend the first plan submitted with the alternate time schedule. They also recommend a permanent building committee be formed. She noted the School Committee has approved recommending plan #2.

Barry MacDougall stated he had a dissenting opinion. He agreed with very little of what the Committee had stated. He agreed there was a need, but he did not agree that this was the plan, and that this was the architect. He has provided information in the past relative to Ch.645 to the Selectmen. He has done a spreadsheet through the year 2011. He came up with an extra school. No information has come to him to change his opinion as to why Ch. 645 can't be used for reimbursement. They want the Towns to have guidelines and they are specific about space requirements. He was impressed with the effort of the School Building Committee, but they were not as familiar with Ch. 645 as he was. He asked when they filed a new school plan then, why did they not think ahead for other schools? Originally, they sold an idea, but it was a master plan. He noted the build-out for the Master Plan Committee was the year 2028; the school's master plan is to the year 2011. He was concerned that they would make wrong financial decisions. There were provisions in the document for peer review. Another architect could even review the document. Mr. MacDougall noted how, on page 13 of the SMMA contract, it is stated that in 2/99, they were awarded the contract; in 10/97, it was voted to go out to bid; the RFP went out in 11/97; they were selected on 12/1/98. When SMMA came to their meeting, it was stated community space was built in. Who maintains community space? He met with the Wellesley maintenance person. They have a plan, and they would like Medway to follow their guidelines. They would not charge us anything to develop the plan.

Mrs. O'Leary stated that Mr. MacDougall's comments come as a complete surprise to them as a committee. They had not seen him for the last two meetings. Mr. MacDougall stated that he could not attend the last two meetings, and noted Ch. 645 was updated in 1998.

[illegible][illegible]

They came up with plan B. Their first priority would be a new high school, then the middle school. They figured that the private school, then the public school, would not work up in the other building would be impossible. Then that it would be done to protect the property and the the year 1997. It would cost more in the end and more dollars for parents to pay, but the cost would be spread out over a longer length of time and it would get the town out of the special assessment.

[illegible]

The above-mentioned information was obtained from a review of the records of the School of Education, University of Illinois at Chicago, which were maintained by the School of Education, University of Illinois at Chicago, and the records of the School of Education, University of Illinois at Chicago.

1. The first step was to identify the key players in the community. This was done by conducting interviews with community leaders, including the mayor, police chief, and members of the local business community. The goal was to understand the different perspectives and interests involved in the issue.

2. Next, a series of public meetings were held to gather input from the general public. These meetings were designed to be inclusive and accessible, allowing anyone interested to voice their concerns or suggestions. The feedback from these meetings was used to shape the initial draft of the plan.

3. The third step involved conducting a thorough analysis of the data collected from the public meetings and interviews. This analysis helped to identify common themes and areas of concern, as well as potential solutions. The results of this analysis were then used to refine the draft plan.

4. Once the draft plan was refined, it was presented to the community for a final review. This was done through a series of public hearings and a final public meeting. The goal was to ensure that the community had a final say in the plan and that any remaining concerns were addressed.

5. Finally, the plan was adopted by the city council. This was a significant milestone, as it marked the official approval of the plan and the beginning of its implementation. The city council also committed to ongoing monitoring and evaluation of the plan's progress, ensuring that it remained effective and responsive to the community's needs.

[illegible]

MINUTES OF THE SELECTMEN'S MEETING
APRIL 12, 1999

Mrs. O'Leary stated this architect may not get the project. She also said the rest of the committee seemed to be satisfied with everything. Ms. O'Rourke said the committee recommended Mr. MacDougall talk to Dr. Bettencourt.

Frank Hillery felt Mr. MacDougall was being dishonest and lying. Mr. Johnson interrupted with a point of order and stated they were not there to discuss personalities. Mr. Hillery said Mr. MacDougall's remarks anger them and is a mockery and a shame to hear someone come to slash the plan in this way.

Ms. O'Rourke was asked what the vote was on the plan. She stated it was unanimous. Mrs. O'Leary confirmed they voted twice, and they had a quorum at their last meeting of five voting members out of nine.

Mr. Brodeur looked over the spreadsheets and noted the different years outlined. He commented they may never have to build anymore schools.

Mrs. O'Leary reiterated their biggest concern was the financial impact.

Maria Varrichione did not feel the mission of this committee was to see how the schools would be constructed or how they would be divided. She felt it was to figure out a plan.

Cheryl Harvey said part of their recommendation was for the Selectmen to appoint a building and site selection committee. Mr. Dziczek agreed they could collect names. Mr. Brodeur said they promised the School Committee a special town meeting to start the financial ball rolling.

Mrs. Rozanski stated the first thing would be to accept the recommendation and findings of the Committee. She added she thought they had gone to a meeting with the State already. Mrs. O'Leary said that was when the McGovern School was approvable. Dr. Bettencourt noted the school master plan was presented to the SBAB, but only the first phase. They were aware of the master plan, but only one step at a time, and one project at a time. Mr. Hartman said they were static values; the same cost throughout. Mrs. O'Rourke noted land acquisition is not reimbursable.

Mr. Johnson felt they had come a long way. His motion will be to accept the majority report and the minority opinion from the Committee. He will look at the plan, and review it and support it where he can, and speak out when he can't. He thanked the Committee for their work, and no matter what, they will have failed with one-half of the people, and succeeded with the other one-half of the people.

Mr. Brodeur asked Mr. Gildea what he thought of the figures? Mr. Gildea said they seemed about the average of what he expected.

Mrs. O'Leary stated it was very important that the plan be backed by the Board of Selectmen, the School Committee, and the School Building Committee. It has to be a Town project.

Mr. Dziczek seconded Mr. Johnson's motion. Mr. Johnson said he would also look at the minority opinion for his recommendation for another architect, the length in years of the plan, and the idea of starting over. Mrs. O'Leary felt it contained more opinions than recommendations.

Mrs. Harvey said that the minority opinion should not have been presented at a public meeting. It is one person's opinion. Mr. Hillery agreed with this noting there was never a dissenting remark

MINUTES OF THE SELECTMEN'S MEETING
APRIL 12, 1999

at any meeting on any record. Mrs. Rozanski asked Mr. MacDougall if he ever voted on the plan? Mr. MacDougall said, no. He got the vote in the mail. He went to all the meetings but two.

Mr. Johnson amended his motion to be to accept the majority report as written and the dissenting opinion as part of the record; Mr. Dziczek seconded; all aye.

Mr. Brodeur said now they would have to do up an article for a special town meeting. Mr. Dziczek again said they can announce that any interested citizens that want to be on the committee can contact the Office.

Mr. Barrasso again asked when would they set up a selection committee? For the McGovern School, \$750,000 had been speculated for design and evaluation of up to three parcels of land. It was noted if they establish a committee, their hands are tied if they can't evaluate the land.

Mr. Hartman noted the Board of Selectmen has to decide if they want the building committee or the Selectmen to select an architect.

Mrs. Rozanski suggested the following resolution: to begin searching for citizens and potential members for the committee. Mr. Hartman reminded them, it was their building committee. Mr. Brodeur also felt they needed two articles for the end of June special town meeting. Mr. Dziczek noted it was too late for the annual town meeting. Mr. Hartman suggested a third article for appropriation for design if they find the land. He said the site selection and design would first be for the high school. Mr. Dziczek seconded Mrs. Rozanski's resolution; all aye. It was recommended the school plan be an action item at the Selectmen's April 26th meeting.

9:50 p.m. – Committee Reports.

- Mrs. Rozanski said that Roger Bennett from Alder Street had some concerns and asked the Town Administrator to contact him. Mr. Hartman stated that signs were up, and other signs would be up when the project is done at the end of April. An illegal sign was put up, which said, "do not enter". Berms will also be built. Mr. Gildea also asked if there was any response for Karen Alves? Mr. Hartman was confused with her concerns, as the Board of Selectmen voted twice not to close the street, but he would contact her.
- Mr. Brodeur had asked for a copy of the commendation for the Board of Health employees which he received and shared.
- Mr. Johnson again asked for support from viewers for House Bill #3941 for getting funds back to the Town for open space and recreation and the hearing at the State House on April 14th.
- Mr. Brodeur acknowledged receipt of information from David Hoag relative to the master plan data quality.
- *Action Items.*
- The Board was asked to sign the Simplex agreement for the Library fire alarm system testing and inspection. Mr. Johnson asked why the Fire Chief did not test the alarm, and Mr. Dziczek felt it may have to be certified personnel. Mr. Johnson moved to accept and sign the agreement; Mrs. Rozanski seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 12, 1999

- Mr. Johnson moved the Board sign the annual town meeting warrant; Mr. Dziczek seconded; all aye. Mr. Hartman noted the Board had received his memo on the JCRB and the attachments of a portion of the personnel policies referring to its dissolution with the appeal responsibilities being assigned to the Selectmen. He said the entire policy would be forthcoming.
- Mr. Hartman asked the Board if they would like to reschedule the Hopkinton Planner, Elaine Lazarus for May 17th or sometime during the day? The Board preferred May 17th.
- Messrs. Gildea and Johnson would be attending the breakfast at the American Legion on April 16th.
- Mr. Hartman asked the Board to re-affirm the vote taken at the February 22nd Selectmen's meeting with reference to the Route 109 orders of taking. He explained they signed the plan on March 1st, and it was filed on March 25th, but the vote was on February 22nd. Since it is federal money, the orders had to be filed within 30 days of the vote; we were shy by three days. Mrs. Rozanski so re-affirmed that vote; Mr. Dziczek seconded; all aye.
- Mr. Brodeur had completed his evaluation of Mr. Hartman which he passed on to Mrs. Rozanski.
- Mr. Hartman noted that nomination papers had been received today from William Mauro, Mayor of Marlborough, seeking endorsement by the Board to the MPO. Mrs. Rozanski so moved; Mr. Gildea seconded; all aye.

10:07 p.m. – Mrs. Rozanski moved the Board adjourn to executive session for the purpose of potential litigation and negotiations for collective bargaining, not to return to public session; Mr. Gildea seconded; all aye. The vote: Mrs. Rozanski – yes; Mr. Gildea – yes; Mr. Dziczek – yes; Mr. Johnson – yes; Mr. Brodeur – yes.

Respectfully submitted,

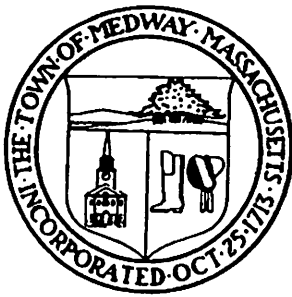
M. J. Fredette
Secretary

mj

APPROVED

4/24/99

cc: Art + Sedencourt
4/29/99



BOARD OF SELECTMEN

155 VILLAGE STREET
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AGENDA

BOARD OF SELECTMEN

MONDAY, APRIL 5, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - March 8, 1999 – regular meeting.
 3. Public comments.
- 7:15 p.m. - Time-Warner/Media One
 - Public Hearing for transfer of license to Media One.
- 7:45 p.m. - Walter Sampson, Council on Aging Vice-Chairman
 - Approval of sign permit for Senior Center
- 8:00 p.m. - Missy Dziczek, Council on Aging Director
 - Evaluation of Kathy Bullock.
- 8:15 p.m. - Norfolk County Commissioners
 - Proposed legislation of excise taxes back to the Town in an Open Space/Park & Recreation Fund.
- 8:30 p.m. - James Ferry of Blue Chip Advertising
 - Solicitors permit for Primavera Restaurant.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Granite Estates preliminary plan.
 7. Action items.
 - Sign liquor license for American Legion with State-approved change of manager.
 - Acknowledge receipt of revised site plan for 33 Alder Street.
 - Do Selectmen have any objection to Keno for Main Street Café.
 - Approve automatic amusement device license for Elm Social Club.
 - Discussion, approval and organization of annual town meeting articles.
 - Sign mutual aid agreement for Police Department.
 - Do Selectmen wish to support Brush Hill Transportation.
 8. For your information.
 - No Board of Selectmen's meeting on April 19th.

cc:cm
6/4/99

9. Communications and correspondence.
 - Willow Green/Pheasant Run neighborhood.
10. Future agenda items.
 - School Facilities Needs Identification and Evaluation Committee report.
11. Next meeting.
 - 7:00 p.m. – April 12th – Sanford Hall.
12. Executive session.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 5, 1999

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

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

- Mr. Dziczek moved approval of warrant #41 totaling \$324,911.28; Mrs. Rozanski seconded. Mr. Johnson noted the only bill that he pulled out was for \$10,980 for termite control. He could not understand if the school is made out of steel and brick, why this was needed. This did go out to bid, and only one bid was received. Mrs. Rozanski asked if there was a cause for termite control or was it a preventative measure? Mr. Johnson noted it was under the school building bills. Mr. Brodeur suggested holding the bill out. Mr. Johnson amended the motion to that effect; Mrs. Rozanski seconded; all aye.
- Mrs. Rozanski moved approval of the minutes of March 8th; Mr. Dziczek seconded; Mr. Gildea abstained; aye.
- Public Comments. – none.

7:15 p.m. – Mr. Dziczek read the ad for a public hearing with Time Warner and Media One. Since there was a stenographer present, Mr. Brodeur stated the Board needed to approve her being there. Mr. Dziczek moved to approve the presence of stenographer Susan DiFraia for this hearing; Mrs. Rozanski seconded; all aye.

Mr. Brodeur said there will be a presentation by the applicant first, then questions by the Board, then other Town boards, then the general public.

Frank Foss introduced himself as the Time Warner Government Relations Manager. He, in turn, introduced Kenneth Spiefal, attorney; Tim Murand, his counterpart with Media One, and Charlie Myers of the Cable Advisory Committee.

Mr. Foss stated Time Warner entered into an agreement with Media One as part of the 394 application. He felt Media One can step into Time Warner's shoes with compliance with the current license.

Mr. Murand stated Media One was the third largest cable provider, at one time being Continental Cable. Their video system is similar to Time Warner, providing internet service to the home and further telephone connections. With reference to ComCast, there is a 40-day period when someone else could bid; there were 30 days left. Right now, that situation did not apply. This public hearing was with Media One. If ComCast was involved, then the public hearing, etc. would have to be done all over again.

Mrs. Rozanski asked about Mr. Foss' position in this takeover? Mr. Murand felt he would still be with them. Mr. Foss stated he did not want to put Media One on the spot, but felt he had a good relationship with them. Mrs. Rozanski agreed Mr. Foss had a good relationship with the Town. Mr. Foss stated it was too early yet and no decision has been reached

Charlie Myers also expressed the good relationship in the negotiation process. He noted the recent meetings held, and that Mr. Foss would continue to be our coordinator though this year. They have created a checklist and asked for a progress report. They have been assured the process will continue in a beneficial manner for all. Mr. Murand agreed they will honor all obligations and the social contract with Time Warner or they would not have accepted the offer.

**MINUTES OF THE SELECTMEN'S MEETING
APRIL 5, 1999**

Insofar as offerings to the Town, Mr. Murand stated they wanted to offer new state of the art service since their commitment is to meet the needs of the Town.

Mr. Dzikczek asked if new schools are in their equation? Mr. Myers stated it was not in the plan originally, but as part of the social contract, it is there if something happens for schools. Mr. Foss agreed they did deal with that issue. As long as it is along the cable route, there could be drops to the schools; they did look to the future.

Mr. Johnson asked about Time Warner's laying of 97 miles of new fiberoptic cable. Mr. Murand said Media One will comply and be compatible. Mr. Foss stated this all started back in December of 1998. They did halt some of the work for design reasons, and now will pick up on it again on April 26th. Mr. Johnson asked that they let the Board of Assessors know what the capacity of the new cable is as of January 1st for tax assessment purposes.

Mr. Murand commented that Towns usually want to know: what the products are; when is this going to happen; and who is Media One. He hoped those questions had been answered and felt the Town will benefit from this process.

Mr. Foss explained Media One will take Time Warner's properties, exchange the assets and give them their franchises in Mass. Time Warner will, in turn, take other areas and territories. Again, all of this will still be to the benefit of Medway and the other communities.

Mrs. Rozanski said residents question why Cable is so expensive? Mr. Murand noted rates have gone up 5%. Mrs. Rozanski asked about the technical capacity? Mr. Murand stated with the broadband, not everyone will go out if one area goes out.

Steve Barrasso brought up the social contract. Mr. Foss stated with the FCC and Time Warner agreement, over five years, they have agreed to: upgrade to 550 mgz, and some to 750 mgz; provide to each school classroom wiring; when they can provide on-line service, will do so with a modem. The contract expires December 31, 2000. Mr. Foss stated there will be two outlets in each school for the term of the license, which will occur after the upgrade of the system.

Mr. Barrasso asked why wouldn't Media One want to donate some extras to the Town? Mr. Murand stated they are stepping into Time Warner's shoes, and there is still only one provider to the Town.

Mr. Myers said they are not allowed to negotiate extra add-ons. They want to make sure the same level of service is provided. Media One is bringing stronger internet activities and more telecommunications options. He suggested they close the public hearing and leave the record open so residents can send comments.

Mr. Brodeur noted the drop-dead date was June 21st.

Mr. Johnson asked about high-speed modems and on-line service charges? Mr. Foss stated the first is no charge at each school; service after that is at cost. Mr. Murand stated, in reference to library connections, there is a free cable modem grant program offered. Mr. Foss added that they have negotiated a certain number of broadband channels. They are required to provide cable-casting with an affidavit to that effect signed.

Mrs. Rozanski gave out their website address, with Mr. Murand noting they can also be e-mailed. She also stated any written comments sent to the Board will be a part of this public hearing.

insistence on staying in the Town. Mr. Almond stated they wanted to stay in the town service since their commitment is to meet the needs of the Town.

Mr. Almond asked if any schools are in their opinion. Mr. Almond stated it was not in the plan originally, but as part of the school system it is there. It is a possibility for schools. Mr. Almond stated they did not want to stay. As long as it is along the cable route, they would be happy to stay at the school, they did not look to the future.

Mr. Almond stated about 1 mile W. of the cable line, there is a 100 foot wide strip of land. This strip of land is owned by the Town. It is a possibility for schools. Mr. Almond stated they did not want to stay. As long as it is along the cable route, they would be happy to stay at the school, they did not look to the future.

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**MINUTES OF THE SELECTMEN'S MEETING
APRIL 5, 1999**

Mr. Dziczek moved to close the hearing and keep the record open until April 26th at 10:00 p.m. to receive comments; Mrs. Rozanski seconded; all aye.

8:00 p.m. – Walter Sampson, Vice-Chairman of the Council on Aging came to meet with the Board to discuss a sign permit for the Senior Center. He stated they were requesting to place a sign on the property that was 16 square feet, 4 feet x 4 feet, which is larger than zoning by-laws allow, which is a maximum of 6 square feet. Mr. Sampson said the sign would be placed 12 feet off of Oakland Street which can be seen from the road, but wouldn't block any views.

Mr. Johnson asked why they couldn't go with a sign that was the size required by law? Mr. Sampson said they wanted something that was visible to all, especially the seniors, and good-looking. Mr. Johnson said he wanted to see some consistency with the Board; everyone is looking for larger signs. Mr. Gildea suggested the sign be 3 feet x 3 feet. Mr. Brodeur recommended 4 feet wide x 2-1/2 feet high, subject to the approval of the Safety Officer. Mr. Johnson so moved; Mrs. Rozanski seconded; all aye.

8:05 p.m. – Missy Dziczek, Council on Aging Director, came to speak to the Board concerning the evaluation of Kathy Bullock, Arts & Crafts for COA. Mrs. Dziczek had scored Mrs. Bullock with 52 points feeling she was an excellent employee who goes above and beyond. Mrs. Rozanski asked about attendance at any training programs? Mrs. Dziczek said Mrs. Bullock is always looking for new ideas by going to craft stores and researching magazines. Mrs. Rozanski asked about safety programs? Mrs. Dziczek said that many will try to attend a CPR course.

Mrs. Rozanski moved to approve and recommend a merit increase for Kathy Bullock; Mr. Gildea seconded; all aye.

8:10 p.m. – Jim Ferry of Blue Chip Advertising was next on the agenda with reference to requesting a solicitor's permit for a promotion involving the Primavera Restaurant. Mr. Ferry stated his company does a number of promotions for a variety of groups. Last time he met with this Board was for a promotion for Massive Video/Honeydew Donuts. They adhered to daylight hours and just asked residents if they would be interested in their promotion.

Mr. Dziczek suggested placing hours for this promotion the same as last time. Mr. Ferry said they did not need a long lead time, probably two weeks, but would take the month's permit.

Mr. Johnson moved to grant a solicitor's permit from April 6th to May 6th to Blue Chip Advertising for the Primavera Restaurant with the same hours granted as in the previous permit; Mrs. Rozanski seconded; all aye.

8:15 p.m. – Bill O'Donnell, Chairman of the Norfolk County Commissioners, came to meet with the Board to request their support on the proposed legislation of excise taxes back to the Town in an Open Space/Park Recreation Fund. He noted it was House Bill #3941, and the monies collected at the Registry of Deeds would be turned back to the communities and allow them to have a revenue stream. Mr. O'Donnell stated they were trying to focus this bill on Norfolk County.

Mr. Johnson noted Senator Magnani was in favor of this bill and was soliciting for its support. He further explained this could generate \$8 million for the entire county, with \$88,000 coming back to Medway. Residents on our Town committees should try and attend the next meeting on April 14th at the State House and show their support. Mrs. Rozanski also added her support by suggesting residents contact the different legislators to ask them to support this bill.

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APRIL 5, 1999

Mr. Dziczek noted the Towns can place any funds they receive in a pool to utilize when the funds are needed, at the same time generating more interest. He suggested the Board repeat this message at next week's Selectmen's meeting.

8:30 p.m. - Committee Reports.

- Mr. Dziczek noted attending the FinCom meeting on Saturday where preliminary figures were given out. Approximately \$1,050,000 in cuts have to be made. Some options towards those cuts include closing Choate Park which would save \$40,000 and no repaving for the whole year. The bottom line does not include any negotiated contract salary increases. He recommended residents become informed. Find out what override means. He wasn't trying to throw out scare tactics, but to ask that people be aware and informed. With capital items, he thought they were leaning towards none, except subsequent lease year payments that have to be made. Mr. Dziczek said the next meeting was on April 7th at 7:00 p.m. at the Senior Center. On Tuesday, April 6th, the FinCom was meeting with the School Committee.

Mr. Hartman told the Board that, at this time, there would not be much of a street paving program or a sidewalk program; funds were cut by 2/3. Their paving program was a combination of both Ch. 90 monies and the Town's monies. Reconstruction would have been Ch. 90 monies and local dollars. On Saturday, the FinCom only approved \$50,000 which would only take care of filling potholes. Most programs were level-funded. Mr. Johnson asked where all the Ch. 90 monies were? Mr. Hartman stated that the Board committed those funds to the Summer Street reconstruction project, which was \$150,000. He stated there may be some leftover funds with Ch. 90 to do some paving, but no Town funds. The amount the Board had approved was \$220,000. So, in other words Mr. Johnson said, that figure had been cut by \$170,000? Mr. Hartman stated the Board's five-year plan is now likely to be a ten-year plan. The Board had also discussed using some Ch. 90 monies for Main Street. If they use some of the money for that, then they need to re-evaluate their priorities since only 50% of funding would be available instead of what they expected.

Mr. Johnson said maybe they should be talking override. Mr. Hartman agreed they had a problem. They were facing a period of time where Towns may have to consider that option. Mr. Johnson asked where schools were cut? Mr. Barrasso said they were \$250,000 under level-services. Mr. Hartman said the Town was still looking at a hole of \$350,000. Mr. Barrasso noted they would be working with FinCom. Mr. Hartman noted Ch. 70 monies went up only \$400,000; it was not a pretty picture.

Mr. Dziczek said they could go into annual town meeting with what the Board agreed to, or the Selectmen can amend the budget. Mr. Hartman noted stipends were eliminated. He also stated that General Government's increase was 5.5% over the current level; 19% had been requested. Mr. Johnson commented that 80% of the insurance line item in General Government belonged to school; Mr. Hartman noted, to be exact, 74.75%.

Mrs. Rozanski believed overall growth was 4% or \$310,310. Mr. Hartman said that was down 50% from last year, with a 3.1% increase on revenues. Mrs. Rozanski stated if they increase only 2-1/2%, everyone has to do it too; you can't break even on General Government.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 5, 1999

Mr. Brodeur said if they have to curtail on paving, they should try and do the sidewalks, then paving if there is leftover money. Mrs. Rozanski noted they could bond or borrow the money. Mr. Hartman stated he has already asked DPS Director, Lee Henry, for a contingency plan. They will make do with whatever is appropriated, but the Council on Aging and the DPS were cut the most on Saturday. There is not a lot on the municipal side to cut.

- *Administrator's Report.*
- Mr. Hartman said all Board members have received a copy he sent to the Attorney concerning the Planning Board's appeal and his appointment as special counsel. He has not received anything back from him yet. Mrs. Rozanski asked if he needed to be sworn in? Town Counsel has told Mr. Hartman it's not necessary.
- Mr. Hartman brought up the meeting with the Town Accountant that the Board was to have. He stated she has requested a late afternoon or Saturday morning meeting. It was agreed to set up Friday at 2 p.m.
- Mr. Hartman asked the Board's pleasure on the Willow Green residents that want to meet with the Board. Monday, April 12th at 6:45 p.m. was agreed to. Mr. Johnson suggested the Planning Board be advised of that date if they wish to attend, but to also note, it was still in pending litigation.
- With reference to the Brandywine development, Mr. Hartman said that he understands Town Counsel has reached an agreement so the Town could access the bond to finish the development.
- Mr. Hartman noted the Water/Sewer Commissioner's response to the Board's question on the tank draining.
- The Board noted the preliminary plan on Granite Estates, but had no additional comments.
- With reference to a letter from the Board of Health complimenting their employees, Mr. Brodeur asked that they see a copy of the attachment as well for next week.
- *Action Items.*
 1. The Board signed the license for the American Legion with the new manager, Carol Munroe.
 2. The Board acknowledged receipt of a revised site plan for 33 Alder Street received in the Office on March 26th.
 3. The Board did not have any objection to a Keno license for Main Street Café, so no further action is required on their part with the Mass. State Lottery Commission, and they are not claiming its right for a hearing.
 4. The Elm Club has requested a license for an automatic amusement device. Mrs. Rozanski moved to approve the license; Mr. Gildea seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 5, 1999

5. Mr. Dziczek suggested discussion of annual town meeting articles be held over until after the rest of the action items were handled.
6. Mr. Dziczek moved the Board sign the mutual aid agreement with the County of Norfolk Sheriff's Department for detention of arrestees or pre-trial detainees at the Norfolk County Correctional Center; Mrs. Rozanski seconded; all aye.
7. The Board had received a letter from Brush Hill Transportation seeking the Board's support for continuance of service through Medway. Mr. Dziczek so moved to support Brush Hill; Mrs. Rozanski seconded; all aye.
- Mr. Hartman noted the School Facilities Needs Identification & Evaluation Committee was planning to meet with the Selectmen on April 12th pending the results with their meeting with the School Committee on April 7th. He noted there was a proposed modification to the plan, and they would be submitting a draft report to them. Mr. Johnson felt the Treasurer should be present when they met with the Selectmen. Mr. Hartman informed Mr. Johnson that the Treasurer had met with the Committee three times. He also stated they may be looking at a future special town meeting.
5. The Board went back to action item #5 which was a discussion of the proposed annual town meeting articles. Mr. Hartman noted he would have the section of personnel policies having to do with the elimination of the JCRB in their packet on Friday.
- With reference to the Town Administrator's evaluation, Mr. Brodeur said he had asked Mr. Hartman to forward a copy of a format to him, which he did and which he thought was good. Now he asked that Mr. Hartman send a copy of that format to the rest of the Board so they can start the evaluation process next week. Mr. Hartman reminded Board members that the evaluation format requires his approval as well.

Mr. Dziczek noted he would be away on vacation during the weeks of April 19th and 23rd. Mr. Brodeur noted he would be away on vacation during those same weeks as well. Mr. Hartman stated he would like Mr. Brodeur to be a part of his evaluation even if it meant calling a special meeting after he returned on April 27th, since Mr. Brodeur was part of the Board that hired him, and since Mr. Brodeur did not feel it was necessary to have a meeting on election night, May 3rd, Mr. Brodeur's last official night as Selectman.

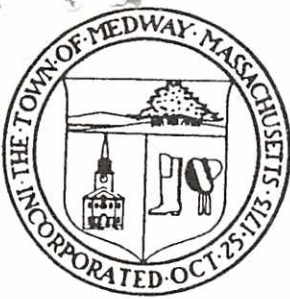
10:10 p.m. – Mrs. Rozanski moved the Board adjourn to executive session for the purpose of discussion of negotiations as it pertains to collective bargaining and pending litigation, not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mrs. Rozanski – yes; Mr. Gildea – yes; Mr. Dziczek – yes; Mr. Johnson – yes; Mr. Brodeur – yes.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
4/26/99
C. Art Bettecourt
4/28/99



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

AGENDA

BOARD OF SELECTMEN

MONDAY, MARCH 22, 1999

LOCATION: ROOM 111 OF MEDWAY HIGH SCHOOL

- 6:00 p.m. - Open meeting.
1. Approve and sign warrants.
- 6:05 p.m. - Marjorie Sanford
- Signing of note.
- 6:10 p.m. - Adjourn to Executive Session with Planning Board.
- Back to Public Session
2. Action items.
- Sign contract with Mass. Pavement Reclamation Inc. for tennis courts.
3. Future agenda items.
- Time Warner public hearing.
- Norfolk County Commissioners
- Review of draft articles for Annual Town Meeting warrant.
4. Next meeting.
- 7:00 p.m. – April 5th – Sanford Hall.
- 7:00 p.m. - Adjourn to auditorium for Special Town Meeting.

*cc:cm
6/4/99*

MINUTES OF THE SELECTMEN'S MEETING
MARCH 29, 1999

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

6:12 p.m. – Mr. Brodeur opened the meeting in Room 111 of Medway High School.

- Mr. Johnson moved approval of warrant #40 totalling \$802,148.27; Mr. Dziczek seconded; all aye.
- Action Items.
- Mr. Hartman noted the contract with Mass. Pavement Reclamation, Inc. for the tennis courts needed to be signed by the Board. Mrs. Rozanski so moved; Mr. Gildea seconded; all aye.
- Treasurer/Collector Marge Sanford was present to ask the Board to sign one note for \$672,500 at an interest rate of 3.37% for sewer engineering, school and computers already authorized at previous town meetings. Mr. Dziczek moved to approve and sign the note; Mrs. Rozanski seconded; all aye. Town Clerk Maryjane White was present for certification.

6:25 p.m. – Members of the Planning Board were present to meet with the Selectmen. Mr. Johnson moved to adjourn to executive session for potential litigation, to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Johnson – yes; Mrs. Rozanski – yes; Mr. Dziczek – yes; Mr. Gildea – yes; Mr. Brodeur – yes.

7:05 p.m. – The Board came back to public session.

- Mr. Dziczek moved to approve \$5,000 to invest in an attorney to determine if the case against the ZBA is winnable; Mr. Gildea seconded; Mrs. Rozanski and Mr. Johnson opposed; Mr. Brodeur in favor; motion carries 3-2.

Mrs. Rozanski noted if there were not sufficient funds available, an emergency transfer might be needed.

7:10 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED
4/26/99
cc: Art & Jennifer
4/29/99

Witness: James (Jack) or Richard (Dick) Johnson, the father of the child, and the mother, Richard Johnson.

At 1:00 p.m. on 10/10/2014, the following information was received from the father of the child:

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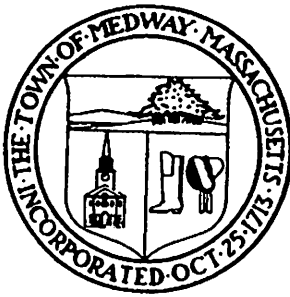
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RECEIVED
10/10/2014

At 1:00 p.m. on 10/10/2014, the following information was received from the father of the child:

At 1:00 p.m. on 10/10/2014, the following information was received from the father of the child:



BOARD OF SELECTMEN

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

AGENDA

BOARD OF SELECTMEN

MONDAY, MARCH 22, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - February 22, 1999 – regular meeting.
 - March 1, 1999 – regular meeting.
 3. Public comments.
- 7:05 p.m. - Master Plan Committee
- Discussion of drafted Master Plan.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Budgets/stipends.
 7. Action items.
 - Discussion and approval of proposed amended Selectmen's budget.
 - Sign contract with Cosmos for Idylbrook fields.
 - Sign Library's agreement for maintenance of heating and cooling equipment.
 - Sign Fire Department's maintenance agreement for generators.
 - Sign Water Department's Lovering Street tank rehab contract.
 8. For your information.
 - MMA legislation bulletin.
 - ConCom's appeal process.
 9. Communications and correspondence.
 - Memorandum from John Cahill, Hearing Officer relating to Sithe's petition.
 - Receipt of annual license fee payment from Time Warner.
 10. Future agenda items
 - Review of draft articles for Annual Town Meeting warrant.
 11. Next meeting.
 - 6:00 p.m. - March 29th - Room 111 of High School; then at 7:00 p.m. to High School Auditorium for Special Town Meeting.
 12. Executive Session.

cc:cm
6/4/99

MINUTES OF THE SELECTMEN'S MEETING
MARCH 22, 1999

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

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

- Mrs. Rozanski moved approval of the minutes of February 22nd; Mr. Dziczek seconded; all aye.
- Mrs. Rozanski moved approval of the minutes of March 1st; Mr. Dziczek seconded; Mr. Gildea abstained; aye.
- Members of the Master Plan Committee came to meet with the Board to go over the draft of their proposed master plan. David Kaeli, Chairman, spoke on behalf of the Committee noting they had met twice each month, and will be distributing a draft to all residents of the Town before their call-in show on Cable on April 13th. Their plan is also based on a survey that 62% of the households responded to. Their intent is to present the plan at the annual town meeting. He introduced members of the Committee who were present.

Mr. Brodeur noted that this has cost the Town nothing so far, other than the cost of distribution of the draft plan. Mr. Johnson did not feel some of the data that appears in the report was correct. Mr. Wieler stated there was much more data beyond what was being presented. Mr. Johnson did not feel this was the time or the place to discuss it further; therefore, Mr. Brodeur suggested Mr. Johnson get together with members of the Committee to go over the information. Mr. Kaeli noted that they were using 1997 data, to which Mr. Johnson commented he had more current data available. Again, Mr. Kaeli stated this was a draft, and they were looking for input. They tried to keep in mind the residents that wanted open space, but not to have an increase in taxes, and to show where their taxes were going. They also indicated where potential grants might be.

7:25 p.m. – Mr. Dziczek moved approval of warrant #39 totalling \$449,284.72; Mr. Johnson seconded; all aye.

- *Public Comments.*
- Jim Wickis, a West Street resident, was concerned about the possibility of making Beech Street one-way. He asked the Board to reconsider this since: 1) Hopping Brook runs under Beech Street; 2) he did not understand the reasoning about this decision; and 3) from West Street, folks have a hard time making a left turn off of Beech Street to Route 126. Mr. Brodeur agreed the intersection of West and 126 was not a good one; however, their engineers have suggested a review of this area and the possibility of making Beech one-way. He further stated, for 25 years, the Town has been trying to eliminate diagonal intersections, attempting to make them all 90 degree angled which is much safer. This was a test situation, and they are attempting to create a better situation by talking to Bellingham. Again, Mr. Wickis said his main concern was the left turn onto 126. Mr. Brodeur stated this would not be implemented yet without further review. Mr. Hartman said he would not contact Bellingham until he had heard from Medway's Police Department.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 22, 1999

7:30 p.m. – Committee Reports.

- Mrs. Rozanski reported attending several meetings, one of which included build-out along Route 495. She asked that the study include Medway along with five other towns.
- Mrs. Rozanski noted the report from the Siting Board indicating one Selectman was turned down, but the Board as a whole was accepted as an intervenor.
- Mr. Johnson said he had attended the School Committee meeting on Thursday, at which time, two things were ironed out: they will draw up an article asking the Town to make an area handicapped-accessible for voting, with excess costs to be borne by the Selectmen; also that they can go ahead and fix the front entrance with the monies received but still has to go to town meeting since it is over \$25,000.
- Mr. Johnson noted there was a Norfolk County Advisory meeting the next day.
- Mr. Johnson also asked the Treasurer if the School's budget would put them over 2 and one-half. She did not feel it would at this time, however, some shrinkage will have to occur. The Board had received a summary of Ch. 70 monies for the School from the Town Accountant today, a copy of which will be provided to the School Department.
- Mr. Dzikczek noted the FinCom was meeting on Wednesday with the School Department. Mr. Barrasso added there would be a public hearing on the budget on April 7th.
- Mr. Brodeur stated that the ZBA had voted and the Board had a copy of the proposed draft of their decision, which had not been signed or filed yet. Basically, it was to approve 52 condo units with conditions.

7:45 p.m. – Administrator's Report.

- Mr. Hartman said the Board had asked him to proceed with the process of establishing stipends. He needed to inform them that, under 32B, those individuals would be eligible for group health insurance at whatever the going rate is, according to both Counsels. Mr. Johnson asked when that became law, because back in 1991, they were not eligible at that time?

Mr. Hartman was unsure of the date, but said it was State law. He said they can go the way of home rule petition and present it to the legislature as a regular appointment, not eligible for insurance. Seekonk was successful in doing that. He stated they voted it in at town meeting for special legislation, their representative followed through, and now they have a stipend program but no medical coverage. The Board could approve stipends contingent upon approval by the legislature. At the same time, Mr. Hartman called their attention to other towns that dropped stipends so they didn't have to give medical coverage.

Mrs. Rozanski asked if Town Counsel had given a recommendation? Mr. Hartman stated Town Counsel had recommended no stipends at all, and if they go with stipends, to go with the home rule petition. Mr. Johnson requested a copy of the law on the medical coverage eligibility. Mrs. Rozanski moved to place an article on the warrant dis-allowing elected officials from health insurance; Mr. Dzikczek seconded; Mr. Johnson amended the motion to place the article if needed; all aye.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 22, 1999

- Mr. Hartman said he had received contact from two departments with elected boards in which there is a staff person due for an evaluation – Board of Assessors and Water/Sewer. The Boards would like to provide input on those people. Mr. Brodeur did not have a problem with this as it had been done in the past. Mr. Johnson agreed those respective boards knew those people. Mr. Hartman said he would pursue that input for Mark Flaherty and Paul Keefe.
- Mr. Hartman stated there was a matter of unfinished business relative to the Town Accountant. The Board had expressed the desire to have the Town Administrator provide Daily supervision of the Town Accountant. He said the Board needs to let her know now if they want her under him. He indicated they have the authority to defer her to him, but he needed to know and Arti needed to know what the Board's intentions were.

Mr. Johnson asked if there was anything that would prevent them from doing it? Mr. Hartman said, no. Mrs. Rozanski noted the Board still makes the appointment, and if there was a conflict, she could appeal to the Board. Again, Mr. Hartman said he knew of nothing in Mass. General Laws to preclude it. Mr. Brodeur asked if there should be a discussion with the Board and Arti?

Mr. Johnson moved to place the daily supervision of the Town Accountant under the Town Administrator; Mr. Dziczek seconded. A question was raised about the computers. Mr. Hartman clarified as Computer Systems Manager, she was under his supervision. She still handled the day-to-day activities with the computer systems, but he was still the manager. Mrs. Rozanski moved to amend the previous motion by tabling the issue until the Board has had a chance to speak to Arti; Mr. Gildea seconded; all aye. The Board suggested 6:45 p.m. on April 5th.

- *Action Items.*
- The Board discussed the proposed amended Selectmen's budget. Mr. Hartman explained when he met with FinCom, they suggested a joint proposal with the Treasurer. She chose not to, so \$11,000 additional in the budget was for a floater for 20 hours. Mr. Dziczek asked if it could be two people? Mr. Hartman said his recommendation was that it should be one person who is benefit eligible, as he would really like to see one full-time person. If they share one employee, they have agreed the advertising for the position comes through him, and he can negotiate certain skills that they want in that person, at least someone with clerical skills. He would be working on a job description. Mrs. Rozanski moved to amend the Selectmen's budget to: salaries of \$116,335; consultant of \$7,500; merit increases of \$15,600; expenses of \$23,000 for a total of \$162,455; Mr. Dziczek seconded; all aye.
- Mr. Hartman brought up the contract with Cosmos for the Idylbrook fields. He stated he had met with the Park Commissioners and they had reviewed the problems with the Idylbrook specs. The Commissioners would like to have the fields on line by 2001. The cost is not to exceed \$9,300, and the contract is the State's basic design contract. Mr. Hartman said they only have to negotiate the schedule. They would like to go to bid by the end of April, with construction starting by May 15th and ended by June 30th. He felt the design work by Cosmos would take 4-5 days.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 22, 1999

Mrs. Rozanski moved to approve the contract for design services with Cosmos not to exceed \$9,300 as amended, and authorize the Chairman to sign; Mr. Johnson seconded; all aye. Mr. Hartman said he would issue the notice to proceed in the morning.

- Mr. Hartman presented the Library's agreement for maintenance of heating and cooling equipment to the Board. In the past, it had been signed by the Department Head, but Town Counsel has said technically, they are contracts and have to be signed by the Board. Mr. Hartman stated the Library does not have the ability to commit the Town. The School Committee and Board of Library Trustees can commit themselves, but not the Town, and when the reference is to the owner, the Board of Selectmen is the owner.

Mrs. Rozanski moved to approve the equipment agreement for the Library as recommended by the Library Trustees for \$2,464 with Keyes North Atlantic, and authorize the Chairman to sign; Mr. Dzikzek seconded; all aye.

- The Board next reviewed the Fire Department's generator agreement for \$275 for the year with Emergency Generator, Inc. Again, Mr. Hartman said, typically the Chief used to sign preventative maintenance agreements.

Mrs. Rozanski moved to approve the agreement between Emergency Generator and the Town of Medway for \$275, and authorize the Chairman to sign; Mr. Johnson seconded; all aye.

- The Board signed the contract for the Lovering Street tank rehab for the Water Department, previously voted on last week.

Mr. Johnson asked if a memo had been sent to the Water/Sewer Commissioners concerning the draining of the tank? Mr. Hartman said they are preparing a written response, but it was not cost effective to sell the water.

- Mrs. Rozanski noted the MMA legislative bulletin where it is stated that the Senate is trying to increase Ch. 70 monies, and was glad they were taking a stand.
- The Board briefly discussed the prevailing wage rate for snow plowing that was being State-mandated. However, because it was such short notice, they withdrew the order for now. Mr. Hartman noted that out of the 19 private contractors they had for snow plowing, only 4 would have qualified.
- The Board noted the letter from John Cahill, the Sithe hearing officer, noting the Board had been accepted as intervenor, along with Rep. Gardner and Boston Edison, but not the Concerned Citizens of Bellingham, or a Granite Street resident although both were accepted as interested persons.

Mr. Johnson suggested putting Sithe on the agenda soon. As a host town, they should prepare something, even if it was informal. Mr. Brodeur asked about a consultant? Mr. Hartman noted that, 99 out of 100 times, you ask the company to pay for one chosen by the Town, although some limitation of funds may be placed. Mrs. Rozanski suggested the Town Administrator contact Sithe and advise them the Town wants a consultant. She noted being an intervenor has nothing to do with the public hearings.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 22, 1999

- Mr. Johnson asked Board members to look over the copy of the agreement between American National Power and Bellingham. Mr. Hartman agreed it provided a good framework.
- Mr. Brodeur noted the Time Warner annual license fee of 50 cents per subscriber back to the Town for a total of \$1642.50. Mr. Hartman commented he heard Media One was being purchased by Comcast. Mr. Johnson asked if there was anything in the Time Warner Cable bill that told the subscriber the Town receives something? He didn't think there was anything in the bill, but possibly in the local franchise agreement.

On the subject of Cable, Mr. Johnson asked if the concerns of Medway Cable Access have been worked out? Mr. Hartman said he has met with them, and he believed they now understand that the way the Treasurer wanted to invest the funds was probably the best way.

- Mr. Brodeur reminded residents of the special town meeting on March 29th and went over the articles.

9:00 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED

4/26/99

cc: Act Bellingham
4/29/99

MINUTES OF SUMMER STREET RECONSTRUCTION INFORMATIONAL SESSION
MARCH 13, 1999

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Joe Dzikczek, Town Administrator Michael Hartman. From VHB: John Bechard, Mark Laurel, Brian Dunn. A list is attached of all present.

9:15 a.m. – Mr. Brodeur called the informal session in Sanford Hall of Town Hall.

Mr. Bechard explained Mass. Highway will be holding public hearings when they have agreed on the plan as presented to them by VHB. He noted the project covers approximately 3.3 miles from the Bellingham line to Holliston. He stated plans included: four-foot wide shoulders with a bike path and a sidewalk on the westerly side. A traffic count done indicated about 8,000 cars per day traveled on this road, with the intersection at Route 109 drawing about 15,000 cars per day. He said they were investigating a five-foot buffer between the roadway and the sidewalk. Right now, there was no major impact on wetlands and trees, but DEP, ConCom and MEPA are all involved in the process. Without a buffer, approximately 59 trees would have to be taken down within an area of impact of 2,000 sq. ft.

Mr. Brodeur noted there was a 60-foot taking, with the average road width being from 24 to 32 feet. He asked if they would be able to meander the sidewalk to avoid taking down extra trees? Mr. Dunn said, in some areas, it might be possible, but it was usually not best to meander. Mr. Bechard added it would also make it more difficult for drainage and maintenance, but they would look at it. Mrs. Rozanski asked about replanting of trees, and Mr. Bechard said they are usually replaced at a 2:1 ratio. He again said they would look at the situation, and try and put in a grass strip if possible. He stated with a road width of 33 feet, it would include two bike lanes and two shoulders.

Mr. Johnson asked if they had done an evaluation of the trees to be removed? Mr. Dunn said that had not been done yet. Mr. Johnson stated he was not concerned just for the esthetic value, but for safety in bad weather, especially for walkers. Mr. Bechard said he did not want to exceed the threshold allowed, and if they presented a plan for five-feet, then MEPA and DEP would want to know how it would impact the wetlands, and also State requirements have to be met. Mrs. Rozanski agreed with Mr. Johnson in that they need something livable. She also brought up trying to cross Summer Street from one side to the other. This prompted a resident to ask about two sidewalks. Mr. Bechard indicated he wasn't saying it couldn't be done, but they also have to stay in budget. It could be looked at in heavy areas such as near Route 109 where there are many houses, but in isolated areas, one sidewalk should be enough. Mr. Johnson asked what was the standard, and aren't we waiving one sidewalk? Mr. Bechard stated it is a County road, and therefore, there is no standard. It is not a standard of Mass. Highway. With reference to the bike path, it is four-feet by law if part of a roadway and as part of the shoulder.

Mr. Brodeur commented that residents may want to decide which is more important to them – a tree or a sidewalk. He asked where the trees would be replanted? Mr. Bechard said usually on the line or close to the line. He added that they try and use their engineering expertise to try and get into the plan what Mass. Highway would accept.

Lee Henry, DPS Director, who was present, noted that \$1.7 million was available in federal and state funds for construction projects, and therefore, projects have to go per Mass. Highway. This is a Town road, not a State road, so they need Mass. Highway's continuing approval.

A resident asked if sewer lines were going in? Mr. Brodeur said there were no sewer line projects on tap as far as he knew, and no money appropriated for them.

MINUTES OF SUMMER STREET RECONSTRUCTION INFORMATIONAL SESSION
MARCH 13, 1999

Another resident asked when construction would start? Mr. Bechard said they were hoping for the summer of 2000. He felt they would submit the plan to the State in about a month, then more engineering, and then out to bid in the summer of 2000. There are always fiscal constraints, and it could get pushed back.

Mr. Johnson stated people don't think we use common sense when we put in a road, and then tear it up again to put in sewer. He asked Mr. Henry if he knew why there was no sewer going in, and did it make sense that the possibility existed it could be torn up again? He felt the whole system was gravity-fed. Mr. Henry thought this discussion should be more with the Water/Sewer Commissioners as it would be part of their plan. Mrs. Rozanski agreed since it would then involve public money, where this is State money. Mr. Johnson felt the whole thing should be coordinated anyway.

Mr. Brodeur suggested notifying the Water/Sewer Board and the Board of Health of what the Town is planning to do, and to ask them if they were going to be doing anything that the Board should know about first before construction begins.

Mr. Henry added the State and Town have by-laws and regulations which stipulate that a road cannot be opened up for five years after it has been constructed. He said all utility companies have already been advised of what the Town is planning to do, with the only exception being an emergency. This pertains to any upgrades and water/sewer. To try and anticipate what the future holds might cost the Town more money. Two years ago, the cost was \$1.4 million; the cost may have increased, but the dollars set aside hasn't.

Michael Del Genio, a resident in the audience, said he was at the highest point in his area, and felt water/sewer could go in either direction from his home, and suggested getting the pipes in place now.

Another resident asked if there were any drainage improvements planned? Mr. Bechard said they were putting in a complete new system. The water will then stay on the roadway, with catch basins and drop-in basins. They cannot direct any discharge into wetlands, but it may impact some properties with swails, etc. Insofar as detention basins were concerned, they would try and put them, if any, into the right-of-ways, trying not to impact just one area.

Mr. Bechard noted there would be new traffic lights at the intersection with Route 109 from both approaches with a possible land taking at the corner. He also suggested looking at the intersection with West Street as a separate stand-alone project. He felt it was really a major re-alignment, and would have to be a separate funding request to the State. Mr. Bechard stated he had some analyses done, but would recommend this project for a few years down the road. Because of this suggestion, he thought it would be best to stop this Summer Street project before the intersection with West Street so they were not doing something twice.

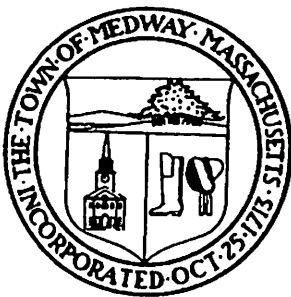
Another resident in the audience felt they should make West Street one-way because of all the accidents that occur there, but then it would throw more traffic into Bellingham. Mr. Johnson agreed they should look into it. Mr. Brodeur asked that this suggestion be placed on Monday night's agenda for further discussion.

10:30 a.m. – The informal session was adjourned.

Respectfully submitted,
M. J. Fredette, Secretary

Rte. 126 Reconstruction
Public Informational Meeting
March 13, 1999

<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
JOHN BECHARD	VHB ENGINEERS	617 924-1770
MARK LOURO	" "	" " "
BRIAN DUAN	" "	" " "
LEE E. HENRY	Director, DPS	(608) 533-8275
JOANNE BOCCANOWSKI	50 Summer St	533-8625
LEE OSTASZEWSKI	64 Summer St.	533-5286
Robert Desmarais	269 Main St	533-7031
Mike Del Genio	56 Sumner	533-6318
JOHN W. COOPER	26 Summer St	533-8034
Peter J. Connolly	21 Summer St	533-7358
Selection		
Town Administrator		
Secretary		



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

AGENDA

BOARD OF SELECTMEN

MONDAY, MARCH 15, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. - Open meeting.
1. Approve and sign warrants.
 2. Approval of minutes.
 - February 8, 1999 – regular meeting.
 3. Public comments.
- 7:15 p.m. - Park Commissioners.
- Approve and sign Memorandum of Understanding.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Meeting with Norfolk County Commissioners relative to a legislative proposal to divert existing state's deeds excise into a Medway open space, park & recreation fund.
 7. Action items.
 - Approval of a one-day entertainment license for Sabina Doyle's.
 8. For your information.
 - Special Town Meeting – March 29, 1999, High School Auditorium, 7:00 p.m.
 - SWAP legislation breakfast – April 16, 1999, Medway Senior Center, 7:30-9:00 a.m.
 - Medway Pride Day – May 22, 1999, 10:00 a.m.-4:00 p.m., High School's Charland Field.
 9. Communications and correspondence.
 - Walker Street Bridge passes State inspection.
 - Mass. Highways's letter relative to the Route 109/Holliston Street intersection reconstruction progressing to next step.
 - Time Warner upgrading cable lines with fiber optic cable in Medway beginning the second week in April.
 - Michael Hartman completed seminars on design and construction contracting, and public contracting overview, and received State certification.
 10. Future agenda items.

cc: cm6/4/99

- 8:30 p.m. approx. - Executive session with Special Counsel.
- 9:00 p.m. approx. - Executive session with Zoning Board.
- 9:30 p.m. approx. - Executive session with Planning Board.
- Executive session relative to a pending litigation.

Note: Selectman Dziczek will not be in attendance this evening.

**MINUTES OF THE SELECTMEN'S MEETING
MARCH 15, 1999**

Present: James Brodeur, Raphaela Rozanski, Harry Johnson, Town Administrator Michael Hartman. Selectmen Richard Gildea and Joe Dzikczek were not in attendance.

7:05 p.m. – Mr. Brodeur opened the meeting in Sanford Hall of Town Hall. He spoke about the informational workshop held on Saturday with reference to the reconstruction of Summer Street and recommended residents view the tape on Cable.

- Mr. Johnson moved approval of the warrant #38 totalling \$884,685.84; Mrs. Rozanski seconded for discussion. Mr. Johnson noted the only bill he had a problem with was a claim against the insurance company for \$1,511.30 when there was a power surge and it blew out the computers, and did not feel it was school building related. All aye on the motion.
- Mr. Johnson moved approval of the minutes of February 8th; Mrs. Rozanski seconded; all aye.

7:10 p.m. – *Public comments.*

- Steve Barrasso, Chairman of the School Committee, brought further figures this week on the Chapter 70 monies they felt they were entitled to. He referred to previous years' FinCom books, noting in FY'99, \$14,067,191 was appropriated; in FY'98, \$13,053,929 was appropriated, an increase of \$1,013,262. Mr. Johnson mentioned there had been an increase of from \$900,000 to \$1.3 million, a vast majority of which is for school. Mr. Barrasso noted the school's increased budget was mostly paid for by the State. Mrs. Rozanski questioned if the increase in insurance did not belong to school? Mr. Barrasso said this was not discussed with FinCom. They only talked about Ch. 70 monies coming to the Town. Mrs. Rozanski stated \$271,000 in school choice money will be assessed to the Town and it comes from property taxes.
- Marion Cole stated that, at the end of last week's meeting, Mr. Dzikczek brought up the Cable equipment coming off the wall and almost hurting her son. She said she still had not received a response concerning its proper installation. Mr. Hartman said he was asking a variety of question and was working on a reply. Mrs. Cole said she would like her son to receive a reply. Mr. Brodeur assured her he would get one.

7:20 p.m. – The Park Commissioners were present to discuss the Memorandum of Understanding with the Selectmen and DPS. Mr. Hartman said there were some minor changes incorporated to the original draft from the Commissioners, and also as reviewed by Town Counsel. His recommendation was to approve it. Mr. Magliaro asked about the daily implementation, and Mr. Hartman noted that would fall under Mr. Henry's jurisdiction, which included only two employees. Mr. Hartman felt that Park will benefit more than DPS at this time with the additional help. Mr. Magliaro questioned the relationship of the Highway Foreman to the Park Superintendent. Mr. Hartman explained the Highway Foreman's role is supervising the highway workers and utilizing his expertise in construction. Mr. Brodeur explained basically the Highway Foreman and the Park Superintendent would report to Mr. Henry. Mr. Johnson did not see a problem, but wanted to see the Boards maintain their integrity and accomplish what they were changing, and if it was a more efficient use of personnel, so be it.

Mrs. Rozanski moved that the Board of Selectmen enter into an agreement with the Park Commissioners per the MOU as prepared; Mr. Johnson seconded; all aye. The Selectmen signed

MINUTES OF THE SELECTMEN'S MEETING
MARCH 15, 1999

the agreement, and Mr. Brodeur recommended the Commissioners sign the agreement at their next meeting since they had not posted this meeting of a majority of their Board.

7:30 p.m. – Committee Reports.

- Mrs. Rozanski reported going to the VFW for Boy Scout awards who helped with the project at the Senior Center.
- Mr. Johnson brought up the draining of water from the water tank, and asked why didn't they sell the water? Why not drain it further down? Mr. Brodeur felt they should have done it when there is no water shortage. Mrs. Rozanski asked if it was appropriate for the Town Administrator to send a letter to the Water/Sewer Commissioners asking those questions? The Board agreed.
- Mr. Johnson also brought up the workshop on the Summer Street reconstruction held on Saturday and thought it went well. This brought to mind to notify the Water/Sewer Commissioners that we would be digging up Summer Street. Mr. Hartman felt they were already notified of that, but would do it again.
- Mr. Brodeur brought up that the ZBA was still deliberating and had not voted on the comprehensive permit for Deerview Meadows.
- *Administrator's Report.*
- Mr. Hartman brought up the communication received from Mass. Highway stating that the Walker Street Bridge had passed inspection with scores of eights, with nine being the highest.
- The Board agreed to Mr. Hartman's request to postpone having the Planner from Hopkinton meet with the Board until around March 22nd or April 5th.
- Mr. Hartman reported meeting with two reps from Media One along with Charlie Myers. Jointly, they sent a letter to Frank Foss' Time Warner outlining open issues, i.e. certain equipment that has not been received yet and INET not in three buildings yet. Frank will respond prior to the public hearing on April 5th.

Mr. Johnson brought up the letter from Time Warner concerning the construction for upgrade of cable in Medway beginning the second week in April. He noted there was a considerable amount of money being invested here to install the fiber optic cables.

- The workshop held on Saturday was brought up again, and Mr. Hartman asked if the Board would like him to follow up with the Town of Bellingham concerning their thought of making Beech Street one-way? Mr. Brodeur reiterated to the viewing audience that some residents and the engineers had proposed that option at the workshop. Mr. Brodeur felt Mr. Hartman could let Bellingham know of our intentions, and to also ask the Safety Officer for his input. There might also have to be some brush-cutting done near the guardrails.

The question was asked how do they proceed with the intention of making Beech Street one-way, and it was felt a simple majority vote would do it. Mr. Johnson moved to make Beech Street to Main Street one-way going west/northwest; Mrs. Rozanski seconded but

MINUTES OF THE SELECTMEN'S MEETING
MARCH 15, 1999

asked if this doesn't work out, can they change it again. Upon agreement to get some answers in 20 days, all aye.

- Mr. Hartman brought up the contract with Allied Painting for the painting of the water tank. He stated the Water/Sewer Commissioners had already signed it, and now needed the Selectmen's signatures. He noted he was involved in the specs and the contract and they were standard. Town Counsel and the Town Accountant have yet to sign, but believed Town Counsel had already seen some of it as part of the bid package. Mr. Johnson said he would rather wait for their signatures. Mrs. Rozanski stated they can execute subject to their review and recommendation and can authorize the Board members to sign at that time, and so moved; Mr. Johnson seconded; all aye. It was noted they really had no choice but to sign, but they should have had Town Counsel's approval before the water was drained.
- The Board discussed the Norfolk County Commissioners' request to meet with them concerning the legislation to divert excise funds back to the Town. It was noted this was in reference to House Bill #3941. A date of April 5th was suggested, with an alternate date of April 12th. Mr. Brodeur wondered, however, if sending a letter to the legislature would be enough so they didn't have to make the trip out here. Mr. Johnson suggested viewers writing to their legislature encouraging them to support the bill. Mrs. Rozanski recommended committees such as Master Plan, Open Space, School Committee and Park doing the same.
- *Action Items.*
- The Board considered the request for a one-day entertainment license for Sabina Doyle's for St. Patrick's Day on March 17th. Mrs. Rozanski so moved; Mr. Johnson seconded; all aye.
- *Informational Items.*
- Mr. Brodeur noted the date of the Special Town Meeting as March 29th; that SWAP was having a legislative breakfast on April 16th at the Senior Center, which looked as if it was the same date as the Medway Business Council's breakfast; and Medway Pride Day was being held on May 22nd.
- Mr. Brodeur commented on the letter from Mass. Highway concerning the Route 109/Holliston Street reconstruction project moving on to Mass Highway's Project Review Committee. Mr. Hartman noted the Town will have to do the design work which would cost between \$25,000 and \$30,000.
- Mr. Johnson brought up Town Counsel's letter on the Willow Green/Al Miraj situation and felt it was in compliance and the Board should take the letter as stated.

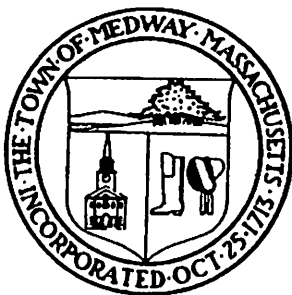
8:15 p.m. – Mrs. Rozanski moved the Board adjourn to executive session for subjects pending to litigation, not to return to open session; Mr. Johnson seconded; all aye. The vote: Mrs. Rozanski – yes; Mr. Johnson – yes; Mr. Brodeur – yes.

Respectfully submitted,
M. J. Fredette, Secretary
mj

APPROVED

4/29/99

cc: AUB 4/30/99



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

AGENDA

MONDAY, MARCH 8, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. Open meeting and sign warrants.
- 7:05 p.m. Barbara Walls, Assistant Treasurer re: signing of note for borrowing for water tank.
- Public Comments.
- 7:15 p.m. John Bechard of VHB re: Summer Street (Route 126) reconstruction project and informational meeting in Sanford Hall on 3/13/99.
- 7:30 p.m. Open Space Committee re: open space matrix.
- 8:00 p.m. Planning Board re: request for attorney.
- Administrator's Report.
- Correspondence.
 - For your information.
 - Personnel activities.
 - Other.
- Committee Reports.
- Action Items.
1. Discuss and/or sign Special Town Meeting warrant for 3/29/99.
 2. Re-approve Class II license for Medway Imports.
 3. Approve evaluation of M. J. Fredette.
 4. Discussion of stipends.
 5. Approve one-day liquor license for St. Joseph's Parish.
 6. Sign MIIA insurance agreement.
 7. Discussion of Ben Franklin Bank's site plan extension.
 8. Decision regarding Sithe citing intervention.
 9. Discussion of Park/Selectmen's MOU.
 10. Appoint Elizabeth Clark to Insurance Committee.
 11. Vote to establish reimbursement rate for mileage.
- Executive Session

cc: cm 6/4/99
cc: Art Bestencourt
4/9/99 (app'd min.)

MINUTES OF THE SELECTMEN'S MEETING
MARCH 8, 1999

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

7:02 p.m. – Mr. Brodeur opened the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of warrant #37 in the amount of \$672,867.98; Mr. Dziczek seconded; all aye.
- Warrant #36 was signed by the Board last week in the amount of \$662,364.06.

7:05 p.m. – Barbara Walls, Assistant Treasurer/Collector came to meet with the Board to have a multi-purpose bond anticipation note signed. The one note was in the amount of \$1,940,000 at a rate of 3.32 by Dobbins & Company, and was for the rehab of the water tank, school, corrosion control and computers, all authorized at previous town meetings. Mr. Dziczek moved to authorize the Treasurer to borrow \$1,940,000; Mr. Johnson seconded; all aye. Town Clerk Maryjane White was present to certify. Mr. Dziczek amended the motion to indicate the funding for computers was for town and school; Mr. Johnson seconded; all aye.

7:15 p.m. – **Public comments.**

Steve Barrasso, Chairman of the School Committee, said he had been present at many of the Selectmen's meetings since an article for \$75,552 for the schools was not placed on the December STM. He stated Mr. Johnson had told him the Town Accountant had understood the schools had received all their money. He gave his explanation as to why he was entitled to the funding.

T/M appropriation	\$14,067,191
Ch. 70 budget	\$ 4,267,555
Actual	- \$ 4,343,107
Extra ed aid diff.	\$ 75,552
Ch. 70	\$ 4,267,555
Town	+ \$ 9,799,636
	\$14,067,191
	+ \$ 75,552
	\$14,142,743
Ch. 70	\$ 4,343,107
Town	+ \$ 9,724,084
	\$14,067,191

Mrs. Rozanski indicated they would speak to the Town Accountant, and see if she feels differently; it could all be a matter of interpretation. Mr. Barrasso noted the FinCom had said if more Ch. 70 money comes in, the schools would be entitled to it.

Mr. Johnson said they accept Mr. Barrasso's report, and asked the Town Administrator to have the Town Accountant give the Board her version, and to also ask FinCom what promises were made to the schools. It needed to be investigated further.

7:30 p.m. – John Bechard of VHB came to meet with the Board concerning the reconstruction of Summer Street, Route 126. He introduced Mark Laurel, Project Manager.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Bechard proceeded to give the Board a brief overview of the project and to inform them and the viewing audience of the informational meeting to be held on Saturday, March 13th, in Sanford Hall. At this time, he would come with more detailed plans and get input from the residents. Once they have this session, they will work on completion of the 25% plan in about 30 days, with other reviews and public hearings to follow.

Mr. Bechard noted the project covers about three miles from the Bellingham line to the Holliston line being funded by Mass. Highway, and as represented on the TIP list for the summer of 2000, with completion by the summer of 2001. He stated they needed to meet certain criteria, and therefore, utilized the services of the Norfolk County Engineers who did a field study of the corridor, a traffic count and pavement testing. Approximately, 8000 vehicles use the corridor. The width would be 32.8 feet, with a 5-foot sidewalk on the westerly side, for a total of 38 feet. If they went with a grass strip down the side of the road, there would be more impact on the wetlands and more trees would have to be taken down.

More information will be given out on Saturday and residents are welcome.

7:50 p.m. – Members of the Open Space Committee came to meet with the Board. They included: Virginia Calapa, Barbara Maffeo, and David Hoag. Others in attendance were: David Kaeli and Diane Borgatti of the Master Plan Committee, and Don Springer of the Planning Board.

Ms. Calapa provided the Board with more information detailing the Open Space Committee's recommendation to develop an open space matrix grid. She stated she was a little upset following the February 22nd meeting and the issues raised. She said she had left the meeting feeling the Board understood why they felt it was important to hire an independent consultant. However, later on in the evening watching the meeting on TV, she was left with the impression that the Board was not willing to hire that person after all. She explained they need an unbiased expert who can go through all the properties, and list the components that makes one piece of property more valuable than the next, and list them in a purchase priority. By value, she meant not just dollar value since costs will change. She knew the Town had a mapping system, but not an inventory/matrix of all land available for all uses. Ms. Calapa said they owe the Town to be as objective as possible as many friendships exist with the property owners. Every parcel should be evaluated, regardless if your taxes will go up, or if we should buy it or not.

Ms. Calapa suggested an All Boards meeting so everyone can address the issue in the same room, all at the same time, and can say what they feel is wanted and needed. It should still be left, however, for the residents to decide in the end. A standing committee could then be formed to work with citizens to discuss the issues and then make a presentation.

Mr. Johnson stated he did not intend for one person, either inside or outside, to dictate to the Town who should buy what. Secondly, as an Assessor, he has to look at the rate and valuation.

David Travalini felt there were philosophical differences and they need to formulate ideas first and then decide on a piece of land. Everyone has their own opinions. He was aware of \$200,000 in the Conservation Fund at this time. Mr. Johnson said he agreed with him, but disagreed on how to go about it. David Hoag suggested speaking to Hopkinton's consultant. Diane Borgatti stated it only takes a \$2,000 investment to submit a grant by a grant writer, and then objective and subjective ideas can be meshed. Don Springer agreed they would be foolish not to go forward with a grant writer. Mr. Brodeur agreed it would be good to call Hopkinton and see if a presentation could be arranged. Mr. Dziczek felt if there was a matrix in place at this time, they would know what to do with the Bresnahan property. It would be a win/win situation.

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8:45 p.m. -- Don Springer, Diane Borgatti, Jim Pavlick and Fred Sanford of the Planning Board came to meet with the Board to request that the Selectmen fund an attorney for them to start the process of appealing the ZBA decision on the Deerview Meadows project. Mr. Springer said they have 20 days in which to appeal. He explained if the ZBA does not vote to outright deny the project, they will appeal.

Mr. Brodeur clarified they need a specialized attorney, and the Selectmen control the Law budget.

Mr. Johnson felt they needed to be more specific in their rationale of appeal. Was it a breach of law or a difference of opinion? Mr. Springer said it was a difference of opinion. Mr. Johnson said they would have to justify the expenditure.

Mr. Dziczek asked the Town Administrator if there was a conflict for Town Counsel on this? Mr. Hartman said there was, and regardless, the Town would have to pay for two attorneys both ways. Mr. Dziczek asked if the Town had a winable case with Mr. Robinson? Mr. Hartman said that should be discussed in executive session, and no one from the Planning Board could be present for the discussion, as Mr. Robinson would probably be representing the ZBA. Mr. Dziczek asked if the Planning Board stood a chance to override the ZBA? Mr. Hartman said if he wanted to know what the odds were, he would first have to say they had the right to defend the ZBA. Mr. Dziczek said that Mr. Robinson must have told the ZBA what he recommended.

Mr. Springer said they had to fight. Mr. Brodeur suggested an executive session next Monday night with Mr. Robinson and the Selectmen.

Mr. Johnson noted Mr. Narducci would have to meet with the Conservation Commission after this. He stated our attorney has said usually 90% go in favor of the applicant, with the reason being environmental. He noted he would not be heard by the Ch. 40B board, but would be going to the Courthouse in Dedham. If the Planning Board wins, then Mr. Narducci goes to the Housing Authority with the original 52 houses on both sides of the river.

Mr. Springer stated they were not asking for the Selectmen to agree with their position. He asked if they were saying they wanted to see if they have a case before being allowed to get an attorney? They did not want to go on what Mr. Robinson was saying.

Mr. Brodeur suggested this be discussed further Monday night, and they would try to meet with Mr. Robinson and the Planning Board at that time.

9:07 p.m. -- Mr. Johnson took action item #8 out of order, and asked if they should file papers for the Siting Board with regard to Sithe? He referred to Mrs. Rozanski's memo on the subject recommending the Board request intervenor status.

Mrs. Rozanski noted three of the Board members were at the Sithe hearing. She said she wrote a letter but it did not arrive by the 24th, but arrived on the 26th. They could grant an extension, but it would have to come from the Board of Selectmen. She noted, however, that any Board member could attend on behalf of the Selectmen.

Mrs. Rozanski moved to vote to petition the Siting Board for intervenor status in the Sithe project, and to authorize her to notify John Cahill of the Siting Board of same; Mr. Johnson seconded; all aye.

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9:15 p.m. – Administrator's report.

- Mr. Hartman stated that there would be a badge ceremony for Sgt. Boultenhouse and Lt. Malo on March 11th at 2 p.m. at the Police Station.
 - **Committee reports.**
 - Mrs. Rozanski said she attended the Mass. Selectmen's Association executive board meeting which dealt mostly with budgets and legislative proposals.
 - Mr. Dzcizek stated he attended the JCRB meeting, and the Personnel Director should be getting notes on that meeting. He also attended the ConCom meeting. Mr. Dzcizek said he also spoke with members of the Park Commission concerning the Memorandum of Understanding. Mr. Hartman said he would put the MOU on the agenda for next week.
 - With reference to Idylbrook, Mr. Hartman mentioned that they had to redo many documents, and just recently, finalized negotiations with a designer for contract documents so they can go out to bid.
 - Mr. Johnson noted attending the Norfolk County Advisory Board meeting and assumed Board members all had received a copy of the same correspondence and material he had, as did ConCom.
 - Mr. Brodeur said he had attended the ZBA meeting. He also noted receipt of the approval by the Attorney General on the Zoning By-laws pertaining to wireless towers and open space.
 - **Action items.**
- #1. The Special Town Meeting warrant was brought up. Mr. Brodeur suggested leaving the articles on the warrant and letting the residents decide what to do about the Bresnahan property. Mr. Dzcizek moved to authorize the Board to sign the STM warrant for March 29th; Mrs. Rozanski seconded; all aye.
 - #2. The Class II license for Medway Imports was discussed. It was noted the Board had already approved his license for 12 vehicles. Since that time, he went to the ZBA for a special permit for 24 vehicles, which was granted. Mr. Hartman explained the 12 was for sale or repair; the 24 is now just for sale. Mrs. Rozanski moved approval of the license; Mr. Johnson seconded; all aye.
 - #3. The Board was asked to approve the evaluation of M. J. Fredette. Mr. Hartman stated this was his evaluation of Ms. Fredette as it relates to his supervision, noting she did some work for the Board of Selectmen as well. He stated she was an outstanding employee. For the record, she was there early and stayed late, sometimes working on the weekends. He felt she had performed beyond his expectations. She was not bashful about asking questions, quipping she was sometimes a "pest". Mr. Johnson moved approval of the evaluation of M. J. Fredette with 47.5 points, and to be granted a merit increase; Mrs. Rozanski seconded; all aye.
 - #4. Stipends for elected officials were brought up. Mr. Hartman said he notified FinCom about the Board's resolution, however, most departments had already submitted their

MINUTES OF THE SELECTMEN'S MEETING
MARCH 8, 1999

budgets when the letter was received. Mrs. Rozanski felt, by the Board's resolution, the departments should still have a line item indicating stipends with either a zero or an amount. Mrs. Rozanski recommended \$2,500 for the Selectmen. Mr. Dziczek said there should some relevance, some basis for the amount. Mr. Johnson felt the individual boards should justify the amount requested. Mrs. Rozanski suggested doing what the Board had first said, and that was to restore the stipends, and to start with that. Mrs. Rozanski moved to send an amended budget to FinCom showing a stipend line item of \$2,500 for the Board of Selectmen, \$1,800 for the Board of Registrars, and \$100 for the Town Moderator; Mr. Dziczek seconded for discussion, and amended the motion to be \$2,575 with the additional \$75 allocated to the Selectman Chairman; all aye. Mr. Hartman said he would check and see if the Moderator's stipend could come under the Selectmen.

- #5. A one-day liquor license for St. Joseph's Parish was next on the agenda. It was noted there has not been any problem so far with their one-day licenses. Mrs. Rozanski moved approval of the one-day license for March 13th; Mr. Dziczek seconded; all aye.
- #6. The MIIA insurance agreement needed to be signed by the Board. Mr. Johnson suggested they revisit this issue, especially insofar as school was concerned, as many retire and others have to be hired. He moved to accept the agreement and authorize the Chairman to sign; Mr. Dziczek seconded; all aye.
- #7. Mr. Hartman stated that Ben Franklin Bank has requested an extension of one year to August 3, 2000 on their site plan as they haven't even started construction yet. Mrs. Rozanski moved approval of the extension; Mr. Dziczek seconded for discussion but asked if all bases were covered? Mr. Hartman said that, at this point, they have to complete the whole site plan by August 3, 1999 or re-apply. Mr. Dziczek asked if it was to the Board's advantage to wait? Mr. Hartman stated the Board could delay granting the extension, and he could take that time to contact Ted Gay about it. Mr. Johnson agreed they could delay making a decision and use that time to see if there are any other concerns that need to be addressed before the deadline arrives. Mrs. Rozanski felt there should be some sanctions. Mr. Hartman said the Building Inspector can impose sanctions. Mr. Johnson amended the motion to hold the request over until after Mr. Hartman speaks to Mr. Gay; Mr. Dziczek seconded; all aye.
- #8. Already discussed. (Sithe).
- #9. Already discussed. (MOU with Park Commissioners/Selectmen).
- #10. The appointment of Elizabeth Clark to the Insurance Advisory Committee was required as one of the School representatives had resigned. Mrs. Rozanski moved the appointment of Ms. Clark to that committee through June 30, 1999; Mr. Dziczek seconded; all aye.
- #11. The reimbursement rate for mileage was next on the agenda. Mrs. Rozanski moved that the Board of Selectmen adopt the following resolution: Employees of the Town of Medway shall receive reimbursement for mileage at a rate equal to that established annually by the United States Internal Revenue Service; Mr. Dziczek seconded; all aye. The current rate is now \$.31, down from \$.325.
- Mr. Dziczek asked if the Town Administrator had addressed the letter from Marion Cole and her son Ian. Mr. Hartman said it has been handled.

MINUTES OF THE SELECTMEN'S MEETING
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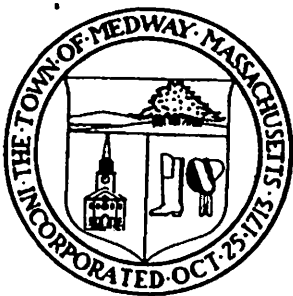
10:05 p.m. – Mrs. Rozanski moved the Board adjourn to executive session, not to return to public session, for the purpose of litigation and collective bargaining matters; Mr. Dziczek seconded; all aye. The vote: Mrs. Rozanski – yes. Mr. Dziczek – yes. Mr. Johnson – yes. Mr. Brodeur – yes.

Respectfully submitted,

M. J. Fredette
Secretary

mj

Approved 9/5/99



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

AGENDA

MONDAY, MARCH 1, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. Open meeting, sign warrants, approve minutes of budget workshop on January 30th and regular meeting minutes of February 1st.
- Public Comments.
- 7:15 p.m. Patricia Keegan re: appointment to Historical Commission.
- 7:30 p.m. Park Commissioners re: STM warrant article.
- Administrator's Report.
 - Correspondence.
 - For your information.
 - Personnel activities.
 - Other.
 - Committee Reports.
 - Action Items.
 1. Sign Memorandum of Understanding with Park Commissioners.
 2. Should there be an STM on March 29th.
 3. Approve auctioneer's license for James Menize of As Time Goes By.
 4. Open warrant tonight for ATM on May 10th and close the warrant at the close of business on March 24th.
 5. Re-appoint Paul DeSimone CRPCD Commissioner.
 6. Decide on rep to Central Mass. EMS Corp. annual meeting.

cc: ALB
acm 6/4/99

MINUTES OF THE SELECTMEN'S MEETING
MARCH 1, 1999

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

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

- Due to the computer switch-over, there were no warrants to be signed this evening, but a majority of Board members will have to come in during the week to sign them when ready.
- Mrs. Rozanski moved approval of the budget workshop minutes of January 30th; Mr. Johnson seconded; all aye.
- Mr. Johnson moved approval of the regular meeting minutes of February 1st; Mrs. Rozanski seconded; all aye.
- Mrs. Rozanski requested the stipend information be copied for the Board for next week, but she said it would be helpful to know what the other boards want to do. She suggested Mr. Hartman advise them of the Board's resolution, and ask what their feelings are on the subject.
- Mr. Hartman said members of the Housing Authority will request to meet with the Board to reopen the Affordable Housing Committee when ready.

7:15 p.m. – Patricia Keegan came to meet with the Board to request appointment to the Historical Commission. She noted her interest in older and historic homes and buildings, and after speaking to Gwen Hendry, felt she'd like to be a member of the Commission. Mrs. Rozanski asked what she thought the Commission's goals should be. Ms. Keegan thought it might be good to work with other boards on the growth issue. She also did not feel she had any conflicts of interest. Mrs. Rozanski moved to appoint Patricia Keegan to the Historical Commission through June 30, 2002; Mr. Dzcizek seconded; all aye.

7:22 p.m. – Public comments. There were none.

- Administrator's report.
- Mr. Hartman brought up the letter sent by the Department of Telecommunications and Energy noting that information sessions would be held – one in Walpole on March 4th and one in Medford on March 16th. He noted we were in the process of setting up our public hearing for either March 22nd or April 5th.
- On personnel activities, Mr. Hartman stated that William Boultenhouse had been appointed Sergeant, and a badge ceremony was being planned for Sgt. Boultenhouse and Lt. Malo and their families for sometime next week. The Board will be invited when the date and time is set.

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7:30 p.m. – The Park Commissioners were present to discuss a memorandum of understanding between both boards. Al Magliaro stated that Mr. Dzcizek wondered if they would be taking over the schools. He felt this would be an expansion of the Park Department and did not know if there was sufficient manpower. He believed utilizing the equipment between Park and DPS was a good and efficient use of that equipment. He also felt with the reorganization, there was now a central line of communication. He also felt that the Park Supt. was doing too much administrative work, and with the DPS Director around, would free up the Supt. to do other things. He noted, however, on behalf of the Board, that they do not want to give up anything other than direct responsibility for physical maintenance of the parks.

Mr. Hartman passed around the draft of the MOU he had prepared as a beginning basis for both boards to review. Mr. Dzcizek thought if a "floater" were hired in Town Hall, some of the work the Park Supt. did could be done by that "floater", and still be utilized by others who don't have a secretary. Mr. Johnson questioned the use and purpose of doing this, wondering who benefited, other than creating two more levels of beaucracy. Mr. Brodeur believed that DPS will determine who gets what vehicle and what jobs are assigned to whom. Mr. Johnson wondered if the chain of command was Mr. Hartman, then Mr. Henry, and then Mr. Smith. Mr. Hartman pointed out the MOU indicates Mr. Smith will have very little to do with Park. Mr. Johnson felt Park had no authority over their people, and questioned why that responsibility had not been delegated to them. Because the employees felt abused, the union was formed. Ellen Gove said they have been requesting this personnel change for six years. Mr. Dzcizek noted it was not less power for the Park Commissioners, just a better sharing of personnel and one of several steps to benefit the Town.

Mr. Magliaro again said this was a more efficient use of personnel since there were only two in the department, and now they would be under direct supervision. Mr. Aldrich agreed feeling they are by-passed by their own employees because they are not in the loop, so to speak. He understood they would still set criteria and priorities as Commissioners, which would be developed even further with the DPS Director. Mr. Hartman added, with the teamwork, if Park needs a project done, then all of Highway can respond to assist. Mr. Aldrich agreed there would now be a bigger labor pool, with Mr. Magliaro noting they have all been working well together.

Mrs. Rozanski wanted to be assured that what the Selectmen were doing was in line with the goals of the Park Department, that they were not being by-passed, and that the Board had a clear understanding of what they wanted. It was felt an organizational chart would be helpful for the process. Mr. Magliaro said it was hard for them to give up the personnel, but he felt with one more level of beaucracy, it will lead to more efficiency. Mr. Aldrich believed the Commissioners would still be overseeing the parks. He did not think they were giving up anything.

Mr. Johnson inquired about their secretary, and Mr. Magliaro stated they had a night board secretary just for their meetings. He hoped more time could now be spent researching grants for Park, as well as following through in other areas. Mr. Brodeur

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added that was why DPS was created – for more efficiency. Mrs. Rozanski stated if Park takes over Schools, that would come under the Town Administrator.

Mr. Brodeur asked that everyone get their revisions back to Mr. Hartman, and to also ask Town Counsel to review it.

Mr. Dziczek suggested the proposal of sending the maintenance of all Town land to Schools. Mr. Johnson did not understand why that would not go to the DPS Director. Mr. Dziczek felt the knowledge and repair of fields was within the Park Department. He did not want to leave School property out of any discussion, and felt when the Board was silent on this, they had no objection. Mr. Magliaro said he would not want to act on that yet, and would sit down with Mr. Henry and Mr. Hartman and discuss it further; that would be another step.

Mrs. Rozanski note the many areas of involvement and the need for a scope of work. Again, Mrs. Gove said this should not be a surprise as it had been discussed for years. Mr. Brodeur felt the MOU should be an action item again, even if it was prior to the STM.

On the subject of expanding the Park Commissioners from 3 to 5, Mr. Dziczek asked that they let him know if they want to proceed in that direction.

8:00 p.m. – Committee reports.

- Mrs. Rozanski said she had attended the recent meeting of the I-495 initiative where there were 1000 participants. Guest speaker, Matt Amarello, Mass. Highway Commissioner, talked about transportation and possible cut-backs on Chapter 90 funding.
- Mr. Johnson said he, Mr. Brodeur, and Mr. Gildea went to the Norfolk County Advisory Board meeting and Selectmen were given more information on the legislation of excise funds to the Towns to support open space, park and recreation. He urged citizens to ask their senator and representative to support the bill as they have not signed on yet. He stated this is the Town's money and instead of going into the State's general fund, it would come back to the Town.
- Mr. Dziczek stated he and Mr. Hartman attended the FinCom meeting. He also noted JCRB would be meeting on March 3rd.
- Mr. Brodeur said the ZBA would be meeting again this Wednesday. He said the Narducci hearing was closed, and now a decision has to be rendered.
- Mr. Brodeur mentioned that Mr. Springer will not be able to attend the Special Town Meeting to speak about the proposed petition. Mr. Johnson said he believed the ZBA did a fair and open hearing, regardless of the outcome, and that it was worth hiring Special Counsel. Mrs. Rozanski said Planning Board put the

MINUTES OF THE SELECTMEN'S MEETING
MARCH 1, 1999

article on the warrant to determine where to go from here and to protect resources. Mr. Brodeur noted the article does not affect Narducci's subdivision – this was for future subdivisions.

- Mr. Brodeur mentioned to the viewers the brief sun outages that may occur with cable.
- Action Items.

#1. Already addressed.

#2. The Board discussed the Special Town Meeting. Mr. Hartman referred to Town Counsel's letter stating the Bresnahan's notice to Town boards was defective. Mr. Hartman said he informed the Bresnahan's of this. Mr. Brodeur said he spoke to a rep from DEM and it was felt the statements contained in the notice were correct. He also believed such offers were bona fide and common practice in the past.

Mr. Johnson did not feel anything was indicated that the whole parcel had to be converted; they can do part of it. Mr. Brodeur asked if the article as printed should be on the warrant. Mr. Johnson felt it should, as in the past. Mr. Hartman stated, technically, the Board never voted to exercise their option. Mr. Brodeur again asked if they should go with the article on the notice or not. Mrs. Rozanski believed two articles were needed. Mr. Dziczek said there was a second offer on the 5.28 acres, but the Town did not have a notice on that. Mr. Brodeur felt they could match it even though the Town was not offered the larger parcel, only the smaller one. Mr. Dziczek agreed there should be two articles on the warrant. Mr. Brodeur summarized that the two articles would be: one for 5.28 acres, article #1, for \$213,889; and one for 4.32 acres, article #2, for \$175,000.

Mrs. Rozanski moved to reopen the warrant for a Special Town Meeting on March 29th, to add the articles noted above, and to immediately close the warrant; Mr. Dziczek seconded for discussion.

Mr. Barrasso requested the School article be placed before any land acquisition articles. Mrs. Rozanski said the STM was called for the land articles and should be first. All aye on the motion. The Secretary will try and secure the date of March 29th for the STM, either at the High School, or if not, at the Senior Center.

Mrs. Rozanski then moved that the articles should be in the following order: #1 and #2 for the land acquisition; #3 for Planning Board's home rule petition; #4 for the School funds, and #5 for the Park to DPS transfer of salary; Mr. Dziczek seconded for discussion.

Again, Mr. Barrasso stated the School article should have been on the warrant for the December STM, and therefore, currently are in a \$60,000 deficit and can't spend that money. Mr. Johnson asked how they could be in a deficit with funds

MINUTES OF THE SELECTMEN'S MEETING
MARCH 1, 1999

still available. Mr. Barrasso said it is not a deficit until the books are closed. Mr. Johnson then felt it was a perceived deficit; it was not actual. Mr. Johnson said he asked the Town Accountant for a definitive outline as to why she felt the money has been paid to them already. Mr. Johnson asked if the money was in addition to their budget, and Mr. Barrasso said, yes. Mr. Johnson then queried if the money came to Medway specifically for the School's use, and Mr. Barrasso said, yes again, as Ch. 70 money. Mr. Johnson lastly asked if the figures were not available when the budget was put together, and Mr. Barrasso said, no. Mr. Dziczek noted that we would probably have another STM when the school facilities committee is done with their analysis. Mr. Barrasso commented he felt the Board changes rules to what suits them, but Mr. Johnson said they were just trying to correct deficiencies from what Town Counsel has told them.

All aye on Mrs. Rozanski's motion.

- #3. James Menize of As Time Goes By was requesting an auctioneer's license. Mr. Dziczek provided some background information on the business and why the license was needed. He moved to approve the license; Mrs. Rozanski seconded; all aye.
- #4. The Annual Town Meeting warrant was brought up. Mrs. Rozanski moved to open the warrant tonight for the ATM on May 10th, and to close the warrant at 4:30 p.m. on Wednesday, March 24th; Mr. Dziczek seconded; all aye.
- #5. Paul DeSimone's re-appointment as CRPCD Commissioner was on the agenda. Mr. Dziczek moved Mr. DeSimone be re-appointed as CRPCD Commissioner through March 1, 2002; Mrs. Rozanski seconded; Mr. Brodeur abstained; aye.
- #6. The Selectmen's rep to the Central Mass. EMS Corp.'s annual meeting was discussed. Mrs. Rozanski had been the rep last year and was willing to do so again. Mr. Brodeur nominated Mrs. Rozanski; Mr. Johnson seconded; all aye. The Secretary will check with the Fire Chief for the rep as First Responder.
- #7. The Board brought up special municipal employees since they now had the Ethics Commission's brochure on the subject. Mr. Hartman explained that JoAnne Muench is requesting appointment to CIPC, but now as a citizen-at-large where before she had been on the committee as a rep from FinCom. Now that she is working for the School Department, a potential conflict has been presented as she can't be a Town employee and serve on a committee without special municipal status. However, all of CIPC would have to be designated as special municipal employees, not just Ms. Muench. Mr. Brodeur agreed it was all or none. Mrs. Rozanski did not feel the appointment of special municipal employees by the Selectmen should be taken lightly. She noted this was also done by position, not by name. She also noted she did not feel it was a conflict, but our by-law seemed to state that. Mr. Hartman said it was his understanding that Ms. Muench had also contacted the State herself.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Dziczek moved that the Capital Improvement Program Committee be designated as special municipal employees; Mrs. Rozanski seconded; all aye.

Mrs. Rozanski moved to appoint JoAnne Muench to the CIPC as citizen-at-large, Selectmen's rep, through June 30, 2002; Mr. Dziczek seconded; all aye.

- Mr. Johnson acknowledged receipt of the DOR's letter dated February 24th enclosing FY2000 levy limit worksheet and explanatory materials for use in the budget process. Mr. Hartman indicated he had provided tentative figures to FinCom last week.

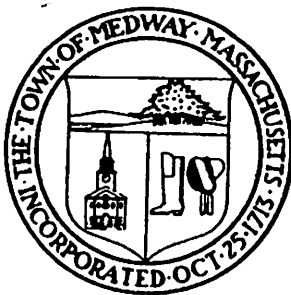
9:30 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

0503/22/99



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

AGENDA

MONDAY, FEBRUARY 22, 1999

LOCATION: SANFORD HALL OF TOWN HALL

- 7:00 p.m. Open meeting, sign warrants, approve minutes of January 9th, 11th, and 25th.
- 7:05 p.m. Virginia Calapa re: open space matrix grid.
- 7:15 p.m. Public Hearing re: American Legion change of manager.
- 7:30 p.m. Orders of taking re: Alder Street and Route 109.

Public Comments.

Administrator's Report.

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

Committee Reports.

Action Items.

1. Approve automatic amusement device licenses for Golden Jade.
2. Approve automatic amusement device licenses for Papa Gino's.
3. Sign proclamation for March being Red Cross Month.
4. Appoint JoAnne Muench a special municipal employee; appoint JoAnne Muench as Selectmen's rep to CIPC.
5. Review draft of STM for 3/15/99.
6. Approve educational course in playground safety for Fred Sibley.
7. Sign appointment slip for Frank Hillery to School Facilities Needs Identification & Evaluation Committee as FinCom rep.

cc: ALB
C.M.
6/4/99

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 22, 1999

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

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

The warrants were brought up. Mr. Johnson had a problem with a school bill in the amount of \$287, and noted the Town Accountant was clarifying if the account charged was the correct account. Mrs. Rozanski noted it was work done by the Highway Department to repair frost heaving at the Memorial School which needed immediate attention. Mr. Brodeur felt if it was a design flaw, they should pay the bill but backcharge the architect. Mr. Johnson moved approval of the warrant with the exception of that one bill totalling \$409,463.66; Mr. Dziczek seconded; all aye.

7:15 p.m. – Virginia Calapa came to speak to the Board about letters the Open Space Committee had written including an open space matrix grid drawn up by a consultant. She gave the Board varied maps of town land, some indicating chapter lands, some indicating what is left available of chapter lands, etc. She said there would be a grant available in May which could eventually produce \$25,000 for open space delineation if a grant writer is funded, a grant is proposed, and the grant is accepted.

She noted their committee had come up with open space goals, such as appear in the open space manual, including what they have, what they could have, and what they need. She felt a meeting between all interested parties would be good to start the process of thinking ahead before buying land. She also said they had suggested a committee to investigate chapter lands, and to also look at some lands that are not in 61A but we should be aware of them.

Mr. Johnson said the Town had spent \$250,000 to Stone & Webster a long time ago for mapping, which should be reviewed as well.

7:35 p.m. – Mr. Dziczek read the ad appearing in local papers for a change of manager for the American Legion. Bruce Munroe spoke on behalf of the Legion stating that the health of Robert Watson was preventing him from continuing on as manager and they recommended Carol Munroe take over for him. Don Schwendemann spoke in favor of the applicant. Mrs. Rozanski moved approval of the change of manager for the American Legion to Carol Munroe; Mr. Gildea seconded; all aye. Mr. Johnson moved the hearing be closed; Mr. Dziczek seconded; all aye.

7:40 p.m. – Mike Suprenant of DCI came to speak to the Board concerning orders of taking for Alder Street and Route 109. Mr. Hartman noted there was only one right of entry that had not been executed for Route 109, that being for Ken Powderly. He stated it was necessary to do the taking so Mass. Highway can bid out the job. Mrs. Rozanski noted that appraisals had been done for each of the properties in question, and this was the last step. Mr. Hartman said he and Mr. Suprenant had met with Mr. Powderly and they did their best to convince him, but nothing has changed and he does not feel he is getting a square deal from the Town. Mr. Brodeur noted Mr. Powderly had the ability to

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 22, 1999

appeal the dollar value of the taking, but not the taking itself. Mr. Suprenant mentioned there were some permanent takings in the radius of Oakland Street. Mrs. Rozanski moved to authorize the Clerk to sign the notice of taking, then amended the motion to be, to approve the notices of taking, and authorize the clerk to sign on behalf of the Town; Mr. Gildea seconded; all aye.

The Board then went on to the Alder Street takings. Mr. Suprenant explained there were several temporary easements and drainage easements. Mr. Hartman added that they were all authorized at Town meeting, and what was left to do was the takings and then record them. Mr. Johnson moved approval of the takings and authorize the Clerk to sign on behalf of the Town and have them recorded at the Registry of Deeds; Mrs. Rozanski seconded; all aye. Mr. Johnson moved to amend the motion to be that the Board also signs the orders of taking; Mrs Rozanski seconded; all aye.

The orders of taking and mylars were all signed by the Board on both projects.

8:00 p.m. – Public comments.

Someone in the audience just asked about the width of Route 109 and Alder Street, and Mr. Hartman stated 60 feet right of way, but the actual pavement will be 40 feet, with probably the narrowest point on Route 109 being near the Apollo building at 34 feet. Another member of the audience asked if anything had changed from last year when the takings were brought up; the answer was no. He noted his concern with wanting to protect his property from equipment problems. Mr. Hartman noted Mass. Highway will have someone on site, probably the State Inspector. The question was posed if the road would always be open for at least one lane; the Board believed so. Mr. Hartman said they were planning to start late Spring through the summer at the earliest according to Millis.

- Administrator's report.
- Mr. Hartman noted receipt of the material from Media One which was received today and which starts the clock for the 120 days for the transfer, June 22nd. He did not know yet when they were going to come in to meet with the Board. He said, however, he had met with the local access group and took note of some of their concerns for equipment etc. Mr. Hartman stated his advice was to hold a local public hearing, as they will probably hold one to two regional hearings. Mrs. Rozanski asked Mr. Hartman to stay on top of any legalities. He noted for the new license we recently signed, an individual was brought in to advise the Cable Committee, so we could possibly use that individual's services again. However, he and Charlie Myers were cognizant of the issues, especially since each franchise agreement is unique with Time-Warner with the different towns. Mr. Johnson said both contracts should be compared to make sure they were the same. Mr. Johnson felt the old committee should be revamped again, but Mr. Hartman said before they do that, allow him and Mr. Myers to do further research.

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Mr. Brodeur acknowledged receipt of the Media One transfer documents by signing the form.

- Mr. Hartman took action item #6 out of order and brought up Fred Sibley's letter requesting reimbursement for a course on playground safety he wanted to take. Mr. Hartman noted this was the procedure in place for educational reimbursement and Mr. Sibley wanted to know ahead of time before putting his own money out, if the reimbursement from the Town would be there. Mr. Sibley was hoping the Board would agree with him and feel this seminar was job-related and therefore, would be eligible for reimbursement. Mr. Brodeur had no problem with safety-related courses. Mr. Hartman said this needed to be authorized by the Board of Selectmen. He believed the subject of the course was shared with the Park Commissioners, but he had not received any communication from them. Mr. Johnson moved approval of the reimbursement for a course on playground safety for Fred Sibley, subject to the approval of the Park Commissioners; Mrs. Rozanski seconded; all aye.
- Mr. Hartman brought up his memo to the Board dated February 9th concerning the physical maintenance of parks. He did verify that the Commissioners were still waiting to hear from the Board on this issue based on their memo of May 20, 1998 to the Board. He stated a simple MOU would suffice between both parties. Mr. Johnson said he would prefer to talk to all the Commissioners. Mr. Brodeur noted that was why the article was put on the warrant, so everything was done cleanly and up front.
- Mr. Hartman said he was part of an interview panel today for Sergeant, and they should be making an appointment by the end of the week. The Chief was part of the panel and Mr. Hartman would be making the final selection.

Mr. Johnson felt the Board should be informed prior to appointments; they're responsible. Mrs. Rozanski clarified the structure of the organization, being the Chief, a Lieutenant, and four sergeants. She said she is always supportive as long as the number of patrolmen does not decrease. Mr. Hartman noted the sergeants and lieutenant are also working patrolmen. In total there were about 15; same as before, just different ranks. He noted one sergeant also does investigations, and typically, the shift commander is usually the sergeant. Mr. Johnson asked about the position of lieutenant, with Mr. Hartman saying he was second in command and not assigned to a permanent shift. The Board was interested in seeing job descriptions and to know more about the organization.

- Committee reports.
- Mr. Johnson brought up the next Norfolk County meeting at which time the fund for legislation of taxes coming back to the Town will be brought up again. Mr. Gildea, Mr. Brodeur and he will attend. Mrs. Rozanski asked if the Town would

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be able to put money into the fund. Mr. Johnson did not see a problem with that as it is our fund.

- Mr. Dziczek brought up the Park under DPS again, and asked if the Board was going to respond to them and their letters. Mr. Brodeur said they could do a MOU and take it to Town Meeting for the Town's approval. He asked that Mr. Hartman invite the Park Commissioners to come meet with the Board. Mr. Hartman said he would do up a draft of a MOU and share it with the Board and the Park Commissioners.
- Mr. Dziczek mentioned the next FinCom meeting on February 24th and asked Mr. Hartman if he was attending. Mr. Hartman noted the Chairman usually called if he wanted him to go, but he did meet with the sub-committee last week.
- Mrs. Rozanski mentioned the Board's resolution for stipends for elected officials, and asked what was the best way to find out how they all feel about it. Mr. Hartman suggested attending the FinCom meeting to reinforce the resolution to have them reinstated at the old level. She was still concerned that they were not communicating with the elected boards. Mr. Hartman felt it was more important that they know what the Selectmen are doing, feeling it should be between each elected Board and FinCom. He would be happy to pass that resolution on to them.
- Mr. Dziczek brought up Ms. Calapa's earlier request for an open space grid, and the possibility of doing it in-house and give the \$2,000 to the person who writes up the grant. He asked now that Ms. Calapa has made the presentation, how do they proceed. Mr. Johnson felt money had been spent already for a similar mapping grid of open space, which was available, and why bother doing it again. He said he would do a composite and give the properties their priorities.

9:00 p.m. – Action items.

- #1. Automatic amusement devices for Golden Jade were brought up. Mr. Gildea moved approval of a license for the Golden Jade for automatic amusement devices; Mrs. Rozanski seconded; all aye.
- #2. Automatic amusement devices for Papa Gino's were brought up. Mrs. Rozanski moved approval of a license for Papa Gino's for automatic amusement devices; Mr. Gildea seconded; all aye.
- #3. A proclamation for the American Red Cross was presented declaring March Red Cross Month. Mr. Brodeur read the proclamation; Mr. Johnson moved approval of the proclamation; Mrs. Rozanski seconded; all aye.
- #4. The appointment of JoAnne Muench as a special municipal employee and a member of CIPC was addressed. Mr. Brodeur said they would have to vote all the CIPC

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members as special municipal employees, not just Ms. Muench. Mrs. Rozanski suggested checking into the Ethics Commission file for the bulletin on special municipal employees. Mr. Gildea moved this be tabled until next week; Mr. Dziczek seconded; all aye.

#5. Mr. Dziczek moved the Board sign the appointment slip for Frank Hillery as the School Facilities Needs Identification and Evaluation Committee's representative from the FinCom; Mr. Gildea seconded; all aye.

- Mr. Johnson moved approval of the informal working session minutes of January 9th; Mrs. Rozanski seconded; all aye.
- Mr. Johnson moved approval of the regular meeting minutes of January 11th; Mr. Dziczek seconded; all aye.
- Mr. Johnson moved approval of the regular meeting minutes of January 25th; Mr. Dziczek seconded; all aye. Mr. Hartman noted he was still working on the comprehensive permit with Mr. Cussan.

#6. The Board discussed the special town meeting warrant. Mr. Hartman stated when Town Counsel reviewed the draft of the warrant, he asked for more information. His advice is that the notice of intent from the Bresnahan's is defective and is not a proper notice under the statute. He further felt it was not possible to do the sale as proposed. Mrs. Rozanski asked if they should cancel the STM. Mr. Hartman said the P&S is predicated on a subdivision plan to make the property into a two-house lot, and reiterated Town Counsel's advice to the Board is that the notice is defective. Mr. Johnson said he would prefer to call the DOR. Mrs. Rozanski determined then that they don't have a bonafide offer. Again, Mr. Hartman said the offer is contingent upon the subdivision. There were two choices: to reject it outright or tell them we will deal with the matter; there was no offer here. Mr. Johnson asked that Town Counsel put his advice in writing. Mrs. Rozanski moved to delay the special town meeting two weeks to March 29th; Mr. Dziczek seconded; all aye.

- Mr. Johnson noted receipt of a letter from DEP concerning the testing for a well near the Medway/Millis town line. He asked Mr. Hartman to check with the Water Department to see if it was sanctioned to dig this well off the Industrial Park area.
- Mr. Johnson acknowledged the letter from Wheelabrator concerning no additional charges relating to 1998 on tonnage.
- With reference to Paul DeSimone being re-appointed CRPCD Commissioner, Mr. Johnson asked that, if possible, he meet with the Board first.
- Mr. Hartman asked the Board if they had any other comments on the remaining three articles on the warrant. Mr. Johnson brought up the School article and

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FEBRUARY 22, 1999

stated he understood, according to the Town Accountant, that all monies from Ch. 70 had been transferred. Steve Barrasso, Chairman of the School Committee, was in attendance and noted that the Town agreed to a \$13 million budget at Town Meeting. He said there was an agreement with FinCom that if additional Ch. 70 money came into the Town over the estimation, it would go directly to the School. Mr. Johnson clarified with Mr. Barrasso that this money came in after the budget was submitted and approved.

Having just met with June, Marge, Arti and Paul, Mr. Hartman said they were looking for projected sources of revenue, and trying to get a better handle on the balance of the cherry sheet figures as new growth is just a guess. More information will be forthcoming.

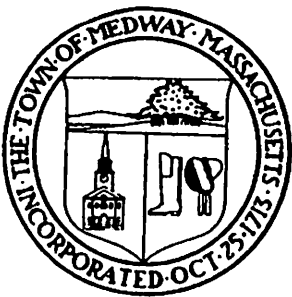
9:50 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

MB 3/22/99



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

AGENDA

MONDAY, FEBRUARY 8, 1999

Location: Sanford Hall of Town Hall

7:00 p.m. - Open meeting, sign warrants, approve minutes of January 4, 1999.

- Public Comments.
- Administrator's Report.
 - * Correspondence
 - * For your information
 - * Personnel activities
 - * Other

- Committee Reports.

7:30 p.m. - Discussion with Planning Board members re: Bresnahan property and home rule petition.

- Action Items.
 1. Finish up budgets.

Cc: AUR
Cm
6/4/97

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 8, 1999

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

7:10 p.m. – Mr. Brodeur opened the meeting in Sanford Hall of Town Hall.

- Mr. Dziczek moved the Board approve and sign the warrant totalling \$392,005.62; Mr. Johnson seconded; all aye. Mr. Johnson commended the Accounting Department for seeing a duplication in the warrant.
- Mr. Johnson moved approval of the minutes of January 4th; Mr. Dziczek seconded for discussion. He brought up the paving of the municipal parking lots which FinCom had deleted from the budget in anticipation of what the school feasibility study would show. Mr. Hartman indicated they are now in the process of redesigning the parking lot, but the Safety Officer is against telephone poles being placed along the roadside. Mr. Johnson asked to see that in writing. Mr. Hartman was unsure of exactly when it would be done, but will ultimately be part of the budget process. He recognized it was a severe safety problem as cars were not just exiting from the one driveway, and noted they are exploring different options.

All aye on the motion.

- Public comments – none.

7:25 p.m. – Administrator's report.

- Mr. Hartman brought up the swap with Media One and Time-Warner. He stated the Town has the franchise agreement which is assignable with the Board's permission and approval. He said he met with Frank Foss of Time Warner on Friday who will be coming to meet with the Board in the near future. Mr. Hartman also noted he spoke to Charlie Myers who agreed this is driven by the Board of Selectmen's approval, and would expect Media One will have to meet all the promises made by Time Warner.
- Sithe was brought up, and Mr. Brodeur asked if Mr. Hartman had many any progress on a consultant. Mr. Hartman said he did not see a provision for it, and had a call into Bellingham on this. Mr. Brodeur made mention again of the public hearing being to be held on February 10th, and suggested Mr. Hartman call John Cahill of the Siting Board to indicate the desire for a consultant. Mr. Hartman said the Facility Siting Board is acting in the Town's best interest and acting as the permitting authority.

Mr. Johnson agreed Mr. Hartman should call Mr. Cahill but also to mention that the Town was concerned with pollutants and if they could, get oversight though a consultant, and review the process for the Town. He said he was very concerned with getting representation. He also wanted to see an environmental report of Boston Edison transferring to Sithe if there is one.

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 8, 1999

Mr. Johnson also brought up "host town benefits" which has not been brought up with Sithe yet, and felt we won't get any if we don't ask. He noted it was not "payment in lieu of taxes", but we would be getting benefits because we are a single tax community.

7:40 p.m. – Don Springer, Chairman of the Planning Board.

Mr. Springer, accompanied by Fred Sanford and Diane Borgatti, was present to discuss the Bresnahan property and a home rule petition. He voiced his concern in the manner in which "chapter" properties become available to the Town and various departments are notified, believing there should be a better way. He felt the property was too good to let go, as it was level land. He did not have an immediate suggestion for the property, maybe affordable housing, but he felt the only way to get open space land is to buy it.

Carol Langford, President of Medway Youth Community Organization, was present in the audience to request the Board think about the youth of Medway and a possible location for a youth center. She stated her group was in the process of attaining non-profit status, but asked that the Town consider the purchase and they could possibly pay the Town back through fund-raising.

Carol Clark, Clerk of the MYCO, gave the Board a letter on the same subject which Mr. Dziczek read.

Mr. Sanford said buying land was a good beginning. He was not sure of the mechanism in place for the process to set up a management committee to buy land to determine how to finance and offset the cost of the land. He suggested letting some developers be a part of the management to group to supervise or volunteer their services.

Mrs. Rozanski felt the first step was town meeting. Mr. Dziczek agreed with the philosophy of trying to buy everything they can within reason. He believed they would be hearing more about the need for a consultant doing a grid on open space to identify parcels in the future.

Mr. Johnson explained chapterlands are identified by five contiguous acres generating at least \$500 annually in product.

Mrs. Borgatti asked if the Town bought the land, could grant monies be used to return those initial funds to the Town. Mr. Brodeur said it could citing Idylbrook as an example for playing fields and recreation land instead of 34 houses. However, he state there were only four acres being discussed here, and a high school demands a minimum of 35-40 acres. Mr. Brodeur said they also need a new highway garage. He did say wherever a high school ends up being built,

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FEBRUARY 8, 1999

there should also be a recreation area. He personally did not feel they should consider this purchase.

Mr. Sanford disagreed noting they need to build momentum, with Mr. Johnson indicating the property could accommodate eight houses under current zoning.

Mr. Brodeur speculated what the process was if the Board exercise its option to buy – then what. Mrs. Rozanski said it started with town meeting, and if a debt exclusion, it would need to be on the ballot. Mr. Johnson added town meeting would have to raise and appropriate the P & S amount, which appeared to be \$195,000. He also noted he was surprised CRPCD did not show any interest in the property.

Mrs. Rozanski moved to set the date of March 15th for a special town meeting, and to also open the warrant for an article for the acquisition of the Bresnahan property. Mrs. Rozanski then withdrew the part of the motion having to do with the article; Mr. Johnson seconded setting the date of the special town meeting; all aye.

Mrs. Rozanski moved to open the warrant this evening and to close it this evening; Mr. Johnson seconded; all aye.

At this point, Mr. Sanford said the Planning Board was formulating a home rule petition to ask the legislature to waive approval of Ch. 40B, Sec. 20-23 for Medway and towns similarly positioned, as they felt they exceeded the average and median subsidized housing percentage, and to be granted an exemption.

Mr. Springer said they would have the exact wording the next evening. Mr. Sanford felt many would come to support the petition.

Steve Barrasso, Chairman of the School Committee and in the audience, reminded the Board the School Committee also had an article for the warrant to transfer Ch. 70 monies of \$75,552. He noted that FinCom had used an estimate last year, but they had an understanding if there was more money, it would come to the schools. Mr. Johnson believed it was changed on the recap sheet, and Mrs. Rozanski stated it would be an additional appropriation.

Mr. Johnson moved to amend the previous motion of opening and closing the warrant tonight, to open the warrant tonight and close the warrant at the close of business on Wednesday; Mrs. Rozanski seconded; all aye.

Mr. Springer asked if the Board would grant their request to have an article on the town meeting warrant. The Board agreed.

- Committee reports.

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 8, 1999

- Mrs. Rozanski noted that the Governor is planning to include about \$400,000 more in Ch. 70 than last year.
- Mr. Johnson noted the Police Chief had answered a letter to Mr. and Mrs. Tagliaferro concerning traffic in the area of Fisher Street.
- Mr. Brodeur reminded the Board about the Medway Business Council meeting on February 26th.

8:30 p.m. – The request from ConCom for \$150,000 was brought up.

Mr. Hartman noted this is to be an on-going request from ConCom for \$150,000 every year starting with this year. From a practical standpoint, capital items for CIPC are more for equipment purchases. Their feeling is that this should be a stand-alone article as a “set-aside” fund. Mr. Hartman said he would pass this on to FinCom, but they do want to purchase open space, especially since they already have a fund for conservation land, or passive land. He said this does require some action by the Board, with Mr. Brodeur noting the Open Space Committee is only an advisory committee, but they support this request. Mrs. Rozanski believed they had to set up an account. Mr. Hartman agreed town meeting can do this, under whomever, but his recommendation was not to put it under ConCom, but asked that they think about whose jurisdiction to put it under. He noted they have \$185,000 now to spend on their own for land acquisition.

Mr. Barrasso asked, with the competitive needs in the operating budget, why not just have a land bank. Mr. Johnson said the legislation is there for the excise tax to come back to the towns now. Mr. Barrasso then suggested a warrant article, but Mr. Johnson said it had already been defeated at the Town and State levels.

Mr. Hartman said he would inform ConCom that the Board of Selectmen will further explore this set-aside fund at town meeting with the recommendation it be under someone under than ConCom. He would then recommend the money be placed in an account, accumulating earnings, but then it would take going to town meeting to purchase land for a specific piece of property and purpose. Mr. Brodeur felt it was a land acquisition account they were looking for. Mr. Hartman said he would propose an article, with a couple of versions, and bring it back to the Board.

9:00 p.m. – The Board proceeded to go over budgets not yet approved.

- **The DPS budget was brought up.** Some concern was noted by the Board on the Nextels, with Mr. Brodeur suggesting a review of that same item for school, DPS and police. Mr. Hartman noted the school got more expensive ones, and the buy-in is more costly in the beginning. Mr. Brodeur felt there needed to be some controls in place before it got out of hand. At this point, Mr. Brodeur suggested delaying approval of this budget, and to go on to the next.

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 8, 1999

- **The Insurance budget was next.** Mr. Johnson asked if what was being recommended was to correct for past years. Mr. Hartman said that was what our consultant was recommending, with the actual amount the Town has deposited into the fund. We have spent more than that and the audit will reflect it. He explained we are self-insured; we are the insurance company. A recent transfer for \$175,000 was to maintain a surplus base for one quarter which is \$400,000. This is the Town's contribution which funds claims and claims administration. Mr. Dziczek asked if the "actual" is usually what is spent. Mr. Hartman said the "actual" is your contribution to the budget. He stated it was fiscally imprudent to put in less, but FinCom controls the money. Mr. Johnson could see the fund was not built up; it is always underfunded, and now there is no reserve for the difference. Mr. Hartman noted that the number of school employees has grown by 20%, and the number of Town employees is no more than three years ago. Mr. Hartman added there is a stop loss agreement of \$60,000, and only one person has gone over that amount. With reference to Pilgrim's 90/10, Mr. Hartman felt the Town was still saving money over Blue Cross/Blue Shield's 60/40.

Mrs. Rozanski moved approval of the Insurance budget of: \$1,496,439 for health insurance; \$136,840 for other insurance; and \$5,000 for uninsured claims; Mr. Johnson seconded; all aye.

- **The Board went back to the DPS budget.** Changes were made to some line items including uniforms, clothing, telephone, public works, and drug/alcohol testing.

Mrs. Rozanski moved approval of the DPS budget of: salaries of \$378,460; expenses of \$85,950; road repairs of \$157,500; and town vehicle repairs of \$58,500; totalling \$680,410; Mr. Dziczek seconded; all aye.

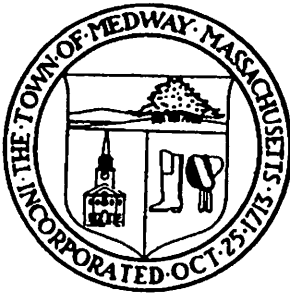
- Mr. Hartman said CIPC is recommending \$1,483,000 town-wide, including year two for town technology and school technology of \$400,000.
- The subject of stipends was briefly brought up with Mrs. Rozanski asking Mr. Hartman if he could come up with a proposal.
- Mr. Dziczek briefly brought up an open space grid for the Town. Mr. Hartman noted Holliston had to put out \$2,500 for specs and to hire a firm to seek a grant. He said he would call the Holliston planner and find out more from them.

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

Respectfully submitted,

M. J. Fredette
Secretary
mj

approved
3/15/99



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

AGENDA

MONDAY, FEBRUARY 1, 1999

Location: Sanford Hall of Town Hall

7:00 p.m. - Open meeting, sign warrants, approve minutes of December 28th.

- Public Comments.

7:15 p.m. - Lee Henry re: evaluation of George Cole.

- Administrator's Report.
 - * Correspondence
 - * For your information
 - * Personnel activities
 - * Other
- Committee Reports.
- Action Items.
 1. Vote to overspend on snow removal.
 2. Vote to appoint the law firm of Mirick O'Connell Special Municipal Employee.
 3. Vote to increase ambulance rates.
 4. Vote to sign corrosion control contract.
 5. Vote to sign assessing software agreement.
 6. Vote to approve the removal of an existing pole on Trotter Drive (no public hearing required).
 7. Vote to approve the relocation of an existing pole on Richardson Street (no public hearing required).

cc: ALB
cm
6/4/99

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 1, 1999

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

7:10 p.m. – Mr. Brodeur opened the meeting in Sanford Hall of Town Hall.

- Mr. Johnson moved approval of the warrants totalling \$1,061,972.55; Mrs. Rozanski seconded; all aye.
- Mr. Johnson moved approval of the minutes of December 28, 1998; Mr. Dziczek seconded; Mrs. Rozanski abstained; aye.

7:15 p.m. – Lee Henry came to meet with the Board concerning George Cole's evaluation scoring a 48. Mrs. Rozanski asked about safety precautions. Mr. Henry said George is continually advising all the drivers on the correct use of all equipment; reminds and enforces. He takes a great deal of pride and concern. Mr. Henry said he has to mollify George's tendency to become overeager in his endeavors reminding him he's not a miracle worker.

Mr. Johnson moved to approve the evaluation of George Cole as evaluated by Mr. Henry; Mr. Dziczek seconded for discussion questioning if George goes above and beyond. Mr. Henry confirmed this. All aye to the motion. Mr. Johnson moved approval of a merit increase for George Cole; Mrs. Rozanski seconded; all aye.

- Since Mr. Henry was present, Mrs. Rozanski took Action Item #1 out of order and moved to overspend on snow removal for FY'99; Mr. Dziczek seconded for discussion saying the audience may not understand what that means. Mr. Henry explained it was the only budget that is allowed to overspend from year to year. He provided the Board with a snow expenditure fact sheet to date. He noted several factors came into play this year. They have to wean away from excessive use of sand within 5 years per the EPA and Clean Air Act. He commented snow is easy to remove; ice isn't. He spoke about the use of salt and magnesium chloride and calcium chloride for the different temperatures. Mr. Henry added that now they are taking care of unaccepted streets as well. Mr. Dziczek asked about the procedure to go out. Mr. Henry said the Police usually notify them with areas of black ice and concern after 6:00 p.m., but many times, Highway is already aware of an upcoming situation from 6:00 a.m. to 6:00 p.m. Mr. Gildea asked if this was always underfunded; the answer was yes. All aye to the motion.

7:40 p.m. – A brief budget hearing was scheduled for tonight after Saturday's budget workshop. Present were the Town Accountant, Treasurer, Chairman of the School Committee, Chairman of the Board of Assessors, and the Chairman of the FinCom. John Collett, FinCom Chairman, stated they need to go forward with the FY'00 budget. He went over his budget data analysis provided to the Board citing actual figures going back to FY'90 on tax levy, new growth, local receipts, etc. He felt it was better for the Town to provide figures to FinCom, then vice-versa, and said he

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was looking for support in putting the FY'00 budget together. Mr. Dziczek noted how Fincom used to go to all the departments and rehash budets; now we have an Administrator to help crunch the numbers. Mr. Collett said he and the FinCom want to be advisors more than data gatherers. Mr. Hartman clarified Mr. Collett wants the information to come to him as Administrator and the Board of Selectmen, before going on to FinCom. He mentioned to the Board their next two meetings were on the 10th and 24th.

He then mentioned to the Board that FinCom has to appoint another member to the School Facilities Committee since JoAnne Muench resigned, and they will probably do that on the 10th. Mr. Hartman then added the 60 days timetable will start with that appointment.

June Murray, Board of Assessors Chairman, then asked why all of them had been asked to attend this meeting when nothing was being discussed with them. She did not even know when the Assessors were supposed to meet with FinCom. Mr. Brodeur said they were looking for information for the total matrix and were looking to them for input. At this point, everything was just a guesstimate. Mr. Dziczek added that the sub-committees will be working with departments. Mr. Johnson felt the meeting tonight was an overview on the recap, revenues, local receipts and what to anticipate between all the key principals here; this was not a budgeting meeting.

Mr. Hartman added that Mr. Collett wanted to turn the process over to the Town employees; the principals remain the same. He reiterated instead of all the information going to FinCom, it was now coming to him. He said he would be contacting the four departments to continue this process. Mr. Hartman noted the elected boards are still going to FinCom. He again said he would be sending FinCom the budgets under the Selectmen with the notation "Selectmen approved" over the amounts.

8:20 p.m. – At this time, the Board met with different representatives of departments whose budgets they had questions on during Saturday's budget workshop.

Registrars:

Town Clerk Maryjane White came to discuss the budget. The Board asked about the \$300 stipend line item. She stated it was there for her by State mandate. She noted the Registrars used to get a stipend but it was eliminated. Mr. Brodeur asked her to detail what they do. She said they are at all town meetings, cover all special voter registrations, do state petitions, are available for signing when need, and make follow-up phone calls on the census. Mrs. White said there were four, including herself.

Mr. Johnson moved that the Board recommend a \$500 stipend for each of the three Registrars for a total stipend line item of \$1,800; Mr. Gildea seconded for discussion.

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Mr. Dziczek noted that the Assessors have consistently asked that the stipends be reinstated. He said they might have to look at all the boards, and not just this one. They all deserve stipends, and if you look at one, you should look at the whole town. At this point, he would be opposed to increasing the line item. Mr. Johnson stated it was done years ago to balance the budget and it really didn't do a thing. It was time that people were recognized. Mrs. Rozanski recalled the amount back in 1994 was around \$11,000. She said if it is to be done, they should do it as a policy and prepare a proposal. Mr. Brodeur felt that the Registrars have to be there, so maybe there can be an hourly rate figured out, not as a stipend, but as part of the budget. Mrs. Rozanski said the Board could indicate tonight they were in favor of restoring stipends. Mr. Brodeur suggested bringing it up next week as an action item. Mr. Hartman noted it is possible to vote on this, ~~it~~ and insert ^{it} in the approved budgets.

Barry MacDougall, who was in the audience, said as a citizen, he was in favor of restoring all the stipends because of the service they provide. It was a small price. Mr. Johnson agreed it was a thank you, and suggested the Board get back to where they were on this budget, and then address the others.

A vote on the motion: Mr. Johnson and Mr. Gildea – aye; Mr. Brodeur, Mrs. Rozanski, Mr. Dziczek – no; motion fails.

Mr. Dziczek moved to bring this subject up next week as an action item; Mr. Johnson seconded the motion but amended the motion to include re-visiting all those who used to receive stipends first, and then discussing all others after that; all aye.

Mrs. Rozanski moved that the Board of Selectmen recommend to FinCom and the Town that a stipend program be restored; Mr. Dziczek seconded; all aye.

Mr. Johnson moved approval of the Registrars budget for stipends of \$300; expenses of \$5,200; for a total of \$5,500; Mrs. Rozanski seconded; all aye.

Veterans' Services:

Veterans Agent Tony Mastroianni was present to discuss the budget. Mr. Brodeur asked for a breakdown of what his budget entailed as he felt benefits to veterans were reduced. Mr. Mastroianni stated that Ch. 115 has State mandated programs that he has to abide by. Due to the economic up-turn, he has zero expenditures in the Vet benefit program, but he's there to meet the needs of the community. He noted Ch. 115 is very complex but it is for all Vets. He said he has been doing this for 47 years, 27 years in Medway, and provides full-time coverage for part-time pay.

Mrs. Rozanski questioned a salary of \$5,500 to distribute benefits of \$5,000. Mr. Johnson asked about the number of phone calls he received. He guessed about 200 on the average per year. When asked about claims, Mr. Mastroianni said about 50 being on the high side. Mr. Johnson also asked if he felt his duties might ever increase. He could not predict that, as he also takes care of benefits due the widows

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of veterans. Mrs. Rozanski asked if he kept a log of service calls, and he said he was never asked to maintain one. Mr. Johnson said the Board was just trying to make sure the dollars were being sent appropriately. Mr. Brodeur asked if he would accept less than \$5,500. Mr. Mastroianni said he would rather not.

Barry MacDougall said he was sorry the Board was even having this discussion. He felt the dollars were well spent.

Mr. Dziczek moved to approve the Veterans' Services budget for salaries of \$5,500; expenses of \$5,370; for a total of \$10,870; Mr. Gildea seconded; all aye.

- Public Comments.

None.

9:10 p.m. – Administrator's Report.

- Mr. Hartman reported meeting with the School Facilities Committee. They have two co-chairs – Barry MacDougall and Mary O'Leary, with Kelly O'Rourke serving as secretary. Meetings have been posted for the 5th, 12th, and 19th. On the 5th, they will be touring the schools. Seven out of eight members were present at the last meeting, and one FinCom member was also in attendance to keep FinCom informed until a rep is selected.
- Action Items:
- 2. With reference to the special municipal employee status for the law firm of Mirick O'Connell, Mr. Hartman explained if they are not classified as such, members of the firm cannot handle cases for clients in actions before Town boards. Mrs. Rozanski moved to appoint Mirick O'Connell special municipal employee; Mr. Johnson seconded; all aye.
- 3. Chief Vinton's memo requesting ambulance rates be increased was brought up. Mr. Hartman agreed that the rate increase was fair. Mr. Johnson moved the rates be increased as outlined in the memo received in the Office on January 28th; Mr. Dziczek seconded; all aye.
- 4. The Water/Sewer Commissioners had asked the Board to sign the corrosion control agreement with Dankris Builders Corporation dated December 22nd, 1998. It was noted the work would be completed within 270 calendar days after the Notice to Proceed is signed. Mrs. Rozanski moved to award the bid and contract to Dankris Builders, and that the Board be authorized to sign it; Mr. Dziczek seconded; all aye.

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- 5. The assessing software agreement with Paul Kapinos was addressed. Mr. Hartman noted they still have to get the Town Accountant's and Town Counsel's signatures, but both were aware of the contract and the changes they requested be made. Mrs. Rozanski moved the Board approve the software agreement with Paul Kapinos, subject to Town Counsel's review and signature and the Town Accountant's signature; Mr. Johnson seconded; all aye. The Board decided to just have Mr. Johnson and Mr. Brodeur sign the agreement for now, and when signed by Town Counsel and the Town Accountant, a third Selectmen could sign it for the quorum needed.
- 6. The Board was asked to approve a pole petition for the removal of an existing pole on Trotter Drive. It was noted no public hearing was required. Mrs. Rozanski moved the Board grant the petition as requested; Mr. Dziczek seconded; all aye.
- 7. The Board was asked to approve the relocation of an existing pole on Richardson Street. It was noted no public hearing was required. Mr. Gildea moved the Board grant the petition as requested; Mrs. Rozanski seconded; all aye.

9:30 p.m. – The Board questioned what to do with the letter concerning the Pavlik property from George Pavlik. Mr. Brodeur felt they could at least acknowledge it. Mr. Hartman said the timetable is the agreement between the developer and the Board of Selectmen. Mr. Johnson wondered if the Board should address the letter as it was addressed to individuals.

Mr. Hartman said, when they come to an agreement with Delphic, under the LIP, they would jointly make application under 40B to the ZBA. If the ZBA opposes, the appeal process is to whatever the agreement was. Mr. Johnson asked if the Selectmen approve, it goes to the ZBA; there is no appeal to someone else? Mr. Hartman stated Mr. Cussan has a purchase and sale agreement. After he gave a presentation to the Board, Mr. Hartman was told to negotiate, and he did that today. Mr. Cussan came in to see him with 10 houses and 1 affordable, but the State had told the developer and him for anything less than 8 houses, they want 2 affordable. He can't make it work with 5 houses in a range of \$270,000. Mr. Hartman said Mr. Cussan would be willing to live with 8 houses including the existing house and 2 affordable, and they are also looking for a sidewalk on one side waiver instead of two, and a 50 foot roadway. With reference to the 2 affordable, he said they might be able to make them local preference buyers.

If the Board wanted to go further, Mr. Cussan was willing to draw up plans. He could also research figures for 6, 7 and 8 houses, and take the original plan of 11 and do a comparison. Mr. Hartman noted a market study that was done placed the houses in the range of \$269,000 to \$289,000 for a 2,300 sq. ft. colonial. Mr. Dziczek asked if they should get input from the other Boards?

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Mr. Hartman stated they will all get involved. Mr. Dziczek asked about abutters being notified. Mr. Hartman said the Board could adopt any process they want once they agree they want him to develop preliminary plans. Mrs. Rozanski asked about profitability on 6 + 2. Mr. Hartman suggested they plan for 8 (6 + 2), then 7 (5 + 2), and then 6 (4 + 2). Mrs. Rozanski asked Mr. Hartman to get the P & S, and to inquire when the Housing Authority will meet with the Board to discuss the Affordable Housing Committee.

- Mr. Johnson moved to recommend to the JCRB a merit increase for the Town Accountant, Arti Mehta; Mr. Dziczek seconded; all aye.

Back to the remaining budgets to be approved.

Council on Aging:

There had been a question as to the cost of trash removal, and Mr. Hartman said the amount billed to them would be \$156 and not \$2,600 as the line item indicated.

Mrs. Rozanski moved approval of the Council on Aging budget for salaries of \$46,836; expenses of \$25,531; for a total of \$72,367; Mr. Johnson seconded; Mr. Dziczek opposed; aye.
abstained

DPS:

Mr. Hartman went over certain line items with the Board, i.e. telephone, clarifying the weather station cost and the different communication lines. Mr. Johnson had some concern about the actual 1998 cost on that line item, wondering if there are some non-reoccurring costs for the FY'00 budget, and asked Mr. Hartman to get a further breakdown.

This budget was tabled until next week.

Snow Removal:

The Board was concerned that every year, they have to vote to overspend on this budget. Mr. Dziczek felt the FinCom should know what the Board wants to do first. Board members felt they should offer a more realistic figure.

Mrs. Rozanski moved to increase overtime salaries from \$13,000 to \$20,000; repairs and maintenance from \$5,000 to \$10,000; salt from \$15,000 to \$25,000; for a grand total of salaries of \$20,000; expenses of \$57,500; and a final total of \$77,500; Mr. Dziczek seconded; all aye.

Street Lighting:

Mr. Hartman said he was not sure yet what effect MunEnergy would have the figures.

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Mr. Dziczek moved approval of the Street Lighting budget for expenses and total of \$94,000; Mrs. Rozanski seconded; all aye.

Mr. Hartman noted, from now on, requests for additional lights will be passed on to Safety Officer Watson. If he agrees with the suggestion, it will be brought back to the Board with an idea of how much it would cost.

Cemetery Commission:

Mrs. Rozanski moved approval of the Cemetery Commission budget for expenses and total of \$1,087; Mr. Dziczek seconded; all aye.

Historical Commission:

Mrs. Rozanski moved approval of the Historical Commission budget for expenses and total of \$1,150; Mr. Dziczek seconded; all aye.

Memorial Committee:

Mrs. Rozanski moved approval of the Memorial Committee budget for expenses and total of \$2,750; Mr. Dziczek seconded; all aye.

Tree Warden/Moth Agent:

Mr. Hartman noted they went out for a three-year bid this time which turned out to be very advantageous to the Town.

Mrs. Rozanski moved approval of the Tree Warden's budget for salaries of \$1,000; expenses of \$15,500; for a total of \$16,500; Mr. Dziczek seconded; all aye.

Mr. Hartman will bring all other budgets left to be approved, i.e. insurance, to next week's meeting.

- The Board asked that the Bresnahan property be placed as an action item for next week.

10:40 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

*approved
as amended
3/1/99*

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

8:45 a.m. – Mr. Brodeur called the meeting to order in Sanford Hall of Town Hall. Others in the audience in attendance included: Chief David Lambirth, Sgt. Robert Saleski, Chief Wayne Vinton, FinCom Chairman John Collett, Town Accountant Arti Mehta.

Mr. Hartman explained that all departments under the Selectmen have submitted their budgets to him. He, in turn, reviewed them with department heads if necessary, and on the budget sheets indicated his recommendation. Once the Selectmen have approved a budget, he will change "Administrator recommendation" to "Selectmen approved". He stated he wanted to do an introductory memo to the Board, but ran out of time to pull this together for the workshop today. He noted significant changes included: a combined Fire and EMS budget. He said they still have the capability to split it out if the Selectmen prefer. Mr. Hartman stated there was a larger COA budget because of the addition of the senior center. He noted one of the requested items was a 30-hour a week director, but he did not recommend that.

The Fire Chief was first up, and Mrs. Rozanski said she needed to know the service levels in his budget, and was glad to hear the budgets could be separated. The Chief noted the same line items have been combined into one.

Mr. Hartman brought up the additional staff time the Chief had requested along with Bob Speroni for the Building Department. He was aware that the upcoming audit report will recommend one full-time person for the Treasurer's office, but what the Treasurer feels she needs is someone for 20 hours. He believed her budget will reflect that additional person but the other 20 hours will be as a "floater". Mr. Hartman brought up how he felt certain offices, such as the Town Clerk, should never be closed, and possibly this "floater" could also work there, at least greeting the public. He stated Mrs. Sanford would put 40 hours in her budget, with the understanding that 20 hours would be allocated to the Town Administrator to distribute. He said it was recommended to leave the personnel function where it is, but he would have more supervision over that person.

Mr. Johnson recalled they used to do cross-training of personnel, but now with the Union, he was not sure if it could be done. They may have to look at the job description of the individual doing the work. Mr. Hartman did not feel he would have a problem with the Union on this as the Union person did not feel uncomfortable with it, but they're not sure about the employees. Mrs. Rozanski again said the person should report to the Town Administrator for organization and coordination. Mr. Hartman noted they felt it would do better if proposed in the Treasurer's budget. Mr. Brodeur asked them to be careful of taking work away from people doing the work. Mr. Hartman said they need to stay in appropriate classes, but if they go outside of their class, they should be compensated at that level. He added that he has not heard of anyone opposed to cross-training at department head meetings, but it was more of a legal issue. Mr. Brodeur asked about Park personnel being under the DPS budget, but Mr. Johnson felt it had to go back to

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town meeting. Mr. Brodeur then wondered if Park could just eliminate their salary budget, and DPS increase their salary budget by that same amount. To squelch any concerns, Mr. Dziczek said it could be explained in the FinCom book.

Some concern was also noted by Mr. Hartman for building maintenance which he felt should be centralized. He said it was all not very well coordinated, and if it was to include schools, this needed to be decided. Mrs. Rozanski thought the schools should be separate, but Mr. Hartman stated they are all public grounds, i.e. if someone sues a particular board in the Town, they are suing the Town period. Since Mr. Dziczek was very interested in this issue, Mr. Johnson suggested he come up with a proposal.

The Board began to go over budgets.

Police:

Mr. Hartman stated that the Chief had given him several budget proposals with different staffing levels – i.e. two additional officers, one additional officer, no additional officers. Mr. Hartman recommended going with the one with no additional staff. Stipends were also being recommended for the safety officer, court liaison, communications/ administrative officer and juvenile officer in addition to their present salaries. Mr. Hartman noted these officers were not usually available for the traditional overtime. He noted there is not contractual requirement, but the Town has traditionally done this since 1980. Mr. Hartman added they are incentives, not bonuses, to volunteer for these necessary assignments, and really should be a part of the contract.

Mrs. Rozanski moved approval of the Police budget for salaries of \$1,073,825; expenses of \$85,670; for a total of \$1,159,495; Mr. Dziczek seconded for discussion.

Some discussion on education and training credits with Sgt. Saleski. Mr. Dziczek was in favor of the younger officers getting additional credits. Other discussions on rental and leasing maintenance service agreements.

All aye on the motion.

Police & Fire Communications:

Mr. Johnson wondered why service agreements should not come under this department. Sgt. explained computers belong to the Police Department even though the communications center participates. Mr. Dziczek asked if hiring another person would cut down on overtime. The Sgt. explained he now had four full-time and three part-time personnel. Mr. Hartman noted that it requires a minimum of 4.3 people to operate a 24-hour, 365 days program like Dispatch.

Mrs. Rozanski moved approval of the Police/Fire Communications budget for salaries of \$151,086; expenses of \$6,700; for a total of \$157,786; Mr. Dziczek seconded; all aye.

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Sgt. Saleski noted the salary line item does not include any changes yet, but he will be going to JCRB. He was planning to meet with Mr. Hartman, as Personnel Director, to go over grades and steps.

The Board briefly discussed an inventory of all Town buildings and that Mr. Hartman was responsible for this. Mr. Hartman noted our insurance rep was coming next week to do a re-survey. Chief Lambirth suggested they consider how to get rid of surplus property. Mr. Johnson proposed an auction/disposal day. Mr. Hartman said he would work on it for next year.

Fire:

Mr. Hartman reiterated the combined fire/EMS budget, noting it has really been one department with one department head for four years. Mrs. Rozanski asked if the Chief had gone to JCRB for himself. Mr. Hartman noted he has never been evaluated and has never moved from step 1, but he would not be going to JCRB as he would be the one working with the Chief. Chief Vinton said he would be going to JCRB, however, for 12 of his people. Mr. Hartman again noted the change in the request for a 40 hour-a-week clerk. He also stated that, as they approve the Union contract, they should approve a salary schedule.

Mrs. Rozanski moved approval of the Fire budget for salaries of \$199,420; inspections of \$500; expenses of \$77,250; for a total of \$277,170; Mr. Dziczek seconded; Mr. Brodeur abstained; aye.

A question was brought up as to the area behind Fire Station I that is being graded and filled. The Chief said it was a ^{helicopter} landing zone for the Fire Department, and it wasn't costing the Town a cent. He stated the Town lost an area in West Medway, and now this spot was being utilized. Mr. Hartman added it was being done with the proper permit which was issued in 1994-1995. The Chief said the area is off limits and is posted. When the Board expressed surprise at the landing zone, the Chief said the previous Board had been apprised of the work, not necessarily the current Board. Mrs. Rozanski thought it was good public relations to advertise the work being done, but the Board should know about it first. The Chief said they hoped to have it ready in the Spring, but it first has to be approved by MedFlight.

Town Accountant:

Mr. Hartman felt that her Assistant, who was in the Union, was doing an excellent job, and felt the merit increase for her should be put in. Mrs. Rozanski asked if Mrs. Mehta would be going to JCRB. Mr. Hartman said she will, pending instructions from the Board. This is to be discussed Monday night.

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Mrs. Rozanski moved approval of the Town Accountant's budget for salaries of \$78,738; expenses of \$2,660; for a total of \$81,398; Mr. Johnson amended the motion to include subject to Monday night's action; Mr. Brodeur seconded; all aye.

With reference to line items being deleted, Mr. Hartman said they don't delete it until it shows zero across the board.

Information Center:

Mr. Hartman said he was recommending an increase in professional/technical because of the annual cost of software packages for the Assessors, Treasurer and Accountant and service agreements. Mr. Johnson asked if the servers should be kept separate, but Mr. Hartman felt it would de-centralize equipment. Mr. Johnson felt that needed to be addressed because he thought they should be in the department. He said the GIS system is another cost to look at – would they be charging all departments. Mr. Hartman noted that the CIPC would be looking at the second part of the technology plan next Saturday. He reiterated that this budget does not take away from any other department or budget.

Mrs. Rozanski moved approval of the Information Center budget for expenses of \$34,945; Mr. Dziczek seconded; all aye.

Board of Selectmen:

Mr. Hartman noted one of the changes includes advertising since all personnel advertising comes from the Office. He also said they may want to consider a pre-employment policy for part-time people, i.e. if they are part-time, and not benefit-eligible, then they do not need an exam. A change to the by-law may be required. Mr. Hartman noted that right now, we pay \$75 for an exam as worked out with our local physicians, but we were looking into MIIA's plan which would cost \$66. Mr. Brodeur suggested finding out what the policy was for school-department personnel.

Mr. Rozanski moved to increase the advertising line from \$2,000 to \$2,500; Mr. Dziczek seconded; all aye. Mr. Johnson suggested adding a line – collation for food and food services for \$2,000; Mr. Dziczek seconded; all aye.

Finance Committee:

The Board stopped here to allow John Collett, who had to leave, to present the FinCom budget to the Board.

Mrs. Rozanski moved approval of the FinCom budget for salaries of \$2,120; expenses of \$6,350; reserve fund of \$100,000; for a total of \$108,470; Mr. Dziczek seconded; all aye.

Mr. Collett said he felt the Board should look at all budgets. He stated the FinCom was the conduit and made recommendations of where the dollars should be spent. He noted

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future meetings were scheduled for February 10th and 24th. He said he was willing to pass on his worksheet as long as someone takes it. Mr. Hartman stated that, back in October, he said he wanted to do a more comprehensive budget document. Mr. Hartman suggested a joint meeting with the Board of Assessors, Treasurer, Town Accountant with the FinCom on February 10th. Mrs. Rozanski noted it was the same night as the Sithe hearing. It was then agreed to ask John Collett, June Murray, Marge Sanford, Arti Mehta, Steve Barasso, Art Bettencourt, Dave Verdolino, and Paul Keefe to come to the Selectmen's meeting on February 1st at 7:20 p.m. for a pre-meeting meeting. Mrs. Rozanski said they need to look at sources of revenue, with Mr. Collett feeling the object was to put on the table what is needed to find out the total monies available. He asked the Board to consider putting a percentage of revenue into a set-aside fund for open space.

Back to the Board of Selectmen's budget.

Mrs. Rozanski moved approval of the Board of Selectmen's budget for salaries of \$102,780; consultant expenses of \$2,500; merit increase of \$15,600; expenses of \$23,000; for a total of \$143,880; Mr. Dziczek seconded for discussion.

Mrs. Rozanski suggested increasing the consultant expense line item from \$2,500 to \$7,500, and to transfer the \$5,000 out of DPS consultant expenses to this line item.

Mrs. Rozanski amended the motion to transfer \$5,000 from DPS line item 372 to the Board of Selectmen's consultant expenses line item 204, with an amended total of \$148,880; Mr. Johnson seconded.

Some concern on what other consulting services might be needed, i.e. Sithe. Mr. Hartman said that Rep. Gardner was going to look into it and get back to the Board, with a possibility of such things, as host town benefits.

All aye on the motion.

Law:

Mr. Rozanski moved approval of the Law budget for salaries of \$20,000; expenses of \$11,000; for a total of \$31,000; Mr. Dziczek seconded; all aye.

JCRB:

Mrs. Rozanski moved approval of the JCRB budget for salaries and total of \$452; Mr. Dziczek seconded; all aye.

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Registrars:

Mr. Johnson proposed to amend the Registrars budget to include a \$500 stipend for each individual. Mrs. Rozanski said she would like to hear what the Town Clerk had to say about it. Mr. Dziczek agreed she would now how many hours they put in.

Mrs. Rozanski moved to table this budget until Monday night; Mr. Dziczek seconded; Mr. Johnson opposed; aye 4-1-0.

ConCom:

Mr. Johnson moved approval of the ConCom budget for salaries of \$3,980; consultant's fees of \$1,000; and expenses of \$5,400; for a total of \$10,380; Mrs. Rozanski seconded; all aye.

ZBA:

Mr. Dziczek moved approval of the ZBA budget for salaries of \$3,541; expenses of \$2,000; for a total of \$5,541; Mr. Gildea seconded; all aye.

Mr. Brodeur noted the ZBA is considering hiring an engineer to oversee the construction of the Narducci project as they have the ability to charge fees. With reference to engineering, Mr. Hartman noted ConCom is interested in hiring a consultant who would have environmental experience as a joint venture with the Planning Board for a planner, since they both seem to want an individual, and share that employee.

IDC:

Mr. Dziczek moved approval of the IDC budget for salaries of \$1,968; expenses of \$3,415; for a total of \$5,383; Mrs. Rozanski seconded; all aye.

Mrs. Rozanski noted if the Town hired a planner next year, the IDC would probably be utilizing those services.

Town Hall:

Mr. Hartman stated the heating system in Town Hall needs to be evaluated. Mrs. Rozanski wanted to see a routine maintenance plan in place. Mr. Johnson felt maintenance should be separated from repair, i.e. work to the fire escape. Mr. Hartman mentioned the custodian was doing most of the maintenance work. He also stated they need to put cleaning services into the maintenance function. Mr. Dziczek said, if we were going out for cleaning services for Town Hall, why not expand it to include other municipal buildings. Mr. Hartman said it was best to go slow for next year, foreseeing building maintenance under DPS. He noted that a senior citizen was cleaning the senior center now under the tax relief program.

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Mr. Dziczek moved approval of the Town Hall budget for salaries of \$16,731; expenses of \$47,183; for a total of \$63,914; Mrs. Rozanski seconded; all aye.

Annual Town Report:

Mrs. Rozanski moved approval of the Annual Town Report budget expenses and total of \$2,500; Mr. Dziczek seconded; all aye.

CIPC:

Mr. Dziczek moved approval of the CIPC budget for salaries of \$505; expenses of \$170; for a total of \$675; Mrs. Rozanski seconded; all aye.

Building Inspector:

Mrs. Rozanski moved approval of the Building Inspector's budget for salaries of \$60,134; inspection fees of \$28,000; expenses of \$4,850; for a total of \$92,984; Mr. Dziczek seconded; all aye.

Emergency Management:

Mr. Hartman noted he took out the capital items requested and will be bringing them to CIPC. Mr. Johnson did feel a four-wheel drive vehicle should be available somewhere.

Mrs. Rozanski moved approval of the Emergency Management budget of expenses and total of \$1,230; Mr. Gildea seconded; all aye.

Animal Control:

Mrs. Rozanski moved approval of the Animal Control budget for expenses and total of \$22,643; Mr. Johnson seconded; all aye.

Traffic Signals:

Mrs. Rozanski moved approval of the Traffic Signals budget of expenses and total of \$2,500; Mr. Dziczek seconded; all aye.

DPS:

Mr. Hartman noted Mr. Henry asked for four more people, but he recommended only one additional person. The budget is also looking for some part-time seasonal summer help. He said there is additional overtime because they are looking at doing an aggressive paving program and won't send people home because it's 3:30 p.m. on paving days.

Mr. Johnson was concerned about the electrical portion of the budget and said he has asked the Town Accountant for a breakdown of electrical cost by department, with Mr.

MINUTES OF THE SELECTMEN'S BUDGET WORKSHOP
JANUARY 30, 1999

Dziczek saying it should just be by building. Mr. Hartman said he would check with Mrs. Mehta and try and get something for the Board for Monday's meeting.

Mr. Brodeur questioned the need for a weather station and asked which if it was under the telephone line item. Mr. Dziczek suggested giving some thought to hiring a full-time electrician for the Town buildings and school buildings. Mr. Hartman said he could check into a print-out on how much was spent on electrical services. Mr. Dziczek noted Mr. Myers had asked Dave Verdolino for that same information and on other services.

Drug testing was brought up, and Mr. Hartman said that, on a statistical basis, 50% are tested for drugs each year and 25% for alcohol. He did note that police and fire personnel are exempt by the Federal Trade Commission. Mrs. Rozanski felt the line item should indicate a more reasonable amount. Some concern on cost of uniforms was also mentioned.

The subject of sidewalks was brought up and Mr. Hartman said it was anticipated that 6,000 feet of sidewalk would be constructed. Mr. Brodeur reminded the Board they need to decide on curbing.

It was recommended the DPS budget be tabled until Monday night.

Council on Aging:

Mr. Dziczek abstained from this discussion.

Mr. Hartman noted the suggestion was made to increase the Director's hours from 18 to 30 hours per week, and to have the Outreach Worker work 10 hours a week. He said the Outreach person used to be under a grant, which no longer exists. Mr. Hartman said the Director did not have a problem with the 18 hours and felt it should stay there for now. He said the Director was included in salaries for 52 weeks, and the other employees have 44 weeks. Mr. Johnson wondered what they did in the summer without the van driver and bundle carrier. Mr. Gildea wondered where the money went that people pay for medical trips.

Mr. Hartman said that COA is asking if the Board of Health can provide them with residential pickup and what were the requirements. Mr. Johnson questioned even the need for a dumpster.

Mrs. Rozanski moved to table the COA budget until Monday night; Mr. Johnson seconded; all aye.

Veterans' Services:

It was felt among some Board members that the Town was paying a lot for services.

MINUTES OF THE SELECTMEN'S BUDGET WORKSHOP
JANUARY 30, 1999

Mrs. Rozanski suggested the Veterans Agent come in Monday night so he could detail for the Board what his job entails and discuss his budget further.

Mrs. Rozanski moved to table the rest of the budgets until Monday night; Mr. Dziczek seconded; all aye.

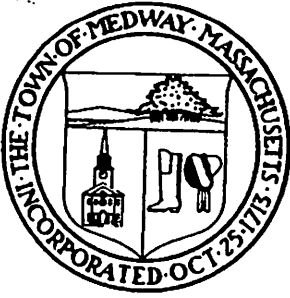
2:30 p.m. – The workshop was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

*approved as amended
3/1/99*



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

AGENDA

MONDAY, JANUARY 25, 1999

Location: Sanford Hall of Town Hall

- 7:00 p.m. - Open meeting, sign warrants, approve minutes of December 14th and 21st, 1998.
- Administrator's Report.
 - * Correspondence
 - * For your information
 - * Personnel activities
 - * Other
 - Committee Reports.
 - Action Items.
 1. Discussion of Bresnahan property under Chapter 61A.
 2. Approve purchase of handicapped accessible doors for Senior Center.
 3. Discussion of Pavlik property under comprehensive permit.
 4. Approve Class II license for Richard Bruce (forgot to renew).
 5. Approve abatement of ambulance receivables.
 6. Vote to overspend on snow removal.
 7. Acknowledge Fisher Street residents' petition.
 8. Discuss correspondence from Open Space Committee.
 9. Vote to appoint the law firm of Mirick O'Connell Special Municipal Employee.
 10. Attendance at Norfolk County Selectmen's Association meeting.

REMINDER:

Budget workshop on Saturday, January 30th at 8:30 a.m. in Sanford Hall.

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MINUTES OF THE SELECTMEN'S MEETING
JANUARY 25, 1999

Present: James Brodeur, Raphaela Rozanski, Richard Gildea, Harry Johnson, Town Administrator Michael Hartman. Joe Dzikczek was not in attendance.

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

- Mr. Johnson moved to approve and accept warrant #31 totalling \$392,496.68; Mr. Gildea seconded; all aye. Mr. Johnson noted, in speaking with the Town Accountant, that this was the largest expenditure on snow removal she had seen. Mrs. Rozanski suggested Mr. Hartman review the figures.
- Administrator's Report.
- Mr. Hartman referred to the two letters concerning the Town Clerk and an investigation into the usage of the State computer indicating her office was not in compliance. Mr. Hartman stated it was discovered the same letter dated January 7th was sent to all Town Clerks. Mrs. White took offense to that and requested they come in to see her. The State came in on January 19th and everything was cleared up.
- Mr. Hartman mentioned that the Town Accountant would like to meet with the Board on her evaluation. He noted she was satisfied and pleased with her evaluation but wanted to discuss a few concerns and to pursue the prospect of any monetary outcome. Mrs. Rozanski asked if he had done a composite that was reviewed with Mrs. Mehta. Mr. Hartman said her score was higher than satisfactory but lower than excellent. He noted she did not have a problem with the score but some of the language, and just wants to set the record straight. Mr. Johnson moved Mrs. Mehta be invited to the next meeting; Mrs. Rozanski seconded; all aye. Mr. Hartman will give a copy of the composite to the Board with his recommendation.
- Mr. Hartman stated that the new Highway Foreman, James Smith Jr., started work today. He also said a Police Lieutenant had been appointed. Mr. Johnson was surprised, not realizing the process was underway. Mrs. Rozanski asked who made the appointment, and Mr. Hartman said he did as the appointing authority. Mr. Johnson commented it would have been nice to know this was coming ahead of time, especially those items that were on the agenda but hadn't been completed by the previous Board. Mrs. Rozanski agreed it's better that the Board knows before the press. Mr. Hartman said he had not notified the press yet wanting the Board to know first as well. Again, he believed this discussion was with the prior Board. He noted that two Police Chiefs and an Assistant Town Administrator were on the Committee, with he and Chief Lambirth as observers.
- Mr. Hartman said that action item #5 should not be on the agenda as the Treasurer and Fire Chief agree on the ambulance abatements, but now the Town Accountant has to agree with the figures. At this point, a new policy is being set to abate anything more than three years old.
- Mr. Hartman noted that JoAnne Munch has resigned from the FinCom because of a conflict of interest, and from the CIPC and School Facilities Needs Committee. John Collett has been invited to the School Facilities Needs Committee meeting in her absence until another member has been designated.
- Committee Reports.
- Mrs. Rozanski said she had attended the MMA meeting, and was appointed secretary to the Mass. Selectmen's Association and chairman of the Women's Elected Municipal Officials organization.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 25, 1999

- She passed on to Mr. Hartman information she had picked up at the meeting. She also noted attending the SWAP meeting in Norfolk. Mrs. Rozanski said the legislative breakfast was being held on February 26th from 7:30 a.m. to 9 a.m. at the Medway Senior Center. She also had information on the I-495 initiative which would be left in the office. She said she attended the MEPA review on the Algonquin Gas Transmission Company under the Tiverton Power Project and gave Mr. Hartman that documentation as well. With reference to the senior center building, Mrs. Rozanski said the final payment was coming up.
- Mr. Brodeur said he had attended the ZBA last week and noted it was continued to February 3rd. They would be having a meeting this week, however, to consider conditions of approval. Mr. Johnson stated he was at that meeting as well and saw more harmony and discussion than at previous meetings. He noted the only plan before the ZBA is for 51 single family units on both halves of the wetlands. He felt that the Planning Board might be considering suing the ZBA and may need advice from counsel. He did feel the primary concern with the ZBA is density. Even though the Board could not say how many children would be in the units, neither could they predict the number of cars.
- Mr. Brodeur reminded the Board of the Sithe hearing on February 10th at the High School.
- Public Comments.
- Barry MacDougall suggested the Board take a pro-active role in the letter involving the Town Clerk. He felt the Board should send a letter to the Secretary of State asking what their computer auditing procedures are.
- Action Items.
 - #1. Mr. Brodeur noted they had received comments from the different boards and committees relative to the Bresnahan property under 61A that Planning Board had recommended its purchase. Mrs. Rozanski was concerned the property was in the flood zone. Mr. Johnson said the property could be put under open space, forestry or horticultural. He also noted that there are five acres in ARII, and they could build on one-half acres, but they would only build two houses on two acres. He added he would like to know why Planning Board is recommending the Town buy it, before they take it a step further and go to Town Meeting. Mr. Hartman noted ConCom and CRPCD both said no, with Mr. Johnson adding the Assessors said no as well. Mr. Hartman said he would check out of the flood zone issue.
 - #2. The subject of the Friends of the Elders purchasing the handicapped doors for the senior center was brought up. Mr. Hartman said they had received three quotes and were ready to have the automatic doors installed; however, they needed the Council on Aging's approval, and since the Selectmen own the building, they need the Board's approval as well. He said they will be applying for a building permit, and next year they will probably need a maintenance contract. He noted the FinCom had already approved an emergency transfer for the railing. Mr. Johnson moved to accept the FOE's quote to purchase the handicapped accessible doors and installation for the senior center; Mrs. Rozanski seconded; all aye. Mr. Hartman said this involved the accepting of a gift, so it was not subject to 30B. Mr. Johnson moved to waive any necessary building permit fees; Mrs. Rozanski seconded; all aye.
 - #3. The subject of the Pavlik property under a comprehensive permit was brought

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 25, 1999

up. Mr. Johnson moved this discussion be put off until they receive a more substantial proposal. Mr. Hartman noted they do have leeway and the Selectmen have parameters to negotiate with the developer under the comprehensive permit, but it has to be at least 25%. The only other thing is that they would not be exempted from the Clean Rivers Act. He noted originally in November, it was 8 units; now it is 10 - 2 plus the existing house, and he can build the 10 where he was allowed to only build 3. Mr. Hartman said he believes they are willing to negotiate, but would like the Board's support as it would be a local initiative program from the Selectmen. Mr. Brodeur agreed they have to determine where they stand. Mr. Hartman noted under 40B, the market determines what the houses should sell for. Mr. Brodeur suggested starting with a total of four with one affordable. Mr. Hartman said he would not put the issue on the agenda until he has something to give the Board. Mr. Johnson moved that the Town Administrator speak to the developer and come to a more amenable less dense development by half; Mrs. Rozanski seconded; aye.

#4. The Class II license for Richard Bruce was addressed. The Secretary explained Mr. Bruce just forgot to renew his license, which he has had as a pocket license for many years. She noted there were no vehicles for sale on the premises. Mrs. Rozanski moved approval of the license; Mr. Johnson seconded; Mr. Brodeur abstained; aye.

#5. Already addressed.

#6. The subject of voting to overspend on snow removal was brought up. The Board felt they wanted up-to-date figures prior to voting. Mr. Hartman said he had spoken to Mr. Henry and they were right on the edge, and the next snow storm could put us over. He said crews were working to the maximum trying to use less sand per DEP, and instead using a calcium chloride solution. Mr. Hartman stated four plows had to be replaced, and two could not be repaired. He felt the bulk of the cost are the workers' hours. Mrs. Rozanski moved to table this until next week. Mr. Johnson moved to get an explanation and comparison of why they have spent this historical amount by Mr. Henry for the next meeting, and to ask the Town Accountant for a printout; Mrs. Rozanski seconded; all aye. Mr. Johnson was going to second Mrs. Rozanski's motion, but then realized it was not needed so withdrew his second.

#7. Some of the residents of Fisher Street had sent in a petition noting their concern with traffic on Route 109. The Board acknowledged this petition, however, Mr. Brodeur noted that the signatures were obtained from 5/97 to 10/97 even though the cover letter was dated January 11, 1999. Mr. Johnson wondered what the Chief had to say about the letter since it was also addressed to him, so Mr. Brodeur requested an answer from him; Mrs. Rozanski seconded that request; all aye.

#8. The Board discussed the various letters received from the Open Space Committee. Mr. Brodeur read some of their goals including the hiring of a consulting firm, a committee to research chapter lands, and the hiring of a planner. Mr. Brodeur also felt new volunteers were needed, and if none come forward, they would have to get some outside people. Mr. Johnson felt Mass. General Laws tells the Board how to deal with chapter lands. He said other towns have the same problems even with outside people. Mr. Hartman said he spoke to Virginia Calapa and she felt there should be an inventory done of chapter lands with a complete matrix. For example, Hopkinton paid \$5,000 for their matrix. She also felt there should be a standing committee to look at everything that is proposed. Mr. Hartman noted it will require cooperation by all landowners. Mr. Johnson felt the committee only has to meet when there is a parcel to be discussed. Mrs. Rozanski suggested getting information from Hopkinton on their matrix.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 25, 1999

#9. The subject of appointing Mirick O'Connell a special municipal employee was brought up, and Mr. Johnson moved to defer this to Mr. Hartman for discussion with Town Counsel if necessary; Mrs. Rozanski seconded; all aye.

#10. Attendance at Norfolk County Selectmen's Association meeting was noted to the Secretary, with all but Mr. Dziczek attending. Meals were: RR-scrod, RG-chicken, HJ-scrod, JB-beef.

- A reminder of the budget workshop on Saturday, January 30th at 8:30 a.m. in Sanford Hall.
- Mr. Brodeur read a letter from the Police Chief to Long Distance Tire thanking them for their help with a pedestrian accident on Route 109 recently.
- Mrs. Rozanski moved approval of the minutes of December 14, 1998; Mr. Johnson seconded; all aye. Mrs. Rozanski moved approval of the minutes of December 21, 1998; Mr. Gildea seconded; all aye.
- Mr. Brodeur brought up the subject of the billboard on Route 109 that is in the Town's right of way. Mr. Hartman said he was still talking to the company, but he noted the posts are not in the right of way, but they may overhang. He stated Mr. Potheau has a lease with them, but the permit is provided by the State now which was grandfathered then. On the same issue, Mr. Hartman stated that Mr. Powderly has refused to sign the notice of entry, and he was in the process now of an order of taking.

9:32 p.m. – Mrs. Rozanski moved to adjourn to executive session, not to return to public session, for discussion of potential litigation; Mr. Johnson seconded; all aye. The vote: Mrs. Rozanski – yes; Mr. Gildea – yes; Mr. Johnson – yes; Mr. Brodeur – yes.

Respectfully submitted,

M. J. Fredette
Secretary

Mj

Approved
2/22/99



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

AGENDA

SATURDAY, JANUARY 9, 1999

Location: Sanford Hall of Town Hall

9:00 a.m. - Open informal working session.

Concerned Citizens of Bellingham re: power plants in Medway.

10:00 a.m. - Interview six candidates for School Facilities Needs Identification and Evaluation Committee, with remaining three on Monday.

Bill Dickson
Bruce Hamblin
Patti Howard
Barry MacDougall
Mary O'Leary
Linda Reynolds
Maria Varrichione

AGENDA

MONDAY, JANUARY 11, 1999

Location: Sanford Hall of Town Hall

7:00 p.m. - Open meeting, sign warrants, approve minutes of December 7, 1998.

7:15 p.m. - Representatives from Delphic Associates re: local initiative housing project.

7:45 p.m. - Interview last three candidates for School Facilities Needs Identification and Evaluation Committee.

Bill Gross
Peter Manidak (via speakerphone from Houston, Texas)
Kelly O'Rourke

continued to page two...

cc: AUB
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6/4/99

page two...

- Administrator's Report.
 - * Correspondence
 - * For your information
 - * Personnel activities
 - * Other

- Committee Reports.

- Action Items.

1. Request of Ronald Young for renewal of a solicitor's permit.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 11, 1999

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

7:11 p.m. - Mr. Brodeur opened the meeting in Sanford Hall of Town Hall.

- Mr. Hartman noted that the Town Accountant was given a copy of the consolidated version of her evaluation from Mr. Brodeur.

- Mrs. Rozanski moved approval of the minutes of December 7th; Mr. Dziczek seconded; all aye.

- Mr. Johnson moved to accept and approve warrant #29 totalling \$396,248.78; Mrs. Rozanski seconded; all aye.

7:15 p.m. - Paul Cusson representing Delphic Associates came to speak to the Board about the Pavlick property of 140,000 sq. ft. in the area of 122 Holliston Street under the LIP program of Ch. 40B. Mr. Cusson was here this evening to discuss a proposal of 10 single family homes, with lots in the range of 8,000 sq. ft. to 17,600 sq. ft. He stated that 25% would be for low and moderate income buyers, specifically three. He believed they would be three bedroom homes in the range of \$94,500 and 4 bedroom homes around \$100,000. Qualifying income would be \$45,000. The Board of Selectmen could then set up a lottery, and then establish some preferentials. However, Mr. Cusson stated this was an introductory meeting to introduce the development. When asked what would be developed here if a normal subdivision, he stated it was not the intent, but there would probably be three conventional house lots including the existing one. He preferred to work with the Board of Selectmen for a positive recommendation to the ZBA, or they could go directly to the ZBA. He knew they would have to go by the State Building Code and the State Wetlands Act.

Mr. Brodeur was concerned about not increasing any run-off. Mr. Cusson stated pre-developed has to be equal to post-development, and they would have engineered plans with a detention area. Any run-off would probably be through the rear of the property, but it has not been engineered yet. Other specifics include a 45 foot roadway, a paved area of 24 feet, and approximate sq. footages of house of 1,500 and 2,000 sq. ft. He felt the marketable houses would be around \$200,000, however, when you went down the street, you would not be able to tell the affordable homes from the others.

Mr. Johnson questioned why he shouldn't go through the regular process. He said he felt as if Mr. Cusson was imposing the LIP on the Board. Mr. Cusson referred to the 1969 statute passed (anti-snob zoning) chapter 40B. Mr. Dziczek asked if any towns were at the 10% level. Mr. Cusson felt many cities were, but not many towns. It was agreed there were several issues to resolve, i.e. sidewalks, planning, density, compatibility with surrounding streets, etc. When asked about resell values, he said they can only resell similar to the way it was bought - first to the Town, then the State, then to market. He stated the Selectmen could place restrictions or "preference buyers" only, i.e. first-time home buyer, graduate of Medway High School, parents would have to be on the tax roll, and the Selectmen would determine how the lottery will be run.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 11, 1999

- Mr. Hartman said he needed to orient the Board towards the budget, and suggested they use the current rates for salaries. He stated they need to look at a schedule, but would not send anything on to FinCom before the Board of Selectmen looks at it.

Mr. Dziczek felt the FinCom would like the budgets asap so they can have a better handle on the figures, and want to get the balance of those who go to them in two weeks. Mr. Hartman stated that would not happen this year, as FinCom already knew that the Selectmen would be seeing the budgets first. Mrs. Rozanski asked about the projected growth figures. Mr. Johnson stated no one has asked the Assessors for those figures yet. Mr. Hartman added that no joint statement between the Selectmen and the FinCom was ever issued even though they were asked.

- Mr. Hartman stated they have completed interviews for the Highway Foreman position and have made an offer to the individual. They are waiting for acceptance, noting it's Mr. Henry's appointment. He hoped they would have an answer the next day.

- Conversation again went back to the budget, with Mr. Hartman asking the Board when would they like to meet and approve the different budgets. Again, he would not submit them to FinCom until the Board approves them. He stated it is not a budget until the Board of Selectmen approves it. He noted that the Town Accountant had also sent a memo out but did not give a deadline date on it. He felt another memo needed to be sent to clarify the process. Mr. Brodeur suggested having budgets submitted to Mr. Hartman by January 25th and a workshop the following Saturday, January 30th at 8:30 a.m. Mr. Hartman said, with reference to elected boards, there is no change in the procedure and they will submit their budgets to FinCom directly.

It was agreed to review budgets on January 30th, with the balance, if any, to be reviewed on February 1st. Mr. Hartman said he would try and then submit approved budgets to FinCom for their February 10th meeting.

- Conversation again went back to Delphic Associates, and Mr. Hartman asked the Board if they want him to have conversations with Mr. Cusson. Mr. Brodeur felt he should, and if Mr. Cusson was to return on February 1st, then this needs to be placed on the Selectmen's agenda for January 25th for discussion. Mr. Hartman felt there some latitude for negotiation. Mr. Brodeur also asked the Board if they should authorize Mr. Hartman to contact Attorney Al Robinson on this matter. Mrs. Rozanski moved to authorize the Town Administrator to contact Mr. Robinson about the Town's rights with the LIP program; Mr. Dziczek seconded; all aye.

Mrs. Rozanski asked that Mr. Hartman not make any firm commitments with Delphic until after the Board discusses it again on January 25th.

- The Board discussed the School Facilities Needs Identification and Evaluation Committee. It was noted that the Master Plan Committee and the FinCom would be meeting soon to pick a representative to that Committee. Rather than wait to have another meeting to vote on them, Mrs. Rozanski moved to endorse the candidates recommended by the Master Plan Committee and the Finance Committee, and instruct the Town Administrator to execute the proper paperwork; Mr. Johnson seconded; all aye. Three members could sign appointment slips when necessary.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 11, 1999

The Board then discussed the candidates for citizens-at-large. Each Board member separately chose their top five candidates by secret vote and turned them over to the Town Administrator for tabulation. The top five vote-getters from 8 to 19 votes were: Maria Varrichione, Bruce Hamblin, Barry MacDougall, Mary O'Leary and Kelly O'Rourke. Mrs. Rozanski suggested doing an organizational meeting when the other two members are selected. Mr. Brodeur suggested the Board think about the charge of the Committee further, with Mr. Johnson feeling the whole Board should approve the charge. Mr. Hartman said he would put something together for them all to review.

- Mrs. Rozanski brought up the letter dated January 6th sent to the Board by the Chairman of the Library Trustees with reference to the early New Year's Eve closing. Mr. Hartman explained the situation as it related to holiday pay. Mrs. Rozanski noted the hardship if the funds weren't budgeted. Mr. Hartman again felt the issue was just the timeline. Mrs. Rozanski did feel holidays are part of the contract and should be negotiated.

9:30 a.m. - Committee Reports.

- Mrs. Rozanski said she had attended the MMA meeting this past weekend, with Mr. Brodeur stating he had authorized Mrs. Rozanski to vote on his behalf in the voting session.

- Mr. Dziczek brought up the subject of budgets again, and specifically the Park Department. He felt certain issues were coming forward that should be addressed. He also wanted the Board to think about the Park Commissioners expanding from 3 to 5 members. Mr. Johnson moved to put that question on the next town meeting warrant. Mr. Dziczek said that recommendation should come from the Park Commissioners. Mr. Johnson withdrew his motion.

Mr. Brodeur said the employees under the Park Commissioners also needs to be researched into possibly a reorganization of that department. Mr. Hartman said the Commissioners were waiting to hear from the Selectmen on that issue.

With reference to the Idylbrook project, Mr. Hartman said they were working on a rebidding process. There was now \$50,000 that could be utilized which brings the total up to \$250,000. He noted the State has the right to approve the specs, and they may have to ask someone to help draw up the specs using the grant money. Mr. Hartman noted the Commissioners were still struggling with the issue of irrigation.

There is the other issue also of the Commissioners wanting to recommend the Board of Selectmen place the maintenance of the parks under DPS. Mr. Brodeur asked if there was no budget under the Park Department for salaries and those monies were placed in the DPS budget, would that take care of it. Mr. Hartman felt that it has to be cleared through the two independent elected boards coming to an agreement; however, he did not feel it was an issue of collective bargaining as all the employees work for the Board of Selectmen. There also has to be an understanding on the degree of services provided, but he felt all departments can work together.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 11, 1999

- Mr. Brodeur reminded the Board of a forum on January 20th at 11 a.m. at the State House of the joint committee on local affairs with reference to local aid forecasting.

- Action Items.

- #1. A request was received by Ron Young of Hubcaps on Wheels requesting permission to sell hubcaps again at 16 Main Street. The Secretary noted receipt of a letter from Barry Roth of 16 Main Street indicating he had no problem with this. Mrs. Rozanski moved to approve the peddler's permit for Ron Young at 16 Main Street from January to December on Tuesdays; Mr. Gildea seconded; all aye.

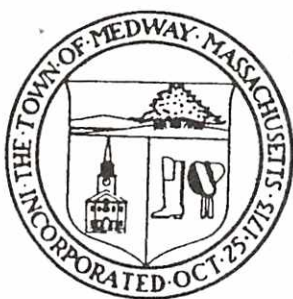
9:45 p.m. - Mrs. Rozanski moved the Board adjourn to executive session for the purpose of potential litigation not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mrs. Rozanski - yes; Mr. Gildea - yes; Mr. Dziczek - yes; Mr. Johnson - yes; Mr. Brodeur - yes.

Respectfully submitted,

M. J. Fredette
Secretary

mj

*Approved
2/22/99*



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

AGENDA

SATURDAY, JANUARY 9, 1999

Location: Sanford Hall of Town Hall

9:00 a.m. - Open informal working session.

Concerned Citizens of Bellingham re: power plants in Medway.

10:00 a.m. - Interview six candidates for School Facilities Needs Identification and Evaluation Committee, with remaining three on Monday.

Bill Dickson
Bruce Hamblin
Patti Howard
Barry MacDougall
Mary O'Leary
Linda Reynolds
Maria Varrichione

AGENDA

MONDAY, JANUARY 11, 1999

Location: Sanford Hall of Town Hall

7:00 p.m. - Open meeting, sign warrants, approve minutes of December 7, 1998.

7:15 p.m. - Representatives from Delphic Associates re: local initiative housing project.

7:45 p.m. - Interview last three candidates for School Facilities Needs Identification and Evaluation Committee.

Bill Gross
Peter Manijak (via speakerphone from Houston, Texas)
Kelly O'Rourke

continued to page two...

cc: ALB
cm
6/4/99

page two...

- Administrator's Report.
 - * Correspondence
 - * For your information
 - * Personnel activities
 - * Other
- Committee Reports.
- Action Items.
 1. Request of Ronald Young for renewal of a solicitor's permit.

MINUTES OF THE SELECTMEN'S WORKING SESSION
JANUARY 9, 1999

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

9:05 a.m. - Mr. Brodeur gave a brief statement as to what the informal working session was being called for, basically for the Concerned Citizens of Bellingham who wanted to address their concerns to the Board on power plants. At 10:00 a.m., the Board would be conducting interviews for the School Facilities Needs Identification and Evaluation Committee.

- Brian Sutherland introduced himself as President of the Concerned Citizens group who wanted to voice their concern about the number of power plants coming into the area and its effects and impacts. He wanted the Board to be educated to make informed decisions. He felt those and others in financial position don't seem to ask questions. Others have hired consultants to assist them, not in a financial situation, but to be aware any ramifications and to get clarity. He noted the Energy Facility Siting Board will help to determine impacts as many changes will be occurring. He noted that Medway was in the path of winds of all the power plants going in, i.e. Franklin and Bellingham. He stated the Charles River Watershed Association was also concerned. His group was also concerned about the extra burden on the 495/126 interchange. Mr. Sutherland mentioned that one account says Sithe will be using cleaner emission compounds; another account has them using different compounds. It changed from the first notification form and from the petition. He also stated he was confused that Stone & Webster were working on the project and were also working as a consultant.

Mr. Sutherland felt the impact on Medway had been reduced because of their efforts. He stated their charter is to preserve the quality of life in the rural suburban area. They have chosen to live here, and not to move. He stated they were trying to give the Board options; they weren't trying to tell us what to do.

Again, Mr. Sutherland said the Town may want to hire someone to ask questions; an expert in the field who will ask the right questions.

Pete Morelli of CCB said they are requesting to be licensed for 2500 hours, but it was hard to believe they were building such a facility and just want to run for 100 hours. Mr. Sutherland added they already have a 100 hour facility in Framingham and Medway; why not just use them. He felt they were coming here because it was easy; they don't have to.

Mr. Johnson stated Sithe was an oil/gas burning facility, and they use gas since it is the cheapest, but they can use natural gas and oil. He had also been told by Boston Edison they were using gas, and Sithe has made guarantees that the facility should be of no greater concern than what they have.

Deb Furlaw, VP of CCB, again asked if they had any counsel working on this, and suggested an environmental lawyer that works for the Town, not the power company.

Mr. Sutherland noted that Franklin and Mendon were able to provide information to Bellingham, and as such, Stone & Webster were contracted and chosen by the communities but
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MINUTES OF THE SELECTMEN'S WORKING SESSION
JANUARY 9, 1999

paid for by ANP. He also suggested asking Sithe for a copy of their plans, similar as to applying to the ZBA with a petition. He said there are consultants out there who can get the right questions asked so you can make more informed decisions.

Mr. Johnson again clarified to those present that there already is a facility in Medway, unlike the other mentioned towns, and it is a distribution site. Mr. Sutherland again said he felt the power plants were feeding into this area in general and all are required enhancement. Mr. Johnson felt, however, that it was hard to compare Sithe with Bellingham. Mr. Sutherland said it would be less of a concern to them if all were not using oil because of the lesser impact. Mr. Johnson said they would be using oil as a backup when gas is not available during peak hours. He noted Sithe was not a principal polluter according to the chart they provided.

Karen Nahamer of CCB suggested asking them to remove oil so the hazard did not exist. Mr. Brodeur said that could be asked of them. Mr. Johnson agreed with them if it was a real concern.

Another member of CCB in the audience said they had asked Sithe about the use of oil, and they claimed if it's cheaper, they would rather run that, but with a new facility, they may just use gas. Again, conflicting information, and she said you need solid information when you negotiate with these people. She felt the ZBA may have to get involved for height, etc., they may require money be put on deposit for a consultant to be chosen by the Town, and recommended definitely to find out what the permit would require and negotiate with Sithe on the loose ends.

Mr. Sutherland mentioned that Jerry Oppenheim is their attorney, and again telling the Board they are just individuals who want to ask questions, and if they are in error, they will apologize.

Mrs. Rozanski brought up the scorecard list of polluters they provided again mentioning Sithe did not make the list. Mr. Sutherland said those on the list were beyond power plants to show a cumulative effect. Mr. Gildea asked how they would measure pollutants in Medway. Mr. Sutherland suggested asking for a cumulative impact report and monitor the air quality. He noted that the wind speed chart they gave to Board members came from Sithe.

Mr. Sutherland again said different people asking different questions bring different answers. Mr. Johnson asked what really concerned them about the Sithe report dated 9/15/98. Mr. Sutherland stated they were concerned about the SCR ammonia for the storage facility that would be trucked in 1000 feet from a daycare center; as well as with the use of formaldehyde. He went on to say that this was also noted in the 12/98 report to the Energy Facilities Siting Board. The Board members did not have this copy of the report and the Secretary was asked to inquire of Sithe why Medway Selectmen did not have this book entitled "Petition before the Energy Facilities Siting Board for approval to construct" by Earth Tech. Mr. Morelli suggested getting a draft environmental impact report and looking it over as well.

A member of the audience, Jeff Ritter, felt this was a very informative session and asked when the next public hearing was, and how much revenue would be generated from this. Mr.

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JANUARY 9, 1999

Johnson felt that \$100,000,000 at \$18.43 per thousand, or whatever the prevailing tax rate is, would be close to it. He also heard that there may be a public hearing in February but they were looking for a site to hold it. Everyone in a three mile radius of the plant was supposedly being notified.

Mr. Brodeur stated that the Selectmen were not the only Board Sithe would have to go through, but as they see what other Boards are doing, they can announce that information at their meetings.

Rep. Gardner was present in the audience and stated she felt this session was very informative and would be asking her staff to work on documentation for Medway of what can or cannot be done and send that information to Mr. Hartman.

10:10 a.m. - This portion of the workshop was concluded.

The documentation handed out to Board members at this workshop are attached to the minutes.

10:15 a.m. - Interviews for citizens at-large were now conducted. Seven would be present at this session, and three Monday night.

- Bill Dickson - He stated his background was in construction and had owned his own business for 20 years. He wants to make sure dollars are spent in the right way as he has four in the school system. He is aware of finances. Noting his wife was on the School Committee, he said he had seen the report but had not read it all. He felt he had the time to give as this was the low time of year for work. He thought he could evaluate the information and determine what is best for the Town. He noted he did not always have the same views as his wife.

- Bruce Hamblin - He felt, as a planner, he could look at different aspects of development in Town and help in determining if the location of a facility could weaken or strengthen the area. He said he was interested in population projections and capital proposals. Noting this was not a site finding committee, he said he would be sensitive to all people living in all areas. He stated he had not done school studies, but had done analyses and cost comparisons. Whatever is determined he realized was a capital expenditure for the Town.

- Patti Howard - She had two children in the school system so she would be largely impacted by whatever is decided as a parent and as a taxpayer. She was an office manager so she understood impact on taxes. She had the time to give since she was a stay-at-home mom. She noted she was a Burke School Council member.

- Barry MacDougall - He was concerned that the right decision is made as the Town would have to live with it. He wanted to make sure all options were looked at. He had no municipal financing background but would want to see a cost benefits analysis and see how they rank. He also wanted to see building trends, population figures utilizing the present school facilities, and to look at the possibility of going vertical. He said he has read some of the report, and has the time to devote to the project. At this time, he had more questions than answers so he would have to be
page 3.

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JANUARY 9, 1999

objective. He stated he was shocked, however, that this was the only apparent solution offered to the Town. He noted he purposely did not turn in his letter of interest for this committee fast because he felt he might be bias, but there are questions that need to be asked and felt being on the committee would do it. He mentioned his concern for those on fixed incomes and what the kids will need when they graduate.

- Mary O'Leary - She said she had the time and felt she would be a good representative since she had an educational background. She had read the study and has questions. She felt she also would be representing the senior citizens. She was interested in getting the best education for what the Town could afford. She knows no matter where you go, there are high taxes. She understands budgets. She felt some of the questions can be answered when they meet as a committee. She noted she was concerned, however, with starting this project in '99 and ending at '03. She said she would consider lateral construction if need be. She noted air quality was important to her as well.

- Linda Reynolds - She thought she could offer history and experience to the committee. She has done a lot of analyses and knows what questions to ask. She felt if there was something that was overlooked, she mind find something more creative. She noted she was on the FinCom and the School Committee for three years each, and has a knowledge of budgets. When told this committee was to do financials, she thought it was more to identify priorities and flexibility, and that the School would work on financials. She was told there has to be a projection of financials noting the ability to raise revenues. The focus of looking at other options was also noted to her as the Board wanted a feasibility study, but got a plan instead and wondered if this was an accurate representation of the Town's needs. She was also told the Town needs to know if they should buy more land and limit the numbers to effect growth. It was told to her that for some people, they may have to make the choice of either coming up with the \$800 in taxes, or eat, but she did not feel there would be that kind of impact on the people.

- Maria Varrichione - She felt the community was important to her and her children. She said she was neither pro or con, and has not read the study. Since she is a realtor, she talks to a lot of people. She has no financial background but would ask other Towns what they did and how they did it. She does not want to be a scapegoat, however, on how elders and children are treated, but the budget is a critical question. She noted she studied economics and accounting in school. She also is involved in some school activities and will make the time. She said they will have to look at school mandates and future mandates. She wondered if they would be better off without state aid, but she was told it was 69% reimbursable, if and when the State commits.

All the candidates were told there were three more being interviewed Monday night, and the Board would try and make a decision then.

11:35 a.m. - The workshop was adjourned.

Respectfully submitted,
M. J. Fredette
Secretary
page 4.

approved
2/22/99

ENVIRONMENTAL
DEFENSE FUND

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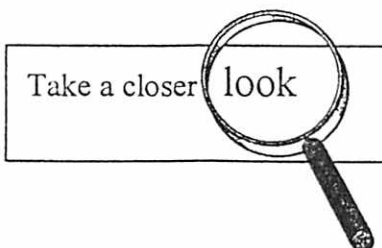
Search Tips

Your Zip Code: 02019
Your Community: **NORFOLK County****Who Is Polluting Your Community?**
Reported Environmental Releases from TRI Sources in
1996

Rank	Facility	City	Pounds
1	<u>PLYMOUTH RUBBER CO. INC.</u>	CANTON	378,000
2	<u>ALLIED-SIGNAL PRECISION PRODS.</u>	NORWOOD	71,600
3	<u>FOXBORO CO.</u>	FOXBORO	52,372
4	<u>NORTHEAST ENERGY ASSOC. L.P.</u>	BELLINGHAM	37,575
5	<u>CUMBERLAND FARMS INC.</u>	CANTON	19,926
6	<u>FEELEY'S ENAMELING CO. INC.</u>	QUINCY	19,766
7	<u>AVON TAPE INC.</u>	AVON	14,310
8	<u>AGM IND. INC.</u>	CANTON	10,326
9	<u>INNOVATIVE MEMBRANE SYS. INC.</u>	NORWOOD	5,862
10	<u>CAMGER CHEMICAL SYSTEMS INC.</u>	NORFOLK	4,820
11	<u>SAVOGRAN CO.</u>	NORWOOD	4,722
12	<u>FRANKLIN PAINT CO. INC.</u>	FRANKLIN	4,606
13	<u>POLAROID CORP.</u>	NORWOOD	3,560
14	<u>MAJOR GROUP INC.</u>	WALPOLE	3,480
15	<u>BIRD MACHINE CO. INC.</u>	SOUTH WALPOLE	1,750
16	<u>BOSTON CHEMICAL IND.</u>	RANDOLPH	1,500
— 17	<u>E. PARRELLA CO. INC.</u>	MEDWAY	1,240
18	<u>CAPSTAN ATLANTIC</u>	WRENTHAM	1,046
19	<u>INTERPOLYMER CORP.</u>	CANTON	795
20	<u>BIRD INC.</u>	NORWOOD	460

HERE'S WHAT ELSE YOU'RE GETTING FROM POWER PLANTS

(Besides tax revenue)



Maximum Potential Annual Emissions for *Site* *TONS PER YEAR* (tpy)

Pollutant	Maximum Potential Annual Emissions Rate (tpy)
Nitrogen Oxides (NO _x)	232
Sulfur Dioxides (SO ₂)	19.4
Particulate Matter (PM-10)	106.9
Carbon Monoxide (CO)	109.6
Volatile Organic Compounds (VOC)	14.8

Here are some definitions:

VOLATILE ORGANIC COMPOUNDS (VOC for short), also called hydrocarbons, encompass a wide array of solid, liquid, and gaseous compounds that are composed exclusively of hydrogen and carbon. Large quantities occur naturally, with methane being the most abundant. Methane, however, does not interact chemically with other substances and has no negative health effects. In cities, the incomplete combustion of gasoline in motor vehicles is the principal source of reactive volatile organic compounds. Although some hydrocarbons from other sources are cancer-causing agents, most of the VOCs in city air do not by themselves appear to pose significant environmental problems. However, when volatile organic compounds react with certain other pollutants (especially nitrogen oxides), noxious products result.

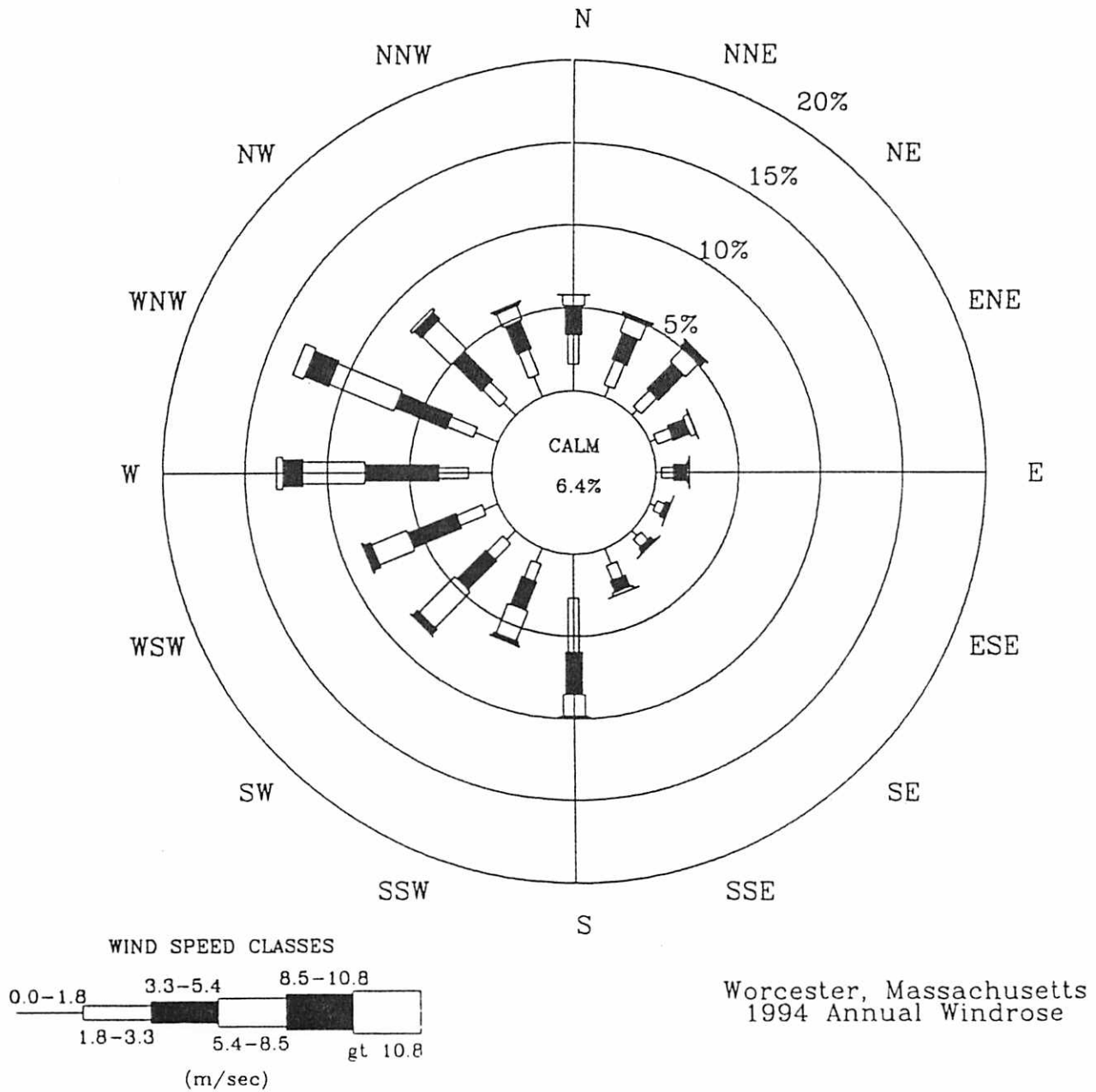
NITROGEN OXIDES are gases that form during the high-temperature combustion of fuel when nitrogen in the fuel reacts with oxygen. POWER PLANTS AND MOTOR VEHICLES ARE THE PRIMARY SOURCES. These gases also form naturally when certain bacteria oxidize nitrogen-containing compounds. The initial product formed is nitric oxide (NO). When NO oxidizes further in the atmosphere, nitrogen dioxide (NO₂) forms. Commonly, the general term Nox is used to describe these gases. Although Nox forms naturally, its concentration in cities is 10 to 100 times higher than in rural areas. Nitrogen dioxide has a distinctive reddish brown color that frequently tints polluted city air and reduces visibility. When concentrations are high, NO₂ can also CONTRIBUTE TO LUNG AND HEART PROBLEMS. When air is humid NO₂ reacts with water vapor to form nitric acid (HNO₃). Like sulfuric acid, this corrosive substance also CONTRIBUTES TO THE ACID RAIN PROBLEM. Moreover, because nitrogen oxides are highly reactive gases, THEY PLAY AN IMPORTANT PART IN THE FORMATION OF SMOG.

SULFUR DIOXIDE (SO₂) is a colorless and corrosive gas that originates largely from the combustion of sulfur-containing fuels, primarily coal and oil. IMPORTANT SOURCES INCLUDE POWER PLANTS, smelters petroleum refineries, and pulp paper mills. Once SO₂ is in the air, it is frequently transformed into sulfur trioxide (SO₃), which reacts with water vapor to form sulfuric acid (H₂SO₄). Very tiny particles act as a medium on which the acidic sulfate ion is carried over long distances in the atmosphere. When it is "washed" out of the air or deposited on surfaces, it contributes to a serious environmental problem known as **ACID PRECIPITATION.** This issue is the subject of a later section. The tiny acid-bearing particles can also be drawn deep into the lungs where they can be very damaging. Next to smoking, sulfur dioxide and sulfate ions are probably the most serious contributors to air pollution-related health problems. Over the decade of the 1980s, SO₂ air quality measurements showed a 30 percent improvement even though emissions dropped only 17 percent. One reason for this disparity is that measurements are taken near ground level; and during this same period, many large utilities and smelters built tall stacks, which release their emissions well above ground level, where transport and dispersal occur more readily.

CARBON MONOXIDE (CO) is a colorless, odorless, and poisonous gas produced by incomplete burning of carbon in fuels. CO is the most abundant primary pollutant and about two thirds of the nationwide emissions are from transportation sources, mainly highway vehicles. Although CO is quickly removed from the atmosphere, it can never the less be dangerous. Because it can not be seen, smelled, or tasted, CO can have an effect on people without their realizing it. In small amounts, it causes drowsiness, slows reflexes, and impairs judgment. If concentrations are sufficiently high, CO can cause death by not allowing blood to transport adequate oxygen. Carbonmonoxide poses a serious health hazard where concentrations can reach high levels as in poorly ventilated tunnels and underground parking facilities.

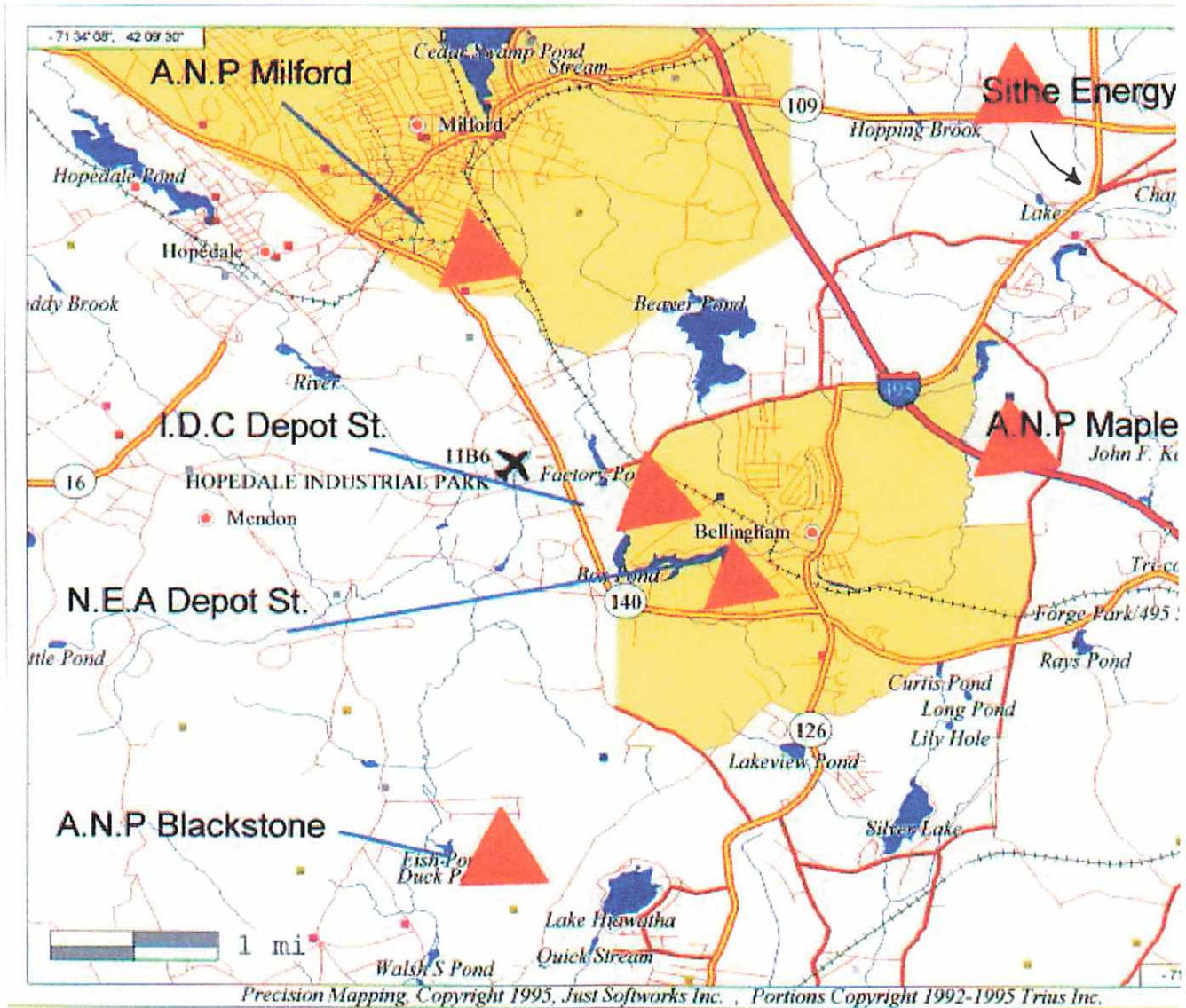
PARTICULATE MATTER consists of both solid particles and liquid droplets emitted into the atmosphere by sources such as factories, POWER PLANTS, motor vehicles, CONSTRUCTION ACTIVITY, fires, and natural wind blown dust. Smoke, soot, dust, ash, pollen, spores and many other materials are included. Particulates are frequently the most obvious form of air pollution because they reduce visibility and leave deposits of dirt on the surfaces with which they come in contact. Originally, total suspended particulate (TSP) was the indicator used to represent this category. It included all particles up to 45 micrometers in diameter. In 1987 the U.S. Environmental Protection Agency (EPA) set new standards that related only to particles smaller than 10 micrometers (identified as PM 10). Emphasis has been placed on these smaller particles because they are responsible for most of the adverse health effects caused by particulates. THESE PARTICLES ARE SO TINY THAT THEY CAN BE DRAWN INTO THE LUNGS AND DAMAGE RESPIRATORY TISSUES.

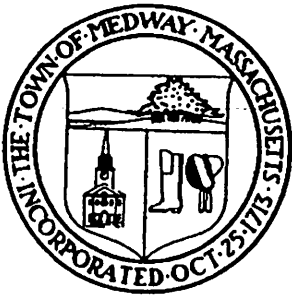
From the book, The Atmosphere an introduction to meteorology. (Bellingham High text book)



Source: National Climatic Data Center

Figure 4.2-2
Wind Speed and Direction





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

AGENDA

MONDAY, JANUARY 4, 1999

Location: Sanford Hall of Town Hall

7:00 p.m. - Open meeting, sign warrants, approve minutes of November 30, 1998.

- Public Comments.
- Administrator's Report.
 - * Correspondence
 - * For your information
 - * Personnel activities
 - * Other
- Committee Reports.

7:15 p.m. - Public hearing for transfer of license for The Little Store.

- Action Items.
 1. Evaluation of Bob Speroni.
 2. Acknowledge residents' petition re: Route 109.

cc: ALB
CM
6/4/99

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 4, 1999

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

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

- Mr. Johnson moved approval of warrant #28 totalling \$841,023.34; Mr. Dziczek seconded; all aye.
- Mrs. Rozanski moved approval of the minutes of November 30, 1998; Mr. Johnson seconded; Mr. Gildea abstained; aye.

7:05 p.m. - Administrator's Report.

- Mr. Hartman brought up the issue of renewing licenses to establishments when the end of the year comes along. He stated he would be looking at how to better coordinate the way it is handled with the different departments in-house by sitting down with the staff for a written protocol. He noted the same thing would happen next year with a three-day weekend. Mrs. Rozanski questioned if it was still legal to close Town Hall early if the license is through December 31st. Mr. Hartman said it was, and in the future, more advance notification of when Town Hall is closed will have to be done.

7:15 p.m. - Mr. Dziczek read the ad that appeared in local papers for The Little Store's transfer of license. Mr. Brodeur opened the hearing to public comments. Attorney William Lenahan spoke on behalf of the applicant Stephen Lawton. He stated Mr. Lawton had entered into a P&S with Mike and Diane McManus; have made application to the State Lottery and was approved; and business will be as usual. The business is not contingent upon a beer and wine license, but it would be good to have. Attorney Lenahan explained the findings on the CORI and that the cases had been dismissed, restitution paid and probation served. He added Mr. Lawton was the sole shareholder of the company and principal holder. Mr. Lawton noted he and his mother would be the employees of the store, and he would be keeping on some of the present part-time employees. Mrs. Rozanski moved to approve the transfer of a wine and malt liquor license of The Little Store from Michael and Diane McManus to Stephen Lawton; Mr. Gildea seconded; all aye. Mrs. Rozanski moved to close the hearing; Mr. Dziczek seconded; all aye.

7:30 p.m. - Mr. Hartman continued with his report.

- Mr. Hartman stated that people from Mass. Highway including Margaret O'Meara and the Project Engineer would be coming to meet with the Selectmen and members of the staff for a site visit of Route 109 on Tuesday, January 12th at 8:30 a.m. at Town Hall. He added they are looking at options for traffic with the engineer for a 3T design and pedestrian crossing lights. It would require approval from Boston on the lights; however, the Board of Selectmen have the authority to approve it and Mass. Highway has to just make sure it meets their specs. Mr. Hartman felt there was enough road width at this time not requiring any takings, but added they are also looking at long-term solutions. He intends to come back to the Board around the 25th

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 4, 1999

with more information, but believed they were heading in the best direction with the 3T design; however, it won't work without pedestrian lights. Mr. Hartman said the Safety Officer has stated that, under normal conditions with the posted 30 mph, a vehicle should be able to stop with little difficulty. It was felt a light at the Papa Gino's crosswalk was not a good idea, but further west to the main entrance of the shopping center. They were looking to possibly bring a proposal to the May town meeting as it was still an expenditure.

Mrs. Rozanski felt a light was a permanent solution, with other things being a temporary solution. She also felt they had to educate the kids. Mr. Hartman also included better enforcement as being necessary as the Police believe most of the traffic is moving 10 mph faster than it should. Mr. Gildea questioned if a light would cause even more traffic problems. Mr. Johnson felt the kids would cross where they want to and suggested jersey barriers up and down Route 109. Mrs. Rozanski felt if it can be changed later on, it is considered temporary and could be done. Mr. Hartman noted, however, jersey barriers would eliminate left-hand turns. Mr. Johnson felt that was fine, as long as pedestrian lights were placed at Papa Gino's and at the main entrance to the shopping center across from the post office. Again, Mr. Hartman reiterated that it has to be State-approved and the Town needs to act prudently similar to the Route 9 situation but they have to give some thought to options on openings as 21 commercial curb cuts is too many. Mr. Johnson recalled the use of a metal footbridge in Virginia did not get used by the kids, but jersey barriers did work. Mr. Hartman again brought up enforcement especially when the kids are out of school. He stated they could do a "zero tolerance zone" and fine kids and drivers.

Mr. Johnson proposed the Town Administrator take up with the Police Chief a greater presence when the kids are around, and request a priority change in the police department's. Mr. Brodeur brought up a right-of-way at the end of Appleton Way leading to Route 109 which is not paved. Mr. Hartman thought that was something that could be explored with the School Department and DPS. Mr. Johnson just noted that there were three pedestrian accidents in two years on Route 109 - all involving kids; all were in the crosswalks; all involved cars going around a car stopped for a pedestrian. He again suggested more signage, with Mr. Hartman adding that reflectors in crosswalks are a possibility also, but they need to work with the property owners as well to try and improve the business district overall. Mr. Johnson suggested implementing the town by-law which says one center should be connected to another, but Mr. Brodeur said some are grandfathered. Mr. Hartman added there are some complex legal issues as well.

Mr. Johnson brought up his concern with the many exits leading out of the high school parking lot front field. Mr. Hartman stated that last year, the Board of Selectmen approved a redesign of the parking lot. Officer Watson felt they needed a separate entrance for the high school and were going to put in a third entrance, but the FinCom cut the funding for redoing all the parking lots in case they were going to be building new schools. Mrs. Rozanski suggested some traffic control with the orange cones or telephone poles. Mr. Hartman noted, however, that FinCom may not have realized a redesign had been proposed.

At this time, Mr. Brodeur took Action Item #2 out of order and acknowledged receipt of a petition sent by Rick Mankin of Drybridge Road concerning the traffic on Route 109 and especially around Pond Street.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 4, 1999

- Mr. Hartman passed out to the Board his proposed job description for a personnel clerical position and asked that the Board review it.
- Committee Reports.
- Mrs. Rozanski reported attending a meeting in Tiverton which she explained had nothing to do with Sithe but more concerning Algonquin Gas. She said in April, the Board should be hearing if they plan to do any excavating in Medway.
- Mrs. Rozanski brought up her concern of a cat killed on Route 109 and the homeowner's concern that the Town did not sufficiently assist her.
- Mr. Johnson noted attending the Norfolk County Advisory Board meeting and that they had discussed the legislation of tax dollars to the County for excise tax for deeds for the land bank. There was also to be a meeting in Quincy the next day centering on open space and park land.
- Mr. Johnson commented that the tax bills got out on time, and there was generally a 7% increase across the board for houses, not the land. An entire reval will be done this year.
- Mr. Hartman reminded the Board of the meeting on Saturday at 9:00 a.m. with the people from Bellingham, and the interviews for the school study committee at 10:00 a.m. He explained there was one individual that the Master Plan Committee had appointed to this committee, but it was explained to David Kaeli that person was not an appointed member of the Master Plan Committee, and therefore, could not serve as a representative on the school study committee. They will be looking to appoint someone else. It was also explained to Mr. Kaeli that the person could apply as a citizen-at-large to the committee.

8:45 p.m. - Action Item #1. The evaluation of Building Inspector Bob Speroni was brought up. Certain areas were addressed, i.e. safety. Mr. Hartman noted he will be a member of the Safety Committee. He also brought up the number of hours Mr. Speroni has put in for continuing education units as being 55 instead of the required 15. He also said that inspections are usually done in less than 36 hours where it has to be done in 72 hours.

Mr. Johnson brought up his concern that everyone was getting a merit increase, and it was not known for sure if they were serving the Town in the best way. Is everyone outstanding. Mr. Brodeur said if they are all above the 42, then being outstanding is the norm.

Mr. Brodeur brought up that if you were a good writer you could get the increase; others have learned from this. Mrs. Rozanski felt they need to plan for economic impact as it is the taxpayers money and they have to be responsible.

Mr. Johnson moved to accept the evaluation form as written for Bob Speroni with 42.5 points; Mr. Dzialek seconded amending the motion to further grant the merit increase the rating justifies; Mrs. Rozanski seconded the amended motion; all aye.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 4, 1999

At this point, Mrs. Rozanski brought up the JCRB and the adoption of a salary schedule, and moved to approve a salary schedule of 4% for all non-union personnel. Mr. Hartman stated this should not be done as he will be making a recommendation for something different, and if successful, the recommendation will include one class system and one salary schedule. He would then like to recommend the same for non-union personnel. Mrs. Rozanski withdrew her motion. Mr. Hartman stated he had one preliminary meeting with the Union, and as they should recall, they had one preliminary meeting with Labor Counsel when he was here. Mr. Brodeur reiterated this contract Mr. Hartman does the negotiating, where last time, it was the Selectmen. Mr. Hartman said hopefully before the budget is approved, they can come to some positions.

9:05 p.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary

mj

over
2/8/99